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

Bangalore Branch of SIRC Newsletter

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Celebrating 50 years

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2011 - 12

BANGALORE BRANCH OF SIRC OF ICAI
50
2011 -12
WAY FORWARD
Innovate ♦ Integrate

All knowledge that the world has ever received comes from the mind;
the infinite library of the universe is in our own mind.
- Swami Vivekananda

Workshop on
Revised Schedule VI
16th & 17th February 2012
at Branch Premises

8 HOURS CPE

Chairman's Communique . . .

Dear Professional Colleagues

Warm greeting to all of you!

I have great pleasure and privilege to share my thoughts in this Chairman's Communiqué, while I say adieu as a Chairman of the largest and most vibrant branch of the country. It was a unique opportunity to be the Chairman during the Golden Jubilee year and it was an amazing and rewarding 12 months working for Bangalore Branch. It provided me an opportunity to meet and interact with various stakeholders.

Continuing the rich tradition of Bangalore Branch, during the year, branch has conducted various programmes for the benefit of members, students, and society at large resulting in 447 CPE Hrs.

Programmes	*CPE Hrs*	*No of Participants*
Study Circle / Lecture Meetings	124	8412
Seminars, Conferences & Workshops	277	6808
Tele Conferencing	46	481

To name a few siginificant programmes held at Bangalore:

- Analysis of Union Budget 2011
- Seminar on Bank Branch Audit • National Seminar on XBRL
- Golden Jubilee State Level Conference '**SAMVIT**-Potency of Knowledge'
- Two day national Convention –Corporate Conclave
- Training programme on 'An insight on the concepts applicable to autonomous bodies'
- Sub Regional CPE Conference '**VIDVATH**-Professional Excellence'
- ICAI Awards 2011 • Indo Japan IFRS dialogue • Special CFO meet
- Workshop on KVAT • Workshop on Accounting Standards
- Workshop on law of arbitration and mediation
- Comprehensive workshop on Real Estate and Property Development

Interactive sessions with statutory authorities:

Branch in its endeavor to provide a platform to officials and the practitioners to address their concerns, has organized interactive sessions with

• CIT(CPC) and Income tax officials - CPC • CIT and officials of Income Tax • RBI officials • Registrar of Companies and other officials of the office of ROC

Innovative improvements:

- New look to Branch website • Webcasting • Information KIOSK
- E-payment facility for workshop • Subject wise coaching for students

Infrastructure development:

- Installation of new lift
- Reading room & library facility at Bangalore South

For the reference of the members detailed Activity Report – 2011 has been hosted on branch website www.bangaloreicai.org

The month that was:

• **"Republic Day"** celebrations: There was an overwhelming response for republic day celebrations held on 26th Jan at Branch Premises. CA. Shabbeer Pasha S., Past Chairman of the Branch hoisted the flag, which was followed by cultural programmes performed by students.

• **Scholarship Distribution:** On the auspicious occasion of republic day scholarship was distributed to 11 merit cum need based students.

• **Installation of New Lift: We are happy to inform that new lift has been installed and made operational.**

• **Contribution to Benevolent Fund:** Apart from encouraging the members to contribute to CA benevolent fund, the committee has taken a decision to contribute Rs. 1,21,125/- to CA benevolent fund, out of surplus generated in the conference conducted during the year.

• **CESTAT:** One day seminar on practice and procedures before the CESTAT was held on January 21, 2012 and was well attended and appreciated by the members.

• **National Convention for CA Students 'UDAAN-fly to future'** organized by Board of Studies, ICAI and hosted by Bangalore Branch of ICAI jointly with SICASA, Bangalore. The event was attended by more than 1350 students. The event was inaugurated by Dr. N Prabhudev, Vice Chancellor, Bangalore University and our beloved president CA G Ramaswamy and the same was presided by CA V Murali, Chairman Board of Studies and CA Shanmukha Sundaram, Chairman SIRC. Valedictory session was addressed by Mr. Ravikanthe Gowda, DCP, Bangalore. The event provided a platform to many student speakers to present their papers before the student under guidance of domain experts.

A loud and clear message was imparted by all the dignitaries to uphold the values of the profession and to be a partner in nation building.

A Voluntary Blood Donation Camp was organized during this convention and 246 units of blood were donated by students & members.

A walkathon was conducted with the motto "Go Green" wherein more than 350 students actively participated.

We are happy to share with you all that student from Bangalore has secured All India 3rd rank in CA FINAL and stood first in the region. We are also happy to state that the results have been very encouraging.

The month ahead:

Apart from regular study circle meetings, we have following events being organized in the month of February 2012

Workshop on Revised Schedule VI under Companies Act, 1956 is being organized on 16th & 17th February 2012. We request all members to actively participate in the workshop and gear up for the ensuing year's audit. We also request members to register for the programme in advance.

Adieu:

Like all good things come to an end, my tenure is coming to an end on February 19. I must express that I had a memorable journey as Chairman of the Bangalore branch, Let me bid farewell as Chairman with a feel of accomplishment and rich experience.

As I lay down my office, I am sure that new team will take upon the enviable task with still greater force and commitment. I wish the new team all round success. I must confess that I enjoyed the overwhelming and unstinted support and cooperation and enriching inspirations from everybody including office bearers, my colleagues in the Managing Committee, Speakers, Faculty Members, resource persons of various programmes, students, officers and staff of Bangalore Branch and institute at apex level and more importantly support from my partners, family and friends. Let me also thank sponsors of various programmes, media and press and those who are directly or indirectly involved in the conduct of various activities of our Branch.

Nothing is an end in itself, nothing is complete, tasks do get finished, but new tasks line up, marking an unending journey in pursuit of excellence. I believe that, for every end there is a way for a beautiful beginning.

In fact, while trying to motivate others, I have found motivation. While trying to teach others, I ended up with learning. I would like to add that my tenure has given me courage to shoulder bigger responsibilities in future. For this let me profusely thank our President, Vice President, Chairman of SIRC of ICAI and their team members for having given their valuable guidance to discharge my duties most diligently.

With warm regards,

T.R. Venkatesh Babu

CA.Venkatesh Babu T R
Chairman

Thank You . . .

National Convention for CA Students

Inauguration of "UDAAN > > Fly to Future" National Convention for CA Students

Dr. N. Prabhu Dev, Vice Chancellor, Bangalore University and CA. G. Ramaswamy, President, ICAI inaugurated The National Convention for CA Students "UDAAN" in the presence of (L-R): Mr. Madhu Kumar K.S., Secretary, SICASA, CA. K. Raghu, Central Council Member, CA. C.S. Srinivas, Chairman, SICASA, SIRC, CA. V. Murali, Chairman, Board of Studies, CA. Shanmukha Sundaram, Chairman, SIRC, CA. Venkatesh Babu T.R., Chairman, Bangalore Branch, CA. Ravindranath S.N., Secretary, Bangalore Branch, CA. H. Shivakumar, Chairman, SICASA, Bangalore, Ms. Swathi Mundra, Member, SICASA, Mr. Chandrashekhar M.P., Vice Chairman, SICASA


Dr. N. Prabhu Dev
Chief Guest,
Inaugural Session


CA. G. Ramaswamy
President, ICAI


CA. K. Raghu
Central Council Member


CA. V. Murali
Central Council Member


CA. Shanmukha Sundaram
Chairman, SIRC


CA. Madhukar Hiregange
Central Council Member

Chairmen of Technical Sessions


Mr.B.R.Ravikanthe Gowda, IPS,
Dy. Commissioner of Police
Chief Guest, Valedictory Session

Release of Souvenir


CA. T.P. Ostwal


CA. M.P. Vijay Kumar


CA. Babu Jayendran


CA. Dr. Girish Ahuja

Speakers of Special Sessions


Chairman handing over cheque to President
towards CA Benevolent Fund
on behalf of Branch


CA. Gurunath


CA. Vinay
Mruthyunjaya


CA. M.R. Venkatesh


CA. Venkat K.N.


CA. Gargi Ray


CA. Hariharan K.

National Convention for CA Students
Student Speakers


Mr. Krishna Chaitanya K.


Ms. Meda Pratyusha


Ms. Vaishalee. P


Mr. Vinod Garg


Ms. Janani. S


Mr. Ramanujam Raghavan


Mr. Mohan


Mr. Nainwani Pradeep Rajendrabhai


Mr. Ankit Jain


Mr. Harshit Goel


Mr. Pankaj Damodarlal Agrawal


Mr. P. G. Narasimhan


Volunteers of National Convention for CA Students


Cross section of Student Participants


Go Green - Walkathon


Voluntary Blood Donation Camp


Cultural Extravaganza

Workshop on Revised Schedule VI under Companies Act & Provisions of Companies Bill on Accounts and Audit

Schedule VI containing the format & disclosure requirement for companies in India has undergone a sea change. Professionals both in practice and in the Industry will have to unlearn the old format & its contents and learn the new avatar of Schedule VI in depth. To add spice to these developments, the companies bill has been introduced with a paradigm shift on Accounts / Audit related provisions. To evaluate these new waves in the corporate law practice this workshop is designed.

Speakers : CA. N. Nityananda, CA. P. Manohar Gupta, CA. K. Gururaj Acharya
CA. P. M. Rashmi, CA. Aishwarya Nityananda

8 Hrs CPE

Dates: **16th Thursday & 17th Friday, February 2012** — **Delegate Fees: Rs.500/-**

Timings: **04.00pm to 08.00pm** on both days — Venue : **Branch Premises**

DD/Pay order/Cheque should be drawn in favour of **"Bangalore Branch of SIRC of ICAI"** payable at Bangalore.

Please mention your name, membership number and contact details at the back of the cheque/demand draft.

For further details please contact: **Ms. Geethanjali D,** Tel: **080-30563500 / 3513,** Email: **blrregistrations@icai.org**

CALENDAR OF EVENTS - February & March 2012

Date/Day	Topic /Speaker	Venue/Time	CPE Credit
01.02.12 Wednesday	Importance of Financial processes including Chart of Accounts, Pricing the product **CA. Ketoki Basu**	Branch Premises 06.00pm to 08.00pm	2 hrs
07.02.12 Tuesday	CPE Teleconference on "Point of Taxation – Service Tax" **CA. Ravi Holani,** *Central Council Member*	Branch Premises 11.00am to 01.00pm	2 hrs
08.02.12 Wednesday	Proposed Constitutional Amendments, its relevance to GST Enactment **Dr. B. V. Muralikrishna,** *DCCT, Commercial Taxes Department, Govt. of Karnataka*	Branch Premises 06.00pm to 08.00pm	2 hrs
15.02.12 Wednesday	New supervisory frame work for Microfinance Companies (NBFCs), Exception Report, Interactive Session with CAs in respect of NBFCs **Mr. M P Vijayakumar,** *Deputy General Manager and* **Mr. M Muralidhara,** *Assistant Manager*	Branch Premises 06.00pm to 08.00pm **Open to General Public**	2 hrs
16.02.12 Thursday & 17.02.12 Friday	Workshop on Revised Schedule VI under Companies Act & Provisions of Companies Bill on Accounts and Audit *Delegate Fee:* ***Rs.500/-*** *Refer Page No: 4*	Branch Premises 04.00pm to 08.00pm	8 hrs
22.02.12 Wednesday	Composition Scheme Under VAT **CA. Naveen Rajpurohit**	Branch Premises 06.00pm to 08.00pm	2 hrs
29.02.12 Wednesday	An introduction to FEMA **CA. B. D. Chandrashekara**	Branch Premises 06.00pm to 08.00pm	2 hrs
07.03.12 Wednesday	Usage of MCA's Statutory Report in XBRL (Format) using Tally. ERP 9 **Mr. Vijaya Sarathy D.**	Branch Premises 06.00pm to 08.00pm	2 hrs
	Analysis of Union Budget 2012 *Date & Venue will be communicated*		

Note : High Tea at 5.30 pm for programmes at 6.00 pm at Branch Premises.

Editor : **CA. Venkatesh Babu T.R.**
Sub Editor : **CA. Ravindranath S.N.**

TAX UPDATES DECEMBER 2011

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

VAT, CST, ENTRY TAX, PROFESSIONAL TAX

PARTS DIGESTED:

a) 46 VST – Part 1 to 5
b) 7 GSTC – Part 4
c) 11 GSTR – Part 7
d) 16 KCTJ – Part 9
e) 71 KLJ – Part 12

Reference / Description

[2011] 46 VST 24 (Ker. – HC): Alleppey Company Ltd. v. State of Kerala - In the instant case, the petitioner was engaged in the manufacture and export of coir products and had to attach tags and labels to each and every coir product exported giving product description in terms of buyers' norms. The petitioner outsourced these tags and labels from printing presses, which had sales tax exemption under the notification issued by the Government. The Assessing Officer levied purchase tax under Section 5A of the Kerala General Sales Tax Act, 1963, (KGST) holding that the tags and labels purchased were consumed in the manufacture of coir products exported. The Kerala High Court observed that the taxable turnover under Section 2(xxv) of KGST Act excludes export turnover which included deemed export turnover falling under Section 5(3) of the CST Act and though the applicability of Section 5A of the KGST Act was satisfied inasmuch as goods purchased were used in the manufacture, which included labelling of the commodity for export, Section 5A of the KGST Act was subject to Section 5(3) of the CST Act, therefore liability had to be considered keeping in view the exemption available to the purchaser/exporter under Section 5(3) of the CST Act. In view of the above observation, the Court held the act of exporter of coir products purchasing tags and labels giving product description from URDs and exporting after attaching tags and labels to products, constituted penultimate purchases of tags and labels for export. It was thus held that the same was not liable to be assessed under Section 5A of the KGST Act.

[2011] 46 VST 341 (Patna – HC): Pandit Electrical Pvt. Ltd. v. Union of India and others - In the instant case the petitioner had its registered office at Mugalasarai in the State of Uttar Pradesh. It supplied goods to the East Central Railway in the State of Bihar. Though it had paid Central Sales Tax at the rate of 4% per annum as required and as evidenced by the invoice, the Railways continued to deduct 4% per cent of the contract amount as envisaged by Section 41 of the Bihar Value Added Tax Act, 2005. The petitioner demanded refund of the sum deducted by the Railways and a restraint on the Railway from deducting any amount from the amounts payable for the goods supplied by the petitioner.The Railways contended that the dealer failed to inform the Railways of the payment of Central Sales Tax on the materials in question and that the Railways having deposited the amount deducted with the treasury of the State, it was the State Government which should be directed to refund the amount.In view of the above facts, the Patna High Court directed the Railways to refund the amount of tax recovered by it from the dealer for the supply of goods on which the dealer had paid Central Sales Tax and gave the liberty to Railways to approach the State authorities for refund of such amount deposited by it.

2011 (71) Kar. L.J. 846 (Tri.) (DB): Shree Vinayaka Cashew Exports v. State of Karnataka - In the instant case, the Karnataka Appellate Tribunal dealing in respect of input tax credit under KarVAT Act held that the buying dealer cannot be prevented from taking credit of tax paid on his purchase as input tax credit, if selling dealer defaults in remitting to State exchequer tax collected by him.The Tribunal further held that loss of revenue caused by default of one dealer cannot be made good by mulcting another.

INCOME TAX

PARTS DIGESTED:

a) 339 ITR – Part 2 to 5
b) 203 Taxman – Part 1 to 6
c) 12 ITR (Trib) – Part 6 to 9
d) 133 ITD – Part 6 to 9
e) 36 CAPJ – Part 5 & 6
f) 43-B BCAJ – Part 3
g) 60 TCA – Part 6
h) 5 International Taxation – Part 6

Reference / Description

[2011] 339 ITR 210 (Karn – HC): C. Ramaiah Reddy v. ACIT - In the instant case, the Karnataka High Court dealing in respect of search and seizure laid down the following principles:

(a) The Tribunal has got powers to look into all aspects of search including validity of a search

(b) A valid search is sine qua non for initiating block assessment.

(c) Each search warrant can cover only one place of search

(d) A search warrant is valid only for one visit. Any more visit on the basis of the very same warrant may be only for collateral purpose but not for search and seizure. Any more visit for search and seizure is required to be authorised by a fresh search warrant.

(e) Once a search begins upon entry of search party, it continues during the presence of search party and the moment the search party leaves, the search ends.

(f) Materials seized during an invalid search cannot be used in block assessment proceeding but can be used in other assessment proceedings under the Act.

(g) The power to put prohibitory order under section 132(3) is to based on reasons and such reasons for doing so have to be recorded in writing and are justiciable.

(h) The period of limitation starts on the date on which the last of authorization has been executed and not when the authorized officer states that the search is finally concluded. Putting a prohibitory order under section 132(2) does not elongate the starting point of limitation.

[2011] 339 ITR 291 (Bom. – HC): CIT v. Morgan Stanley Advantage Services P. Ltd. - In the instant case the Assessee submitted an application to the Reserve Bank of India (RBI) seeking extension of time for realization of the export proceeds. The RBI granted its approval in the context of provisions of Foreign Exchange Management Act (FEMA), 1999, but did not grant any formal approval under Section 10A of the IT Act, even though an application had been made by the Assessee in that behalf. The Assessing Officer denied the exemption under Section 10A of the IT Act on the basis that the approval was not granted for the purposes of Section 10A of the IT Act.The Bombay High Court observed that RBI neither declined nor rejected the application made by the Assessee seeking extension of time under Section 10A of the IT Act and also observed that Section 10A(3) provides that the benefits under Section 10A(1) would be available if the export proceeds are realized within the time prescribed by the competent authority under the FEMA Act.In view of the above observation, the Court held that the approval by RBI for extension of time for realisation of export proceeds under FEMA Act constituted deemed approval granted by RBI for purposes of Section 10A of the IT Act and therefore, Assessee was entitled to exemption under Section 10A of the IT Act.

[2011] 339 ITR 296 (Ker. – HC): CIT v. Leena Ramachandran - In the instant case the Assessee claimed deduction for interest on borrowed capital under Section 36(1)(iii) on the basis that the same was utilised for the acquisition of shares in the company for the purpose of controlling the company. The Assessing Officer held that the Assessee made investments by utilising the borrowed funds in the form of acquisition of shares in the company and the only benefit the Assessee got was dividend income and hence disallowed the same under Section 14AThe Kerala High Court held that the assessee would be entitled to deduction of interest under Section 36(1)(iii) on the borrowed funds utilised for the acquisition of shares only if shares were held as stock-in-trade and that would arise only if the Assessee was engaged in trading in shares. Since the acquisition of shares was in the form of investment and the only benefit the Assessee derived was the dividend income which was not assessable under the Act, the Court held that the same has to be disallowed under Section 14A.

[2011] 339 ITR 323 (AP – HC): R.R.M. Educational Society v. Chief CIT and others - In the instant case the Andhra Pradesh High Court dealing in respect of condition precedent for exemption under Section 10(23C)(vi) held that the institutions must exist solely for the purpose of education and if one of the objects of the institution was to eradicate unemployment, exemption under Section 10(23C)(vi) does not attract.*With due respect, the Hon. High Court missed the point that one of the important effects of education is eradication of the unemployment and therefore such eradication cannot be understood as an object alien to education.*

[2011] 339 ITR 484 (Guj – HC): CIT v. Shree Mahalaxmi Transport Co. - In the instant case the Gujarat High Court dealing in respect of deduction of tax at source held that payment made to contractors for hiring dumpers is not a rent for machinery or equipment so as to attract Section 194I but was payment for works contract for shifting of goods from one place to another which attracts Section 194C.***This decision reiterates what department itself had clarified vide circular no. 558, dated 28.03.1990.***

[2011] 339 ITR 498 (Guj – HC): Sayaji Hotels Ltd. v. ITO - In the instant case the Assessing Officer had reopened the assessment invoking provisions of Section 149(1)(b).The Gujarat High Court held that though the assessment is reopened invoking provisions of Section 149 which merely prescribes the maximum time limit for issuance of notice under Section 148 based upon the amount involved, it does not in any manner override the proviso to Section 147 which lays down that no action shall be taken under Section 147, after the expiry of four years from the end of relevant assessment year unless the requirements of the proviso, i.e., that there should be failure on the part of the assessee to disclose fully and truly all material facts necessary for his assessment are satisfied.*In this welcome decision, the Court clarified* *that the time limit under the proviso to section 147 is independent of the time limit under section 149 and both operate in two distinct and separate fields.*

[2011] 339 ITR 610 (P&H – HC): CIT v. Jagriti Aggarwal - In the instant case the Punjab & Haryana High Court dealing in respect of due date for the utilisation of profit on sale of residential property held that profit derived on sale of residential property can be utilized for purchase of residential property or depositing in specified account before the due date for furnishing return of income under Section 139(1) if not can also be utilised before the extended due date under Section 139(4).*Although it is a favourable decision, it would have been appropriate if the decision was based on the reasoning that the deposit is only a technical requirement and a delay in such deposit should not be visited with the denial of exemption when the condition of exemption has been substantively complied with.*

[2011] 339 ITR 615 (P&H – HC): CIT v. Haryana State Electronics Development Corporation Ltd. - In the instant case the Punjab & Haryana High Court held that manufacturing of identity cards is an activity involved in making a new final product from data with which it started, therefore the same amounts to manufacture or production of an article or thing being eligible for deduction under Section 80-IA.

[2011] 203 Taxman 81 (Delhi – HC)15 taxmann.com 107 (Delhi - HC): CIT v. Delhi Public School - In the instant case the Assessee was providing free educational facilities to the wards of teachers/staff members. The Assessing Officer, based on his understanding of Rule 3(5), held that the Assessee had committed a default by lower deduction of TDS from the total salary and was liable to be treated in default under Section 201(1) and was liable for interest under Section 201(1A).The Delhi High Court observed that the Assessee had deducted TDS on 'estimated income' of the employee and therefore, held that the employer was not expected to step into the shoes of the Assessing Officer and determine the actual income.Further the Court held that where employer has deducted TDS on estimated income of employee and such estimate is found to be incorrect, this fact alone would not make employer an assessee-in-default under Section 201(1) unless an inference can be reasonably raised that employer has not acted honestly and fairly.***The above decision judicially recognises the statutory position under section 192 that the employer is only required to estimate the salary income and in any such estimate, differences are bound to exist thanks to different but bonafide perceptions. Any shortfall in such estimate does not entail penal consequences.***

[2011] 203 Taxman 173 (Karn. – HC)15 taxmann.com 119 (Karn. - HC): CIT v. Black Pearl Hotels (P.) Ltd. - In the instant case the Assessee was running a hotel, which was closed and employees were retrenched. Thereafter, the assessee utilized hotel premises for its other business and claimed deduction paid towards bonus, gratuity, leave salary and compensation under Sections 25F and 25FFF of Industrial Disputes Act to retrenched employees under a memorandum of settlement reached before Labour Commissioner. Assessing Officer allowed deductions only towards bonus and gratuity and denied deductions towards compensation under Sections 25F and 25FFF. The Karnataka High Court held that both old and new business of Assessee had common management, common organization and common place of business. i.e. had unity of control and since compensation paid under Section 25F and 25FFF of Industrial Disputes Act is mandatory in law, deduction was to be allowed for compensation paid by the Assessee.

[2011] 203 Taxman 188 (Del. – HC); 15 taxmann.com 76 (Del. - HC): Sood Brij & Associates v. CIT - In the instant case the Assessee was a partnership firm consisting of two partners. In its return of income the Assessee had claimed deduction towards salary/ remuneration paid to the partners. The Assessing Officer disallowed the same on the ground of violation of Section 40(b)(v).

The Delhi High Court looking into the partnership deed and supplementary deed observed that the first sentence in clause 2 states that the two partners will be the working partners. The second sentence in clause 2 stipulates that the total remuneration payable to the working partners shall be the amount permissible as remuneration to the working partners under the IT Act, as applicable from time to time. The question is whether the second sentence of clause 2 of the supplementary partnership deed read with clause 7 of the partnership deed, which states that the profits and losses will be equally divided and borne by the partners, satisfies the requirements of section 40(b)(v). In other words, whether the two clauses read together quantify or stipulate the manner of quantifying the remuneration that is payable to the partners?

The Court observed that Clause 2 of the supplementary deed has to be read along with clause 1 of the same deed. These two clauses have to be read harmoniously and reasonably give effect to their true meaning. The second sentence of clause 2 neither quantifies nor lays down the manner of quantifying the total remuneration payable to the partners. Clause 2 stipulates the maximum amount that can be paid as remuneration to the two partners but does not quantify the remuneration payable in a particular year. Quantum or the amount of remuneration and the manner of computing is not specified or stipulated but as noticed under clause 1 has been left to be decided by a mutual agreement in future.

In view of the above observations the Court held that where quantum or amount of remuneration and manner of computing is not specified or stipulated in partnership deed but was left undecided, unstipulated and left to discretion of partners to be decided at a future point in time requirements of Section 40(b)(v) were not satisfied and therefore, remuneration paid to the partners could not be allowed as deduction under Section 40(b)(v).

With due respect, it appears that overweightage has been given to technicalities. The Hon. High Court chose not to be guided by the spirit of decision in the case of ***M/s Durga Dass Devki Nandan Vs ITO, Palampur (Dated: March 11, 2011)*** ***2011-TIOL-168-HC-HP-IT***

FOR INFORMATION OF THE MEMBERS

RESTORATION OF MEMBERSHIP & CERTIFICATE OF PRACTICE

The names members who have not paid their Membership fee and/or Certificate of Practice fee for the year 2011-12 on or before 30.09.2011 were removed w.e.f. 01.10.2011 in the Register of Members. The notifications in regard to removal of membership and cancellation of Certificate of Practice w.e.f. 01.10.2011 are under issue.

Regulations provide for retrospective restoration of Membership and Certificate of Practice provided the application in the prescribed Form 9/101 (available on the website www.icai.org) complete in all respects, together with restoration fees of Rs.1,200/- is received by the Institute on or before 31.03.2012. Members falling within the jurisdiction of Southern Region should send their application to The Institute of Chartered Accountants of India, ICAI Bhawan, No.122 M G Road, Nungambakkam, Chennai – 600034.

RANK HOLDERS FOR NOV 2011 EXAM

Sl.No	Reg.No	Roll.No	Name	Marks Obtained	Rank
CPT DEC 2011 EXAM					
1	SRO0365888	139691	HARSHITH DABRIWALA	181	8
FINAL NOV 2011 EXAM					
1	SRO0221836	107594	PAVAN PAL SHARMA	589	3
2	SRO0224072	106168	SREYAS GOWTHAM.R	532	21
3	SRO0253082	106555	YASHASWINI.M	531	22
4	SRO0235304	107566	PAVITHRA ASHOK	522	29
5	SRO0234320	107609	PRACHI BHANDARI	513	38

EMPANELMENT OF FACILITATORS FOR
The Course on GMCS (General Management & Communication Skills) & IPCC (Integrated Professional Competency Course) Orientation Programme

The Bangalore Branch is empanelling facilitators for the GMCS and IPCC courses at the Bangalore Branch. Some of the topics are,

• Communication Skills & Process • Inter-personal Skills • Team working and Team-building • Business Presentation Skills • Negotiation Skills • Goal Setting • Creativity & Neuro Linguistic Programming • Time Management • Group Discussion Techniques • Meeting Skills • Preparation of CV • Office Etiquette • Stress Management • Dressing & Grooming • Leadership • And other Soft Skills, People Skills & Management Skills

Honorarium as per rules will be paid. If you are interested in handling sessions, please email your details with your choice of topics to **bangalore@icai.org** or **blrregistrations@icai.org** under subject **"GMCS & IPCC facilitators"**.

RECENT JUDICIAL PRONOUNCEMENTS IN INDIRECT TAXES

CA. N.R. Badrinath, Grad C.W.A., F.C.A.
CA. Madhur Harlalka, B. Com., F.C.A

SERVICE TAX:

1. The issue before the High Court was the Constitutional validity of levy of service tax on lottery tickets under Explanation to Business Auxiliary Services under Section 65(19) of the Finance Act, 1994. The constitutional validity was challenged on the ground that even after the introduction of the Explanation, the decision of the Supreme Court in Martin Lottery Agencies squarely applies and lottery tickets being an actionable claim is excluded from the scope of "goods" under Section 2(7) of the Sale of Goods Act, 1930. Further reliance was placed on the decision of the Supreme Court in Sunrise Associates, wherein it was held that an actionable claim is excluded from the definition of "goods" and exemption from sales tax is available only because of the exclusion clause contained in the definition of "goods" under the Sale of Goods Act.

   However, the High Court held that the discount or commission received for marketing the lottery tickets is nothing but consideration for service rendered to the promoter or organizer of the lottery. Obviously without such services, the lottery tickets would not reach the ultimate customers who are the participants in the draw. The whole scheme of the lottery printing and distribution of tickets and the conduct of draw involve service from various agencies. The High Court observed that if argument of the petitioners is accepted then the amendment introducing Explanation to Section 65(19)(ii) becomes redundant and meaningless. The very objective of the amendment which is to get over the decision of the Supreme Court in Martin Lottery Agencies case. The amendment has achieved the objective of levying tax on service rendered in relation to lottery. Hence service rendered in relation to lottery could be subject to tax under the category of Business Auxiliary Services. [S S VISHNU&CO., Vs UOI, Central Excise, Palakkad, State of Kerala and the Director of State Lotteries, Kerala, 2012-TIOL-04-HC-KERALA-ST]

2. The appellant is engaged in the business of supplying man power and was discharging service tax on the gross amount received from the principal employer excluding EPF and ESI which was paid directly by the principal employer. The department citing the Circular No. B1/6/2005-TRU, dated 27-7-2005 confirmed demand service tax on EPF and ESI components. In contention, the appellant stated that as per Circular F. No. B1/4/06, dated 19-4-2006, all Circulars relating to valuation issued prior to 19-04-2006 stands overruled and there is no reason to rely on the Circular quoted by the department. Accordingly, the Tribunal held the decision in the favor of the appellant. [Young Brothers Transporters V. CCE, Meerut, 2012 (25) STR 35 (Tri.–Del.)]

3. Appellant is selling paper and paper boards manufactured by them through consignment agents. The freight is not paid by the appellants and the invoices are marked with "To Pay", clearly indicating that the freight is to be paid by the consignment agents. Service tax department levied service tax on ground that consignment agents are acting only as agents for the appellant's paper mills and therefore the appellants are liable to pay service tax placing reference on Rule 2(1)(d)(v) of the Service Tax Rules, 1994 even though the consignment agents have paid the freight amount. On Appeal, the Tribunal held that (i) as the consignment agents squarely fall under the category of persons who are liable to pay service tax (ii) they have paid the freight amount themselves (iii) further that the consignment agents are deducting the freight amounts from the sale proceeds received from the ultimate buyers and (iv) that the consignment agents are not recovering the freight amount from appellant, the appellants are not liable to service tax. [Rajalakshmi Paper Mills Private Limited and others Vs CCE, Madurai 2011-TIOL-1726-CESTAT-MAD]

4. The appellant filed a refund claim for the technical testing and analysis services used in export of goods by claiming the benefit of Notification No.41/07-ST, dated 6/10/2007, which was rejected on the ground that there should be a written agreement between the exporter and the buyer requiring

testing and analysis for the said goods. On appeal, Tribunal held that the appellant have opened letter of credit with the bank on the instruction of the customer and which categorically provides for the original inspection certificate issued by the Associated Merchandise Corporation. The letter of credit is opened by the bank on the instructions of the customers and therefore a liberal view has to be taken for the interpretation to reduce the cost of goods exported. [M/s. Texport Industries Private Limited Vs. CST, Mumbai-IV, 2012-TIOL-26-CESTAT-MUM]

5. The appellant had sent few samples abroad through courier on payment of service tax on courier charges for which he claimed rebate for service tax paid under Notification No.41/2007-ST, dated 6/10/2007. The rebate claimed was denied by lower authorities for non–fulfillment of condition of the above notification. On appeal, the Tribunal held that the Notification No.41/2007–ST requires the realization of foreign exchange on export of goods, but in the present case there is no evidence of realization of foreign exchange and therefore no export was made according to law of customs. Export means movement of goods from India to abroad to earn foreign exchange and such a meaning is to be construed as realization of foreign exchange is *sine-qua-non* to get rebate. It was held that the appellant having failed to produce any evidence of realization of foreign exchange and material evidence to show that the free samples are not eligible for rebate of service tax on courier service. *[Raymond Ltd. V. Commissioner of Central Excise., Mumbai – III 2011 (24) STR. 698 (Tri. - Mumbai)]*

6. The appellant is engaged in providing consultancy to the Government bodies and State Industrial Development Corporation, Government of Madhya Pradesh for their respective Municipal & Industrial water supply projects. The services provided by them were in the form of technical assistance, financial services, liaison and interaction with the aforesaid statutory bodies and services in getting sanctions, clearances and approvals regarding the project and loan if required, preparation of bid documents, assisting the implementing agency in deciding the tenders & supervising / monitoring the project for successful completion. All the assignments were divided into various stages for payment of fees of the appellant. Also, the jobs were divided in stages, which were independent, which means that the appellant's services can be terminated after the completion of any stage. The appellant had bifurcated the aforesaid services in various stages as consulting and non-consulting category. The service tax was paid only on consulting categories of services which were suo motu identified as consulting services. Other services considered as non-consulting services such as service provided for liaisoning with statutory bodies, services provided for obtaining clearances and approvals regarding the project and loan, if required were categorized as non-technical services and no service tax was paid. Revenue levied service tax on non-consulting services and the same was upheld by the Commissioner (Appeals) and Tribunal.

On Appeal, High Court examined the agreement entered into by the appellant with the clients and observed that it was clear that the appellants were providing consulting engineers services and also undertaking other jobs like assistance in obtaining the approvals from the Government as also from the financial institution and statutory clearances etc., which are not covered by the definition of 'Consulting Engineers services'. It was also observed that the contract reveals that the payment for each stage of work is different and the appellant's services can be terminated after completion of any stage. Accordingly, it was held that the non-technical services provided by the appellants would not be taxable under the category of 'consulting engineer service'. In this regard, reliance was placed on the decision of Hon'ble Gujarat High Court in the case of CCE&C, Vadodara II Vs. Mascon Multiservices & Consultants Private Limited–(2010 (19) STR 484 (Guj.)). [**Vashushilpi Projects & Consultants Private Limited Vs CCE, Bhopal, 2012-TIOL-93-CESTAT-DEL]**

CENVAT

7. In the present case, issue before the Tribunal was whether CENVAT credit can be claimed on the basis of invoices which contained the address of the head office instead of the factory. Tribunal held that invoices in the name of head office are eligible documents for the purpose of availing CENVAT credit of service tax paid on input services. The said defects are omissions, which are totally curable defects and are condonable

and the appellant cannot be held to mis-declare the information as there is no column or provision in ER-1 return to show as to whether the invoices are in the name of factory or in the name of head office. Tribunal placed reliance on Modern Petrofils Vs. CCE, Vadodara in which it was held that denial of credit on the sole ground that the invoices were in the name of head office was not justified in as much as the same is a procedural defect, which can be cured. *[Parekh Plast (India) Private. Limited Vs. CCE, Vapi 2012 (25) STR 46 (Tri.–Ahmd.)]*

8. Issue before the Tribunal was whether in case of removal of used capital goods, CENVAT credit should be reversed in entirety with reference to original value or should the credit be reversed with reference to depreciated value of capital goods. Tribunal held that expression "as such" in Rule 3(5) cannot be understood in the same way as is to be understood in relation to the use thereof in Rule 4(5)(a). It is to be understood with reference to the context in which it has been used. Accordingly, the Tribunal allowed the appeal on the basis of the decision given in case of Greenply Industries and Cummins India Limited. [Neel Metal Products Limited Vs CCE, Delhi-II, 2012-TIOL-05-CESTAT-DEL]

9. In the present case, issue before the High Court was whether the service tax paid on the services for celebration of Kannada Rajyotsava Day and inauguration of Kengeri Police Station would be available as CENVAT credit and whether Tribunal is right in holding that the expenses incurred for the said function are within the meaning of the activities of the business. High Court held that the expenditure incurred for the celebration of Karnataka Rajyotsava will fall within the definition of activities relating to business as the day is celebrated in the context as a welfare measure in order to protect & preserve the culture of the State, to maintain industrial peace, to maintain security of the entire establishment and safety of workmen. In this context the definition of the "input services" was analyzed as for Clauses (i) and (ii) where the word 'means' is used. Hence, the meaning given to the term is exhaustive and for the remaining part of the definition, word 'and includes' is used which is extensive and specifies various activities, which are not connected to the manufacturing activities but can be treated as input services. The expenses incurred for celebrating Karnataka Rajyotsava can be said to be incurred to protect and preserve the culture of kannadigas and to avoid trouble within and outside the organization for security of the establishment, preserving peace in the establishment and to avoid serious law and order problem and security concerns. Therefore it was held that such expenses incurred towards putting up of shamiyana, photography services etc., do fall within the activities relating to the business. The real test for claiming as input services shall be to check the nexus of the service with the manufacture of the final product as well as the business of manufacture of final product. Hence the State function arranged once in a year for the welfare of the employees of the industry in order to protect and preserve the culture of the State the said function cannot be separated from the business of manufacture of final product. As per above, the service tax paid on such service could be availed as CENVAT credit. *[Toyota Kirloskar Motor Pvt. Ltd V. Commissioner of Central Excise, LTU, Bangalore 2011 (24) STR. 645 (Kar.)]*

10. The appellant is engaged in the manufacture of cigarettes for which the main raw-material is tobacco. In order to ensure quality, quantity and yield of suitable grades of tobacco, the appellants undertake an extensive programme of tobacco crop development with the farmers all the way from seed to marketing of the tobacco crop. As a part of this development activity, the appellants supply seeds to the farmers free of cost and also provide supervisory and advisory services for cultivation of the crop. In order to provide these services the appellants enter into agreements with the farmers and offer to purchase the harvested crop as per the company requirements. In order to render these advisory services to the farmers on a regular and sustained basis they had entered into an agreement to provide the necessary man-power during the tobacco growing season to assist them in this regard. The appellant claimed CENVAT credit of service tax paid on such services. Department has denied the service tax on the ground that the services had no nexus with the manufacture of cigarettes and the same related only to tobacco cultivation. On appeal, Tribunal held that the definition under Rule 2(l) of the CCR, 2004, 'input service' means any service used by the manufacturer, whether directly or

indirectly, in or in relation to the manufacture of the final product. The appellant supplied tobacco seeds to the farmers free of cost and ensured that the farmers received the necessary supervisory and advisory services in relation to cultivation of tobacco, which is very much essential for manufacture of good quality cigarettes. Therefore, such services should be held to have been used by the cigarette manufacturer, directly or indirectly, in relation to the manufacture of cigarettes. Hence the services will qualify as input services and tax paid on such services is eligible for claiming CENVAT credit. [VST Industries Limited Vs CCCE & ST (Appeals -II), Hyderabad 2012-TIOL-67-CESTAT-BANG]

Central Excise:

11. The appellant is engaged in the manufacture of Aluminum Cables and supply to various power distribution companies. Appellant accepted purchase orders from one of his customer with a clause for variation of price. On account of downward revision of price appellant realized lesser excise duty amount. The appellants claimed refund of such difference which was allowed by the original adjudicating authority on verification of the bank statement and correspondence between seller & buyer. Being aggrieved with this order, revenue has preferred an appeal. Tribunal held that price was provisional and was subject to variation. On the finalization of the price it is seen that duty liability is lesser than what has been remitted. In case of upward revision of price the assessee is responsible to remit the differential duty. The same treatment has to be meted out in case of downward revision of price. Hence it is held that appellant is eligible to claim the refund. [K.J.V. Alloys Conductors Private Limited., V. CCE., Hyderabad 2012 (275) ELT 90 (Tri.–Bang)]

Value Added Tax

12. The Appellant is engaged in providing infrastructure services in relation to erection & construction of cellular towers & sites and leasing out the space on such sites to various telecom / cellular operators such as BSNL, Airtel, Vodafone etc. The services are classified as Business Support Services and accordingly, remitted service tax under Section 65(105)(zzzq) of Finance Act, 1994. However, the commercial tax department has imposed VAT on providing of cellular telephony towers on rent on the ground that the transaction falls under the definition of “deemed sales” i.e. the right to use towers and site is transferred to various cellular companies for cash or deferred payment. Further, the lease agreement with various cellular companies is for right to use the equipment where the possession & effective control of the equipment lies with the cellular companies. Therefore, the transaction involves the transfer of right to use the goods as is mentioned under Article 366(29A)(d) of the constitution of India.

    Aggrieved with the order, the appellant contested on the ground that the cellular tower is immovable and hence levying the sales tax on the same would oust the jurisdiction of the State. It was providing only infrastructure services and not the right to use the goods. Therefore, it is only liable to pay service tax which it was paying accordingly. High Court held that the towers are an equipment in the form of fabricated steel structure, shelter, DG Set, Air Conditioners, rectifiers, stabilizers, DC Converter, fire extinguisher etc. Towers are fixed on the earth or on the roof of the building just to enable it to function. Just fixing the equipment on the earth or on the roof of the building doesn’t take away the form from the equipment. The tower is not embedded permanently and it is a movable property which can be shifted at any point of time to a new site and rather land is hired from private parties to make temporary fixation. Therefore, the transaction falls within the Article 366(29A)(d) of the Constitution and is liable to VAT under Section 4(1)(b) as the transaction involves transfer of right to use goods. [Essar Telecom Infrastructure Private Limited Vs. UOI, 2012 (25) STR 16 (Kar.)]

13. The assessing authority has disallowed input tax credit on the ground that dealers from whom goods are purchased, had not deposited the full tax in the State Treasury. Aggrieved by this, petitioner approached High Court on the stand that it made bona fide purchases from the selling dealers who were duly registered by the Assessing Authority under the Act and irrespective of the fact, whether they paid full tax or not, he should be allowed the necessary input Tax Credit. The appellants have discharged their tax liability after deducting the input tax credit available to them. Referring to the decision of Supreme Court in Assistant Collector of Central Excise, Bombay and others vs. The Elphinstone Spinning and Weaving Mills Co. Ltd (AIR 1971 SC 2039)

and decision of Madras High Court in case of Govindan & Co's, the High Court held that no liability can be fastened on the purchasing registered dealer on account of non-payment of tax by the selling registered dealer by the treasury unless it is fraudulent, or collusion or connivance with the registered selling dealer or its predecessors with the purchasing registered dealer is established. It cannot be held that the provisions of Section 8(3) of the Act and the sub-rules (1) and (4) of Rule 20 of the Rules are ultra-vires. Consequently, the writ petitions are partly allowed and assessment orders are set aside and cases are remanded to the assessing authority to pass fresh assessment order in accordance with law. [M/s. Gheru Lal Bal Chand vs. The State of Haryana and anothers 2011 NTN (Vol. 47)-245 P&H High Court]

14. Petitioner was engaged in manufacture and sale of spiced buttermilk. The manufacturing process involved pasteurization, adding plain water and masala. Serial No. 25 of Schedule I of the Uttarakhand VAT Act, 2005 exempts tax in respect of items mentioned therein, namely 'fresh milk, pasteurized milk, buttermilk, separated milk, curd and Lussi'. The assessing officer held that the product Amul Masti Spiced Buttermilk sold in three different packets is not one of the items mentioned in serial No. 25 of Schedule I to the Act. On filing of the revision application before the High Court it was held that, there is no dispute that the items 'butter milk' and 'curd' have not been mentioned in any other Schedules to the said Act entailing a liability to pay tax. Therefore, in terms of the provisions of the said Act, if the product dealt with is either buttermilk or curd, the same is exempted from payment of tax. [Gujarat Co-operative Milk Marketing Federation Limited vs. CCT, Uttarakhand 2011 NTN (47)260 (Utt.)] ■

IMPORTANT DATES TO REMEMBER DURING THE MONTH OF FEBRUARY 2012

5th February 2012	Payment of Excise Duty for January 2012 by Corporates
	Payment of Service Tax for January 2012 by Corporates
6th February 2012	E-Payment of Excise duty for January 2012 by Corporates
	E-Payment of Service Tax for January 2012 by Corporates
7th February 2012	Deposit of TDS/TCS Collected during January 2012
	STPI Returns for the month of January 2012
10th February 2012	Monthly Returns for Production and Removal of Goods and CENVAT Credit for January 2012
	Monthly Return of excisable Goods Manufactured & Receipt of Inputs & Capital Goods by Units in EOU,STP,HTP for January 2012
	Monthly Returns of Information relating to Principal Inputs for January 2012 by Manufacturer of Specified Goods who Paid Duty of Rs.1 Crore or More during Financial Year 2010-11 By PLA/CENVAT/Both
15th February 2012	Payment of EPF Contribution for January 2012
	Return of Employees Qualifying to EPF during January 2012
	Monthly Return (VAT 120) and Payment of VAT/COT for the month of January 2012
20th February 2012	Monthly Return and Payment of Profession Tax Collected During January 2012
	Monthly Return (VAT 100) and Payment of CST and VAT Collected During January 2012
21st February 2012	Deposit of ESI Contributions and Collections for January 2012
25th February 2012	Monthly Returns of Employees Joined & Left the organisation during January 2012 under EPF
	Monthly Returns of Employees Joined & Left the organisation during January 2012 under ESI
	Consolidated Statements of Dues and Remittances Under EPF and EDLI for the January 2012

KARNATAKA STATE CHARTERED ACCOUNTANTS ASSOCIATION (R)

24th KSCAA Annual Conference

Chintana
Power of thinking

On Saturday 3rd & Sunday 4th March 2012

Venue : Jnana Jyothi Convention Centre

Central College Campus, Bangalore University, Palace Road, (Near SBM Circle), Bangalore-560 009.

PROGRAMME

Day 1 - 03.03.2012, Saturday

8.30 AM
REGISTRATION

9.15 AM to 10.45 AM

INAUGURAL SESSION

WELCOME ADDRESS
- (Invocation, Introduction, Welcome speech)

CHIEF GUEST & KEY NOTE SPEAKER
- by **CA. S. Gurumurthy**
Renowned Journalist, pragmatic economist, great orator & an acclaimed writer
He has kindly consented on delivering a speech on **INDIAN ECONOMY** - the future ahead

RELEASE OF PUBLICATION
RELEASE OF CD's
RELEASE OF SOUVENIR
VOTE OF THANKS

10.45 AM
Coffee / Tea Break

FIRST TECHNICAL SESSION

11.00 AM to 12.00 NOON
Enhanced Auditors Responsibilities & Emerging challenges
by **CA. Santhana Krishnan**, Chennai
About the Session :
Deliberations on the expanding horizon and increased audit functions in view of Fraud reporting, revised Scheduled VI requirements etc.

SECOND TECHNICAL SESSION

12.00 NOON to 1.30 PM
Project Financing & Appraisal - CA's perspective
by **CA. K.Gururaja Acharya**
CA. S. Ananthan, Former Director Vijaya Bank & KSFC

About the Session :
Deliberations on the ingredients of an excellent project report, bridging the communication gap between the lender & the borrower during Appraisal. Exploring the various concepts used in, Schemes available and issues faced in project funding.

1.30 PM to 2.45 PM
LUNCH BREAK

THIRD TECHNICAL SESSION

2.45 AM to 3.15 AM
Wealth Creating techniques - Securities Market
New Opportunities & Challenges
(Confirmation of the speaker awaited)

3.15 PM
Coffee / Tea Break

FOURTH TECHNICAL SESSION

3.30 PM to 5.00 PM
PANEL DISCUSSION:
Recent Judicial Controversies in Income Tax
CA. D.Devaraj
CA. K.R.Sekar
CA. K.R.Pradeep
MODERATOR : **CA. Padamchand Khincha**
About the Session :
Deliberations on the recent controversies - Deemed dividend, Joint Development Agreements

6.30 PM to 8-30 PM
MANORANJANE

8.30 PM
FAMILY DINNER

Day 2 - 04.03.2012, Sunday

8.15 AM
BREAKFAST

SPIRITUAL SESSION

9.00 AM to 10.00 AM
Stress Management through Meditation
Samani Shukla Prajna
About the Session : Techniques from Preksha Meditation to overcome Stress and to live stress-free life

FIRST TECHNICAL SESSION

10.00 AM to 10.45 AM
Current and Future of CA Profession
by **CA. P.R. Suresh**
About the Session :
Opportunities and challenges in the profession

10.45 AM
Coffee / Tea Break

SECOND TECHNICAL SESSION

11.00 AM to 1.30 PM
BRAIN TRUST SESSION
VAT & Service Tax
by **CA. S.Venkataramani**
CA. Madhukar Hiregange
CA. Naveen Rajpurohit
CA. Sanjay Dhariwal
MODERATOR : **CA.K.K.Chythanya**
About the Session :
Practical approach to day to day issues in VAT & Service Tax

1.30 PM to 2.30 PM
LUNCH BREAK

THIRD TECHNICAL SESSION

2.30 PM to 3.30 PM
HUF - as an effective tax planning tool
by **CA. E.Phalguna Kumar**

3.30 PM to 3.45 PM
Coffee / Tea Break

FOURTH TECHNICAL SESSION

3-45 PM to 5-00 PM
Facing Survey, Search & Seizure - Practical hints
by **CA. A. SHANKAR**, Advocate

5.00 PM
LUCKY DIP & VALEDICTORY SESSION

DELEGATE FEES

Rs.1250/- for CA's - if booked on or before 22.02.2012
Rs.1500/- for CA's - if booked on or after 23.02.2012
Rs.2000/- for NON CA's, Rs. 750/- for CA Students - (For First 50)
Cheques/DD's in favour of KSCAA, Payable at Bangalore

The Fee covers Background Materials, Memento, Souvenir, Publications of KSCAA and Lunch (Day 1 & 2), Family Dinner on Day 1,Breakfast on Day 2 & Coffee/Tea, Lucky Delegate, Lucky couple & Lucky Stall Visitor prizes

Publication & CD's :
i) Personal Financial Management Author - Jnana Sagara CA S. Krishnaswamy
ii) A Hand book on Bank branch Audit Author - CA P.R. Suresh
iii) Scrutiny Assessment - Guide to CA's Author - CA N.A. Charanthimath
iv) E-procedures under VAT ACT 2003 Author - CA Naveen Rajpurohit
v) Case Studies on Business & Accounting issues Author - CA. Aparna Ram Mohan & CA P.S. Sridhar

CA. Anant Mutalik	CA. Maddanaswamy	CA. H.M. Basavaraj
President, KSCAA,	VP & Conf. Chairman, KSCAA,	Secretary , KSCAA,
Cell : 9448701370,	Cell : 93412 14962	Cell : 98440 06543

Announcement for Campus Placement Programme for Newly Qualified Chartered Accountants February-March, 2012

The Committee for Members in Industry **(CMII)** provides opportunity to the employers to interact with newly Qualified Chartered Accountants and makes all arrangements at its centres, thereby providing a cost effective mode of recruiting newly qualified Chartered Accountants. An organisation and firms of Chartered Accountants can participate in one or more centres.

Start Date for filling up initial details for validation of data: 17th January, 2012

(For Candidate who have qualified in (i) May 2011(ii) November 2010 or (iii) whose results were declared in revaluation/re verification after 24th August , 2011 and all covered in (i), (ii) and (iii) completing their articleship and GMCS between 1st November, 2011 and latest by **25th March 2012 in cases where candidates are opting for centres like Bangalore, Chennai, Hyderabad, Kolkata, Mumbai and New Delhi as their first choice and before 21st February, 2012 in cases opting other centre as their first choice.)**

Date of candidate registration for Nov, 2011 CA Final qualified (and others as mentioned above) Candidates:

27th January, 2012 to 6th February, 2012

Opening of database for Companies at S No.1,2 & 3 -

10th February, 2012 (Upto 11:00 night).

IInd round Registration of candidates:

1st March to 5th March, 2012(upto 11:00 night).

(Candidates who have missed the registration in First round and also resubmission and editing of selected portion of online form by the candidates who have opted one smaller and One bigger centre before merger with the centre of their second choice (its mandatory for inclusion of data with bigger centre.)

Campus Interview Dates

No.	Centre	Dates*
1	Baroda, Chandigarh, Indore, Kanpur, and Nagpur	22nd & 23rd February, 2012
2	Bhubaneswar, Coimbatore and Ernakulam	23rd and 24th February, 2012
3	Ahmedabad, Jaipur and Pune	27th, 28th and 29th Feb. 2012
4	Chennai, Mumbai and New Delhi	26th, 27th, 28th, 29th ,30th, 31st March, 2012
5	Bangalore, Hyderabad, Kolkata	28th, 29th, 30th, 31st March, 2012

CA K Raghu
Chairman, CMII of ICAI

Details of Certificate Course on IFRS at Bangalore Centre

We are pleased to announce that 8th Batch at Bangalore Centre of Certificate Course on IFRS is scheduled to take place from 18th February 2012 subject to the minimum registration of 50 candidates. The other details are mentioned below:

- **Days of Class Room**
  Each consecutive Saturday/Sunday total four weeks
- **Duration of the course**
  100 Hours consisting of :
  60 Hours of E-Learning
  40 Hours of Class Room Teaching
- **CPE Hours**
  The CPE credit of 90 Hours (30 Structured + 60 Unstructured) will be given to the participants.
- **Venue of the Course:** Would intimated in due course
- **Fee Structure**
  Participation fee (members) - **Rs. 30,000/-**
  Non Members – **Rs. 50,000/-**

Course Coordinator for Bangalore Centre:
CA. K. Raghu, *Central Council Member, ICAI*

The Demand draft may be drawn in favour of "The Secretary, The Institute of Chartered Accountants of India", payable at New Delhi. Candidates may kindly send the Registration Form duly filled in all respect (available at the website of the Institute at: http://www.icai.org/addupdate/regform.php) duly filled in along with the fee to:

The Nodal Officer, Certificate Course on IFRS,
IFRS Certification Course, ICAI Bhawan, 2nd Floor
The Institute of Chartered Accountants of India
A – 29 , Sector – 62, Noida (U.P) - 201 309
Email: ifrs@icai.in

For Registration & other details contact :
Assistant Secretary, ICAI, Bangalore, Ph: 30563541 / 542

List of Subscribed Journals & Magazines 2012 – 2013 at Bangalore Branch Library

Title	*Edition*	*Publisher*
Income Tax Reports	Weekly	Company Law Institute
Company Cases	Weekly	Company Law Institute
Corporate Professional Today	Fortnightly	Taxman
International Taxation	Monthly	Taxman
Excise Law Times	Weekly	Centax
Service Tax Review	Fortnightly	Centax
BCAJ	Monthly	BCAS
Digit – Computer	Monthly	Digit

Republic Day Celebrations - 26th January 2012


Flag Hoisting by Chief Guest CA. Shabbeer Pasha

Participants of Cultural Programme

Cross section of participants

Faculty Member distributing Scholarship

Inauguration of 95th Batch of GMCS

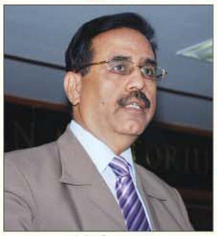
Inauguration

Chief Guest
CA. Chetan Venugopal

Participants of 95th Batch of GMCS

Inauguration of 96th Batch of GMCS

Inauguration



Chief Guest
CA. S. Prabhudev Aradhya

Participants of 96th Batch of GMCS

Inauguration of New Lift



CA. Shabbeer Pasha inaugurated the new Lift

Training programme on Accounting Standards

Participants from KPCL

One Day Seminar on Practice & Procedures before CESTAT

Inauguration

Chief Guest
CA. K.S. Ravi Shankar

CA. B.N. Gururaj

CA. Deepak Kumar Jain

Mr. K.S. Naveen Kumar

One Day Seminar on Practice & Procedures before CESTAT

Mock Tribunal

Cross section of participants

Speakers at Study Circle Meetings

CA. H. Vishnumoorthi

CA. Pratap
G Subramanyam

Mr. H. Naginchand
Khincha

CA. A. Rafeq

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