Going Beyond!!!
August 2014

Hiregange Academy

Empowering Knowledge & Employability

Highlights

- Changes in Tax audit report and indirect taxes impact
- Cenvat credits-Restrictions- Credits availment till 24th Oct-14?
- Upcoming Event
- Happenings @ HA

Please Click the Hyperlink to view the page

Contact:-
Hiregange Academy
#1010, 1st floor, 26th main,
(Above Corporation Bank)
4th 'T' Block, Jayanagar,
Bangalore 560 041
Website – www.hiregangeacademy.com

Bulletin!!!

Artefacts

- ✓Articles N Case Laws Summary
  - ✓Central Excise
  - ✓Service Tax
  - ✓Customs
  - ✓VAT & CST

A thought!!!

- ✓Knowledge portal
- ✓Student Portal

Know how???

- ✓In news
- ✓Gems from Audit

ABC s of HA!!!

- ✓Training Corner
- ✓Upcoming Event
- ✓Happenings @ HA

Contact:-
Hiregange Academy
#1010, 1st floor, 26th main,
(Above Corporation Bank)
4th 'T' Block, Jayanagar,
Bangalore 560 041
Website – www.hiregangeacademy.com

Artefacts

Articles &Case Laws Summary

Articles

CST

- ✓ Sale in Course of Export & Import –CST Law

KVAT

- ✓ Input Tax Credit – KVAT

General

- ✓ Cenvat credits-Restrictions- Credits availment till 24th Oct- 14?
- ✓ Changes in Tax audit report and indirect taxes impact

Case Law Summary

- ✓ Union of India Vs Aluminium Co. Ltd. [1995 (77) E.L.T 268 (S.C.)
- ✓ Rana Girders Limited Vs. Union of India . 2013 (295) E.L.T 12 (S.C.)

To subscribe to our newsletter ,
Kindly mail to:
admin@hiregangeacademy.com

Cenvat credits-Restrictions- Credits availment till 24th Oct- 14?

Cenvat credit is a beneficial scheme which has seen a number of changes mostly restricting credits to the manufacturers and service providers. There was a silver lining in this grim situation, whereby the missed out credits on eligible inputs and input services could be availed without any time limits. There were several decisions to this effect as well.

As per the FA(No.2) changes, wef 1.9.14 the availment of Cenvat Credit would have to be done within 6 months of the invoice date as per Notification no. 21/2014-CE-NT.

We had in earlier newsletter reported that credits on inputs and input services on invoices related to more than 6 months prior to 1st September 2014 to be availed immediately, without waiting for filing returns in Oct 14 and then intimated to department.

Understanding the Change & Impact

The restriction on credits of inputs and input services if not availed within 6 months wef 1.9.14 is a setback to movement towards seamless credits. The major impact of the restriction could be as under:

I. Manufacturer/ service providers could automatically lose out on eligible credit if not availed upto February 2014 as on 1st day of September 2014.
II. In future they need to ensure a completeness check is designed and confirm that credits are taken at periodic intervals- maybe a quarterly exercise.
III. All doubtful credits can be availed now – Ex.- credit on outward GTA, illegal reversals made by audit parties but not utilised with disclosure.
IV. In future if there are any demands for longer period- possibility of no credit being allowed need to be factored in.

Maximum Period Upto which past credit can be availed?

The list of credits could be intimated to the revenue with an appropriate covering letter by way of personal delivery or by speed post before 1st September 2014. This is an ideal situation however as many assessees may have come to know of the impact of the law only in the last few days may not be practically possible.

Cenvat credits-Restrictions- Credits availment till 24th Oct- 14?

Considering the purpose of the cenvat being beneficent scheme to avoid cascading a sudden change could possibly allow a transitional delay which maybe considered by the revenue or by courts. Considering the intent as also the fact that the credit is only availed in the returns the following possibilities exist:

1. The manufacturer only paying excise duty may indicate the credits availed in the month of august as per returns where list of credits not separately sent earlier to 1st September 2014. This may also be available for delayed returns. This gives additional time to capture and validate eligible credits till 10th of next month for manufacturers who are filing excise returns.
2. The service provider may indicate the credits availed in August in that column while filing their return to be filed by 25th October 2014 or in the delayed return. It could also possibly be included in the revised returns.
3. Where a manufacturer is also a service provider then 25th October return could include the inputs & input services used in services and the excise return for manufacture as per the current practice of the entity.

Immediately however a cenvat credit locating, capturing and availment before end of august 2014 / by 9th of September for manufacturers or by October 24th is the need of the hour.

- CA Roopa Nayak

7 Steps to happiness!!!

Think less, feel more

Frown less, smile more

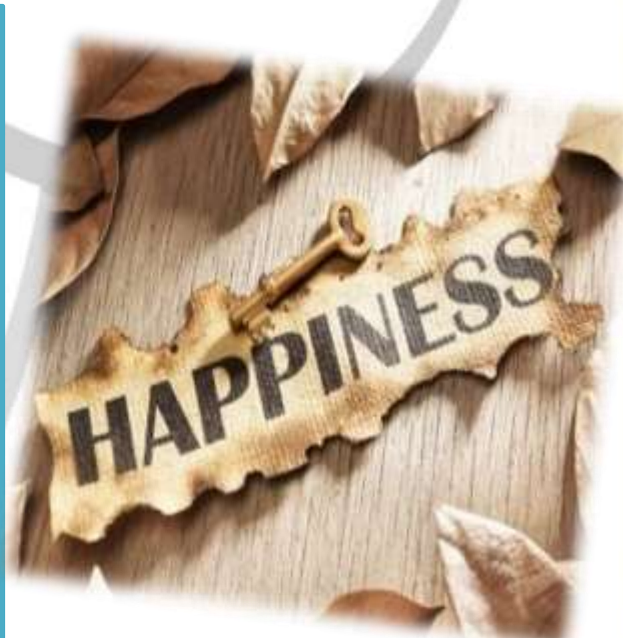
Talk less, listen more

Judge less, accept more

Watch less, do more

Complain less, appreciate more

Fear less, love more..!!!



Sale in Course of Export & Import – CST Law

Under CST law, the tax cannot be levied on sale of goods in course of import and export. One should refer to Section 5(1) and 5(2) to understand what constitutes sale in course of export and sale in course of import. Even Article 286 of Constitution of India imposes restriction on levy of tax either on sale in course of export or import by a state government. It is interesting to note that such restriction is only for the state government and not for the union government. However, levy of tax on such sales could result in double taxation of foreign trade. Such exemption is important even to ensure that only goods are exported and not the taxes. Even on imports, principle is to impose import duties and not sales tax. Let us understand the important concepts in sale in course of import and export transactions.

What is Sale in course of export

As per Section 5(1), Sale is deemed to be in course of export only in case of following:

a) The sale occasions export
b) The sale is effected by a transfer of documents of title to goods after goods have crossed the customs frontiers of India

In addition to this, even last sale or penultimate sale to export would be treated as sale in course of export. However, for this purpose the seller should submit Form H with the tax department obtained from buying dealer (generally termed as 'Merchant Exporter).

- Relevance of crossing the customs frontiers

Section 2(ab) of the Act states that 'crossing the customs frontiers of India' means crossing the limits of customs area station in which goods imported or for exports are ordinarily kept before clearance by customs authorities. It is important to note that the goods should be meant for foreign destination to be treated as sale in course of export. Based on this logic, there are decisions of Supreme Court wherein it has been held that sale of food to aircraft/vessels would not be treated as sale in course of export. However, sale of goods to a buyer in India who ultimately takes goods outside India cannot be treated as in course of export. But the same would be treated as sale inside the state or inter-state sale.

"When god blesses you financially, don't raise your standard of living. Raise your standard of giving." -Mark Batterson

- Penultimate sale would be considered as in course of export

The last sale or penultimate sale would be exempt from CST as the same is treated as in course of export. However, such penultimate sale must take place after an agreement/order under which goods are to be exported out of India and such penultimate sale is for the purpose of complying with such export agreement/order. These conditions are specified by Supreme Court in case of *State of Karnataka vs. Azad Coach Builders in 2006*. If such sale is prior to agreement, then the same would not be treated as penultimate sale.

In addition to this, goods are to be exported in same form as sold in penultimate sale. However, activities like cleaning, freezing before export would not change the form of goods. Similarly roasting of coffee seeds do not results in change in form. It is essential that the identity of goods procured under penultimate sale do not lose the identity to be eligible for exemption from CST under Section 5(3). The packing materials used for packing or use as containers would also be eligible for the exemption unless there is change in form.

However, having Form H for the purpose of exemption is very important. Such Form should contain all necessary details like description of goods, quantity, name etc.

What is Sale in course of import

As per Section 5(2), a sale is deemed to be in course of import of the goods into the territory of India in case of following:

a) The sale occasions such import
b) The sale is effected by a transfer of documents of title to goods before the goods have crossed the customs frontiers of India (Usually termed as High sea sale)

Direct imports are exempted from levy of central sales tax. Such imports could be even through agents which quite common. However, if the goods are imported by the agents and sold to customer in India wherein the two sales are integrated or inter-linked so as to form one transaction, the same could be considered as sale in course of import. Accordingly, sale by the agent to customer would be eligible for exemption.

Sale in Course of Export & Import – CST Law

- Is Privity of contract must?

In case of High sea sale, to treat a transaction as a sale in course of import, there should be privity of contract entitling each other to sue one another between actual buyer of goods in India and the foreign supplier. This is confirmed even by High Courts on many occasions.

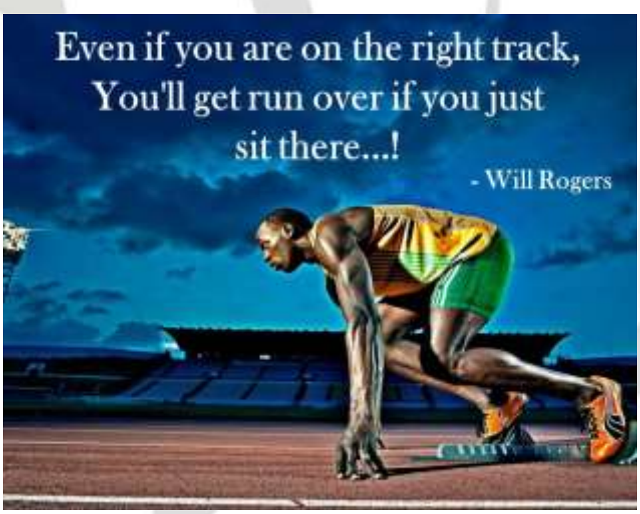
- Relevance of crossing the customs frontiers

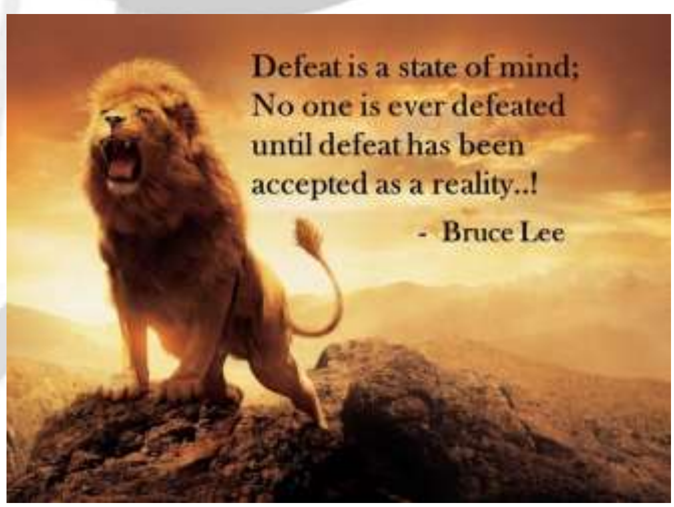
It is important to note that to treat a sale as in course of import by a way of transfer of documents of title, such transfer must have completed before the goods cross the customs frontiers.

As explained, customs frontiers mean area where the imported goods are kept before clearance by customs authorities. Therefore, sale by way of transfer of documents of title even when goods are in customs bonded warehouse could be treated as sale in course of import. However, this view would be proper only when the custom bonded warehouse could be held as customs frontiers. The Supreme Court in case of *Kiran Spinning Mills Vs. CC 1999 (113) E.L.T. 753 (S.C.)* has held that the goods would not be considered to be crossed the customs barriers if they are in bonded warehouse.

Conclusion: One could avoid payment of local sales tax/CST with proper planning under the high sea sale mode. Having a contract which clearly stipulates the terms, rights and obligations of the parties to contract is absolute must. The high sea sale buyer should also ensure that the declaration for goods valuation under Rule 11 of Customs Valuation provisions is filed by him including filing bill of entry. These precautions would prove handy and avoid unwarranted disputes.

- CA Mahadev R





Changes in Tax audit report and indirect taxes impact

Introduction

The persons carrying on business or profession and having turnover/receipts exceeding specified limits are required to get their accounts audited under Section 44AB of IT Act 1961. The auditor who conducts such audit is required to issue a audit report under Section 44AB in Form 3CA/3CB and statement of particulars in Form 3CD.

In this backdrop, it would be relevant to go through the changes made by the CBDT via Notification No. 33 dated 25th July 2014, in Form 3CA, 3CB and 3CD. We have compiled all amendments and its impact on indirect taxes below.

Major Changes and impact:

1. **3CA: Point 3** In the opinion part, now apart from mentioning that particulars in Form 3CD are true and correct, auditors have to mention observations/ qualifications if any.

   Comments:

*Insertion of words "According to **examination** of books of account **including other relevant documents**" –this increases the verification Scope of the Auditor.*

FORM 3CB

2. Changes made are on similar lines as that in Form 3CA as mentioned above to extent observations/qualifications, if any to be listed out.

FORM 3CD

The important changes made in Form 3CD are addition of some new clauses thereby requiring more disclosures as listed below.

PART A

Point 4: Now have to mention whether the assessee is liable to pay Indirect tax like excise duty, service tax, sales tax, custom duty etc and furnish the registration number for the same. *If not registered then report, opinion in case of doubt.*

If opportunity doesn't knock, Build a door..!!! - Milton Berle

- **Point 6**: **Date of commencement of previous year for newly started business:**

Comments: Date of commencement of new business*: Can find out new business activities and excise/service tax/VAT registration details where liable to pay such taxes to be disclosed at 4. If not registered then report.*

PART B

- ✓ ***Point 11(b) and (c)****:* Earlier only required to mention a list of books of account maintained; now also to mention the address at which the books of accounts are kept. Further if books of accounts are not kept at one location, now need to furnish the addresses of all locations. Apart from mentioning the list of books examined, also have to mention the nature of relevant documents verified. *If required registration of additional premises-report*
- ✓ ***Point 37.*** Disclosures on cost Audit to include disqualification or disagreement on any matter/ item/ value/ quantity as may be reported/ identified by the Cost Auditor. Earlier the requirement was to only state whether Cost Audit was carried out or not & to enclose copy of report. Very limited practically.
- ✓ ***Point 38:*** Similar disclosure as above point 37, to be made with respect to audit under Central excise Act as mentioned above. Disqualifications and disagreements to be reported.
- ✓ ***Point 39****: Disclosure as above point 37, to be made with respect to audit under section 72A of Finance Act as mentioned above.*
- ✓ ***Point 41:*** *Details of demand raised or refund issued during the previous year under any tax laws other than Income Tax Act, 1961 and Wealth tax Act, 1957 along with details of proceedings:*

Comments*: This could impact going concern especially where a demand under central excise or service tax is huge.*

Other impacts;

- ***Point18(d)(i):*** Disclosure of Central Value Added Tax credits claimed and allowed under the Central Excise Rules, 1944, in respect of capital assets acquired on or after 1st March, 1994-earlier referred to Modified Value Added Tax Credits.

  Comments: *The terminology made contemporary. There is no substantive impact of this change. Ensure no double benefit*

Changes in Tax audit report and indirect taxes impact

Similarly in point 27(a) where sets out now: (a) Amount of Central Value Added Tax credits availed of or utilised during the previous year and its treatment in the profit and loss account and treatment of outstanding Central Value Added Tax credits in the accounts.-earlier referred to Modified Value Added Tax Credits.

Comments: *The terminology made contemporary. There is no substantive impact of this change. Credits availed in excess/ short/ not availed can be pointed out and reported to management as value addition*

Conclusion

The new format contains more details to be given and leads to more reporting requirements on statutory auditor. They may also need to get acquainted with indirect taxation laws to realize impact of the reported items and guide their clients accordingly.

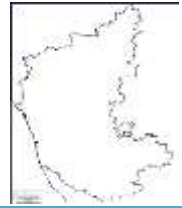
- CA Roopa Nayak

Compliance Calendar for the month of September 2014

Date	Compliance*	Form/ Challan
31	Filing of refund application for the period October 2013 to December 2013 u/n 27/2012 C.E (N.T)	Form A
20	Payment of VAT & CST and Monthly Returns	VAT 100
15	Payment of VAT and Monthly Returns by Composition Dealers	VAT 120
10	Monthly returns of excise	ER 1 /2/6
6	Payment of Service tax	GAR 7

*Compliance with respect to the month of September 2014, unless otherwise specified.

Input Tax Credit – KVAT



The KVAT Act, 2003 which got implemented in 2005 brought a sense of relief by avoiding cascading effect of multipoint levy and made taxes borne at each stage of delivery chain.

The KVAT law provides the tax credit on the basis of invoices and debit notes on fulfillment of some procedural requirements of filing the claim for deduction in the return period.

<u>Some important terms to know in relation to ITC under KVAT</u>

1. **Output VAT (Sec 10): -** Tax payable on taxable sale of goods in the course of business or on sale of goods on behalf of dealer by an agent.
2. **Input VAT (Sec 10):** - The definition of Input tax is an inclusive one. It includes:
   - ✓ KVAT charged on inputs used in the business.
   - ✓ KVAT charged on the goods purchased by the dealer/agent.
3. **Input Tax Credit (Sec 10): -** Input tax can be adjusted toward the payment of output tax. This set-off is called Input Tax Credit.
   - ✓ ITC can be utilized towards the liability of any other month or quarter under this act.
   - ✓ Input tax deduction is not available when a tax invoice or debit note or a credit note in relation to a sale is not been issued.
   - ✓ When ITC exceeds the Output tax payable, the excess shall be adjusted or refunded as may be prescribed.
4. **Net tax (Sec 10): -** Output tax – Input Tax deduction

<u>Input Tax Restrictions (Sec 11)</u>

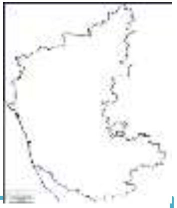
a) Input tax shall not be deducted in respect of

1. Tax paid on purchases related to ***sale or manufacture or processing or packing or storing of exempted goods*** exempted u/s 5, except when such goods are exported.
2. Tax paid on ***goods as specified in Fifth schedule*** when such goods not used for

i. Resale or,

ii. Manufacture or any other process of other goods for sale.

3. Tax paid on ***goods notified by Government*** or Commissioner s.t conditions a may be specified.
4. Tax paid on ***capital goods other than falling under clause (2) or (3)*** except as said in Sec 12



5. Tax paid on ***goods used as inputs in the manufacture*** or processing or packing of other ***taxable goods dispatched outside state***.
6. Tax paid on ***petroleum products when used as fuel to motor vehicles*** except when used as fuel in the production of goods.
7. Tax paid u/s 3(2) on ***purchase of fuel*.**
8. Tax paid u/s 3(2) on ***other goods***
    - ***Until output tax is payable*** on such goods or
    - Other goods in which such goods are used, except when said goods are exported.
9. Tax paid on ***goods purchased by a dealer*** who is required to be registered but ***not registered***.

b) Input tax shall ***not be deducted by an agent unless the principal is a non-resident***

c) Input tax shall not be deducted by any dealer executing Works Contract,

   i. In respect of ***amount payable to sub-contractor*** as consideration, ***that is claimed as deduction***

   ii. In respect of ***charges not involving transfer of property*** in goods, ***that is claimed as deduction***

<u>Input tax w.r.t Capital Goods (Sec 12)</u>

1) ***Allowed to a RD*** when the capital goods are used in the sale of goods which are exported. ***Allowed to any other dealer*** when the said goods are used wholly or partly in the business of taxable goods.
2) Deduction is allowed only after commencement of commercial production or sale of taxable goods or goods which are exported by the RD.

<u>Pre-registration purchases (Sec 13)</u>

ITC w.r.t pre-registration purchases are allowed only for the past 3 months purchases provided no goods are sold before registration. However if tax is payable for the past year the ITC should not be denied.

<u>Special rebating scheme (Sec 14)</u>

Deduction is allowed on the goods specified in Sec11(a)(5) and (6) to the extent of input tax charged @ a rate higher than 4% or any lower rate as may be notified by the govt.

<u>Change in use or tax payment scheme after deduction of input tax (Sec 19)</u>

1) When the input tax is deducted by a RD on the goods and such goods
   - ✓ are not used in the course of the business or
   - ✓ lost or
   - ✓ destroyed,

   then the input tax deducted shall become repayable in the subsequent period to the period in which they are put into use of some other purpose.
2) When such goods are used for the sale of taxable goods or exports prior to the change of use, then the input tax repayable shall be calculated on the prevailing market value of the of such goods at the time of change of use.
3) If a RD opts for composition scheme after deducting the input tax, then the input tax repayable on the goods held in stock on that date shall be payable in the period following that date and it will be calculated on the prevailing value of such goods on that date.

<u>Input tax Deduction on exports and interstate sales and to SEZ units and developers (Sec 20)</u>

1) Input tax w.r.t-
   a) Any goods exported
   b) Any interstate sales

   Shall be deducted from output tax payable s.t conditions as may be specified.
2) A registered dealer who is a developer of any SEZ or a unit in SEZ, then the input tax shall be deducted from output tax payable by dealer or refunded s.t conditions as may be specified.

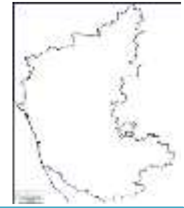
<u>Some other restrictions to the ITC which can create an issue are:</u>

1) When there is both taxable and exempted sale [other than export] then ITC is proportionate.
2) No credit under Composition scheme.
3) In case of stock transfer, input credit available after deduction of 2% of ITC.
4) Principal contractor not eligible for ITC paid by sub contractors.

<u>Issues under ITC</u>

1) Effect on ITC, when a dealer changes from regular scheme to Composition scheme -

The ITC on the inputs pertaining to the stock may be reversed. Stock to include RM, WIP and FG.



2. When restricted goods (Schedule V) are used as inputs to manufacture, what happens to ITC?

There would be no restriction as to ITC.

3. Whether the ITC on items given free with the product, is also eligible?

In normal business there is nothing free. It is just an allurement and therefore ITC would be available.

4. Whether the ITC on goods sent as Stock Transfer is eligible.

ITC would be eligible to the extent of whatever is paid more than 2% provided Form C has been issued.

5. What happens to ITC when inputs are at 14.5% and outputs are at 5%?

Accumulated ITC is to be carried forward till the refund is applied/ given by the respective state law.

6. If a RD eligible to claim input tax credit fails to claim such credit or deduction in the returns, original or revised, what happens to such credit?

No, as it brought out in *Infinite Builders & Developers – Kar HC* that deduction is to be claimed at the time of return. Therefore credit to be availed in month of invoice and considering that revised return only upto 6 months.

7. Can a dealer claim input tax deduction even when the selling dealer has not paid his liability?

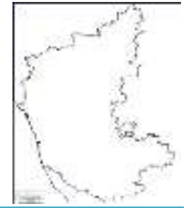
Yes. The purchasing dealer can claim input tax deduction even when the selling dealer has not discharged his liability unless there is collusion or fraud established.*[Gheru Lal Bal Chand v State of Haryana and Another, (2011)45 VST (P&H)]*

8. If a dealer in the course of manufacture produces a by-product which is exempt, can he claim the input tax deduction?

Under the provisions of Sec 17 and Rule 131(3) of the KVAT Act, input tax as relatable to exempted by-product sales turnover shall be restricted.*[CCT, Uttarakhand, Dehradun v Eastman Agro Mills Ltd(2013)60 VST 325 (Uttarakhand) (DB)]*

9. Can a dealer undertaking manufacture on a job work basis claim input tax refund on the consumables purchased?

Refund of the input tax paid on the consumables used by the dealer undertaking manufacturer on a job work basis is not admissible. However, sections 11, 12, 14, 17 and 19 of the KVAT Act do not suggest that such input tax paid on purchase of goods used in the manufacture on job work basis(exempted transaction under KVAT) shall be disallowed



10 .Is a dealer eligible for input tax deduction for the purchases made before registration under KVAT?

No. Sec 24 of the KVAT act provides for *suo moto* registration of such dealers and notwithstanding such *suo moto* registration, input tax paid u/s 3(2) does not qualify for deduction.

11. Can a RD claim input tax deduction on capital goods which is put to use for sale of exempted goods in the course of export out of the territory of India?

Yes, the RD can claim Input tax deduction.

12. Can a RD claim input tax deduction on capital goods which is put to use for sale of exempted goods or non taxable transaction and switches over to dealing in taxable goods?

Yes, if the switching over is happening within 12 months from the date of purchase of capital goods and such capital goods is put to use wholly or partly for taxable transaction, input tax deduction shall be eligible.

13. Can a RD claim input tax deduction on goods sold in the course on inter state?

No. Nevertheless, if the exempted goods are manufactured and sold interstate for the purpose of export, the benefit of input tax is admissible.

<u>Some Good Practices.</u>

1. Procurement from within the State where sales are within the State.
2. Not to procure from black listed dealers & debit/ recover from them the tax.
3. System to ensure full credits availed by way of proper initial entries.
4. Make payments in time and file returns in time.
5. Integrating VAT into ERP or reconciling between ERP figures and return figures.
6. Get an audit for optimizing of ITC.
7. Ensure every letter from dept. is replied providing sufficient documentation on record.

- Mourya Srinivas

Confidence comes not from always being right but from not fearing to be wrong."
- Peter T. Mcintyre

Question of law

Whether Dross & Skimming are excisable goods? Is Excise duty is leviable on Dross & Skimming which is a residue arise during the course of Manufacture on their removal?

Material facts giving rise to the appeal

1. The respondents are manufacturers of aluminium sheets, aluminium shapes and angles falling under Tariff Chapter 2 of the First Schedule of the Act.
2. The Dross & Skimming has come out during the course of manufacture of final products (i.e aluminium sheets, aluminium shapes and angles.
3. The respondents selling Dross & Skimming which has found some value in the market.
4. The respondents has removed Dross & Skimming from the factory without discharging excise duty on the same.
5. The department alleged that the excise duty should be discharged on the dross & skimming removed by the assessee.

Arguments taken by the department

1. The department held that Dross & Skimming has to be classifiable under the residue entry chapter No 68 of Excise Tariff as Chapter 27 specifically excludes aluminium dross & skimming, once the same is classifiable, the same should be treated as excisable goods and duty has to be levied on the same on removal.
2. The department also placed an argument that, dross & skimming are capable of being bought and sold. Hence these must be considered as marketable goods. Since they arise in the course of manufacture, the duty of excise can be levied on such goods.

View of the Tribunal in this regard

At the initial stage, the assistant collector confirmed the order of the SCN. However, the Appellate Collector of Central Excise allowed the appeal preferred by the assessees. A revision preferred by the Excise Authorities was, however, allowed by the Government of India. This decision was challenged by the assessees by filing a writ petition which was allowed by a learned Single Judge of the High Court. An appeal before the Division Bench of the High Court was summarily dismissed. Presently, the appeal preferred by the department in apex court of India.

Union of India Vs Aluminium Co. Ltd. [1995 (77) E.L.T 268 (S.C.)

Decision of the Supreme Court

1. Aluminium dross & skimming are not excisable goods as per the definition under section 2 (d) of Central Excises and Salt Act, 1944. Hence these goods doesn`t satisfy the condition excisability the duty cannot be charged as section 3 of the Act.
2. No doubt dross & skimming arises during the course of manufacture, the same cannot be treated as "Scrap". This is the rubbish item which is through item in the process of eliminating impurity in goods used in manufacture of final products.
3. Chapter 68 is introduced only from 1975, the issue was much prior to the introduction of new chapter. Hence no relevance should be given.
4. Dross and skimmings may contain some small percentage of metal. But dross and skimmings are not metal in the same class as waste or scrap. It may be possible to recover some metal from such dross and skimmings. They can, therefore, be sold. But this does not make them a marketable commodity. As learned Single Judge of the Bombay High Court has pointed out, even rubbish can be sold. Everything, however which is sold is not necessarily a marketable commodity as known to commerce and which, it may be worthwhile to trade in.
5. The exclusion of aluminium dross and skimmings from "Waste and Scrap of Aluminium" in Tariff Item 27 is not of this nature. Dross and skimmings are excluded because they are not even waste or scrap. They are not goods at all as understood in commercial parlance. Therefore, they are not assessable under Tariff Item 68.
6. Reliance was also placed on decisions of this Court in the cases of Indian Cable Co. Ltd. v. Collector of Central Excise, Calcutta, [1994 (74) E.L.T. 22 (SC)] holding that marketability is an essential ingredient for holding that an article is dutiable or excisable to duty of excise.

Comments:-

Is the decision can be still be applicable even after amendment of excisable goods definition as per section 2 (d) of Central Excise Act 1944 in 2008?

Yes. in my considered view, here the amendment has created deeming fiction for the marketability and not for excisable goods, hence the same can be valid.

- Venkatanarayana GM

Question of law

Who will become liable in discharging Excise duty in case of transferred ownership by way of open auction sale by the financial corporation acquired from the defaulter by way of "Mortgage"?

Material facts giving rise to the appeal

1. Borrower has taken loan from state financial corporation and could not repay the loan amount, hence SFC has taken possession of the property and plant and machinery attached by way of "Mortgage" and made public auction to sell the said property.
2. The appellant has purchased the said property in an auction by executing sale deed for land & building and by way of an agreement for plant & machinery. With terms and conditions saying that "All the statutory liabilities arising out of land & building and plant & machinery would be borne by "vendee and not vendor".
3. The borrower was having an sum of dues of excise duty in question in CESTAT(appeal dismissed) during the time of proceedings of auction. Which was not communicated to the appellant.
4. After becoming the owner of the said property, the excise department issued notice to a appellant to discharge the excise liability in question before CESTAT.

Arguments taken by the department

1. The department held that, since the appellant has become legal owner of the said property, he should be liable for discharging duties of excise. They have relied on M/s. Macson Marbles Pvt. Ltd. v. Union of India - 2003 (158) E.L.T. 424 (S.C.)
2. Further, they have also argued that, it is already said in the terms & conditions of sale deed that "All the statutory liabilities arising on account of land & building and plant & machinery the vendee is liable and not the vendor. Hence, demand of duty is appropriate.

View of the High Court

The appellant challenged this before High Court by way of writ petition questioning the validity of the demands by the revenue and submitted the argument that, he (appellant) is not purchased this property as a "whole unit from the ongoing concern" but, become the owner for the said capital assets only and also argued that, the macson case law is applicable only in case of purchase as a whole unit and not mere transfer of some capital assets upholding this view the above said case law was cleared distinguished in Union of India v. SICOM Ltd. - 2009 (2) SCC 121 = 2009 (233) E.L.T. 433 (S.C.) = 2010 (18) S.T.R. 673 (S.C). And further argued that, all the assets have been purchased "free from all the encumbrances" hence, the demand is not legal as per law. Unfortunately the High Court leaving aside the important discussion on priority over the Government dues the later referred court relied on aspect of conditions laid down in the sale deed that is " All the statutory dues shall be paid the responsibility of vendee and not of vendor" based on this appeal partly allowed on revenue favour keeping aside of penalty levied on the appellant.

Decision of the Supreme Court

1. It is well settled law that secured creditor will enjoy priority over the government/statutory due if the particular Central or State law provides that, such dues will have priority over the secured creditors it is binding on the secured creditor even if it is First Charge holder. The secured creditor has to satisfy first the crown debts if any out of the sale proceeds. This is legal position in relation to the hypothecated movable properties and mortgage of immovable properties. This view is expressed in case of Dena Bank Vs. Bhikkmbhai Prabhudas Parekh & Co and others (2000 AIR SCW 4237) SC.
2. Supreme court has brought in the important concept that, since state financial corporation was having priority as a secured creditor by way of clause in that particular act and also by virtue of "Mortgage" against government dues. hence, if at all there is a liability of duties of excise that is on state financial corporation and not on the appellant who acquired only the capital assets in an auction sale.
3. Further, it was expressed that, "All the statutory liabilities arising out of land & building would include property tax and nature of this kind and not the duties of excise. Hence, this view also not tenable in law.
4. After analyzing important concept, the honorable Apex Court has rendered the decision in favour of the Appellant.

Comments:- While arguing like this cases, it is very important to know the Central or State law clauses and examining the existence of such clause which gives priority over the government dues and moreover the way how the ownership has been acquired is also equally important.

- Venkatanarayana GM

A thought???

- ✓ Knowledge Portal
- ✓ Student Corner

Knowledge Portal

Topics	Click the link
CST form by the dealer who have failed/wrongly declared the value in the return	http://ctax.kar.nic.in/latestupdates/CIRCULAR-120001.pdf
Manner of distribution of common input service credit under rule 7(d) of the Cenvat Credit Rules, 2004	http://www.servicetax.gov.in/st-circulars-home.htm

Student Corner

Topics	Click the link
Scholarship for students	http://www.google.com/url?q=http%3A%2F%2Fwww.icai.org%2Fnew_category.html%3Fc_id%3D347%26newbg%3Dtrue&sa=D&sntz=1&usg=AFQjCNHt_u3C6p5vJnpOmK1m_E2L0-FaPw
Extension of time to complete GMCS-I Course	http://www.google.com/url?q=http%3A%2F%2Fwww.icai.org%2Fnew_post.html%3Fpost_id%3D10905%26c_id%3D347%26newbg%3Dtrue&sa=D&sntz=1&usg=AFQjCNGAcVjON11ElyDy-oB0r9o2GQO-0Q

Know how???

- ✓ In news
- ✓ Gems from Audit

In News

- ✓ Solar equipments are exempted from Customs & excise duty
- ✓ Indirect tax collections up by 4.5% in April – June
- ✓ Service Tax Department claims the first right to recover dues from Kingfisher Airlines

Gems of Audit

Major impact of budget 2014 on CENVAT credit

Solar equipments are exempted from Customs & excise duty

At present, solar panels are exempt from basic customs duty and CVD. The same was the position during each of the last three years. All goods used in the manufacture of solar panels were also exempt from basic customs duty during the last three years.

The fiscal steps taken to boost solar power generation include, inter alia, excise duty exemption on

1. Solar cell/modules;
2. Machinery and equipment required for initial setting up of a solar power generation or solar energy production project;
3. EVA sheets and solar back sheets and specified inputs used in their manufacture;
4. Solar tempered glass used in the manufacture of solar PV cells and modules; and
5. Flat copper wire for the manufacture of PV ribbons for use in solar cells and modules.

To maximize utilization of solar power, exemption from basic custom duty has been extended on specified inputs for use in the manufacture of EVA sheets and back sheets and flat copper wire for the manufacture of PV ribbons.

Service Tax Department claims the first right to recover dues from Kingfisher Airlines

Lenders to Kingfisher Airlines are likely to face a hurdle from an unexpected quarter in their bid to recover loans from the grounded carrier. The Service Tax Department has claimed the first right to recover dues by attaching ‘ Kingfisher House’ located in Vile Parle, a western suburb in Mumbai, and two company helicopters.

The tax department is seeking the recovery of around Rs. 100 Crore from the defunct airline, which includes statutory dues of Rs. 62 crore and interest. The department has filed petitions with the Debt Recovery Tribunal (DRT) in Mumbai and in Bangalore, where a consortium of banks headed by the SBI is fighting to recover their money. The others include Axis Bank, Bank of Baroda, Bank of India, Central Bank of India and Corporation Bank.

Nowadays people know the price of everything and the value of nothing!!! -Oscar Wilde

Exports grows in July but pace slows down

INDIA's exports during July were valued at USD 27727.60 million (Rs.166528.07 crore) which was 7.33% higher in Dollar terms (7.83% higher in Rupee terms) than the level of USD 25835.08 million (Rs. 154430.24 crore) during July, 2013. Cumulative value of exports for the period April-July 2014-15 was USD 107839.90 million (Rs 645456.97 crore) as against USD 99280.97 million (Rs 565031.46 crore) registering a growth of 8.62% in Dollar terms and growth of 14.23% in Rupee terms over the same period last year.

IMPORTS

Imports during July, 2014 were valued at USD 39956.23 million (Rs.239971.50crore) representing a growth of 4.25% in Dollar terms and growth of 4.75% in Rupee terms over the level of imports valued at USD 38326.45 million (Rs. 229097.87 crore) in July, 2013. Cumulative value of imports for the period April-July 2014-15 was USD 153152.46 million (Rs 916666.03 crore) as against USD 159195.06 million (Rs 903320.98 crore) registering a negative growth of 3.80% in Dollar terms and growth of 1.48% in Rupee terms over the same period last year.

Indirect tax collections up by 4.5% in April – June

- ✓ Indirect tax mop up inched up by 4.5% in the April- June quarter of the current fiscal due to decline in Customs duty and Excise duty collections, reflecting slump in manufacturing activity.
- ✓ Indirect tax collections comprising Excise, Customs and Service Tax stood at about Rs. 1,13,570/- crore in the first quarter of 2014-15 fiscal, as against Rs. 1,08,639 crore in the corresponding period a year ago, the Finance Ministry said in release.
- ✓ The growth at 4.5% is far less than 25% increase envisaged in the Budget for the full 2014-15 fiscal.
- ✓ Excise collection contracted 0.2% during the quarter to over Rs. 35,159 crore.
- ✓ Customs mop up has declined by 3.1% to over Rs. 39,549 crore during April-June period against Rs. 40,796 crore in the same period a year ago.
- ✓ Service Tax collection, which has become a new focus area for revenue officials, grew by 19.1% to Rs. 38,862 crore during the period

A positive attitude gives you power over your circumstances, instead of circumstances having power over you.!!! – Joyce Meyer

Major impact of budget 2014 on CENVAT credit

As most of the readers would be aware, the honourable finance minister has presented the budget 2014 on 10th July 2014. In this article, I would like to focus on few changes in cenvat credit provisions. Even though the number of changes is very few, the impact it has is huge for manufacturers and service providers who are under Cenvat credit regime.

Time limit for CENVAT credit

Rule 4(1) and Rule 4(7) of CCR 2004 has been amended in order to fix a time limit for manufacturer and service provider to avail the cenvat credit on inputs and input services. As per the amendment the manufacturer or service provider shall not take Cenvat credit after six months of the date of issue of any of the documents specified in sub- rule (1) of rule 9. This Rule would be effective from 1st September 2014. The change has major implications in indirect tax compliance. The assessee now onwards should take great care to ensure that all the credits are properly availed and utilised within 6 months. Few implications which I could think of at the moment are as follows:

1. On reading of the amended provision, it is not clear if the time limit of 6 months would be applicable only for the invoices issued on or after 1st September 2014 or even for invoices which are eligible for credits prior to 1st September 2014 but assessee failed to avail the credit and time limit of 6 months lapsed.
2. It is not clear if any manufacturer or service provider who failed to discharge the taxes in the past and who has got the demand from the department would be eligible to avail credits for the past years also as time limit of 6 months would have been lapsed.
3. There could be instances wherein the date of cenvat invoice would be dated much earlier than the date of actual receipt of goods. In this scenario, the assessee loses substantial time. It would have been better if six months time period is allowed from the date of receipt of goods instead of issue date/invoice date.
4. There could be a scenario where cenvat invoice is lost by the assessee. In such a case it is not clear if date of issue would be of original invoice or the subsequent invoice.
5. Sometimes, the credits will not be availed be properly which includes short availment of credits. This could be because of wrong accounting of amount of credit or non accounting of credit due lack of clarity about eligibility. This could result in loss of credit due to introduction of the new provision.. There are many other repercussions which could come into highlight once the rule becomes effective. If that is the case, then there would be subsequent clarifications issued by the CBEC.

6. It is very important to note that the time limit of 6 months is applicable only for inputs and input services and not for capital goods. This could be due to practical difficulty in implementation of provision as presently only 50% credit allowed in initial year of procurement of capital goods.
7. To be on the beneficial side, the manufacturers and service providers shall ascertain the cenvat credit missed out or kept on hold in past period, if any and avail the credits immediately before 1st September 2014.

Clarity on cenvat credit of tax paid under reverse charge, joint charge

Rule 4(7) has been amended to provide that the credit of tax paid under reverse charge mechanism (such as sponsorship service, legal services, import of services etc.) would be eligible when the service tax amount has been paid to the department. Earlier to this amendment, even the value of service should have been paid in addition to tax amount to be eligible for cenvat credit.

However, the rule continues to provide for availment of credit of tax paid under joint charge mechanism only on or after the day on which payment is made of the value of input service and also the service tax paid or payable as indicated in invoice, bill or, as the case may be, challan referred to in rule 9. These amendments would have immediate effect that is from 11th July 2014.

Cenvat credit when export consideration received/not received

A proviso has been added to sub rule 8 of Rule 6 of CCR 2004 stating that the credit reversed in terms of Rule 6(3) of CCR 2004 on exports treating the same as 'exempted services' could be claimed again if the export proceeds which were not received earlier are received after the specified or extended period allowed by the Reserve Bank of India but within one year from such period. This Rule is effective from 11th July 2014. Before this amendment it was not clear if such reversal was required at all for non-receipt of export consideration.

Transfer of credits by large tax payer units (LTU)

Rule 12A of CCR 2004 has been amended stating that the credit taken, on or before the 10th July, 2014, by one of his (LTU) registered manufacturing premises or premises providing taxable services could be transferred to other units. After this amendment, LTU would not be in a position to transfer the credits claimed from 11th July 2014 from one unit to other unit. However, the credits accumulated till 10th July 2014 should be eligible for transfer as per my understanding.

- CA Mahadev R

ABC s of HA!!!

- ✓Training Corner
- ✓Upcoming Event
- ✓Happenings @ HA

Training Corner

Upcoming Events

- ✓ Error free Value Additive filing of ER 1 & ST 3 returns
- ✓ Indirect taxes – Impact on manufacturing industry

Happenings @ HA

- ✓ Book release
- ✓ Just the beginning – Online book
- ✓ HA
- ✓ Seminar on Budget analysis 2014

Training Corner

Hiregange Academy as its initial step takes pride in introducing unique different Certificate training programs in Indirect taxes, with an objective of training fresher's, interested employees, professionals, Government officers to enhance their knowledge, skill, problem solving abilities in Indirect Taxes paving the way for further enhancing the quality of services they provide to their stake holders.

Sl No	Topic	Course Duration (Days)
1	Basic Service Tax	3
2	Advanced Service Tax	7
3	Basic Central Excise	2
4	Advanced Central Excise	5
5	Basic Customs & FTP	2
6	Advanced Customs & FTP	5
7	Basic CST & K-VAT	3
8	Advanced CST & K-VAT	5
9	Basic Indirect Taxes	7
10	Advanced Indirect Taxes	15
11	Dispute Avoidance & Resolution before notice under- VAT/ CST, CE, ST	3

*Provided, minimum batch size of 20 delegates register for each course

- ✓ Basic courses would cover introduction to subject, manner of Records keeping under the respective subject, Invoicing, Credit Availment, Payment of Tax as well as filing of returns.
- ✓ Advance courses would enable one to learn the subject in depth, take reasoned decisions and resolve compliance issues effectively. They would also be able to optimize their taxes and maximize the available advantages including credits. In all becoming value added resource rather than a cost to an organization.

For further information please contact

TV Gopinath : Mob No: +91 9620116163

Ph No. 080-26536404

Web: www.hiregangeacademy. com

E-mail id: gopi@hiregangeacademy.com

UPCOMING EVENTS

Team Hiregange Academy, Bangalore are conducting a workshop on "**Error-free value additive filing of ER-1 & ST-3 returns**" on 12th, 13th & 14th September 2014 @Hiregange Academy, # 1010, 1st Floor, 26th Main, (Above Corporation Bank), 4th 'T' Block, Jayanagar, Bangalore – 560 041

The workshop will be of special interest to:

- ✓ Top level Company officials – For Strategic business decisions
- ✓ Middle level Company officials – For regular and day-to-day compliance
- ✓ Chartered Accountants in practice – To update their knowledge and educate their clients

&

A workshop on "**Indirect Taxes - Impact on Manufacturing Industry**" on 13th & 20th September 2014 @ Hotel Ramanashree, #16, Raja Ram Mohan Roy Road, Bangalore – 25

The workshop will be of special interest to:

- ✓ Top level Company officials – For Strategic business decisions
- ✓ Middle level Company officials – For regular and day-to-day compliance
- ✓ Chartered Accountants in practice – To update their knowledge and educate their clients

For Further details, brochure attached.

Hiregange Academy

Empowering Knowledge & Employability

Workshop on:

ERROR-FREE VALUE ADDITIVE FILING OF RETURNS UNDER CENTRAL EXCISE & SERVICE TAX

12th, 13th & 14th September 2014
@Hiregange Academy
1010, 1st Floor, 26th Main,
(Above Corporation Bank)
4th 'T' Block, Jayanagar,
Bangalore – 560 041

Contact Details:
Phone: 080-26536404
Web: www.hiregangeacademy.com
T.V. Gopinath : 09620116163
E-Mail id:
gopi@hiregangeacademy.com

About the workshop

To err is human..! One evolves and is said to be experienced only when one commits mistakes and learns from it. Albert Einstein once said – A person who never made a mistake never tried anything new..! But if such mistakes are substantial in nature they invite unnecessary litigation. One such error-prone area in IDT is 'filing of Returns.'.

Hence Hiregange Academy is up with yet another essential 3 days workshop . Through this workshop, we aim to help enhance the tax compliance and reduce errors/disputes.

Simplicity is the key to brilliance..! Only way to commit less mistakes is making the process simpler. So come, lets learn simpler, error free ways of filing the returns..!

Snapshot of Schedule

Day -1 Introduction to Central Excise

Session	*Start Time*	*Mins*	*Topic*	*Speaker*
	2.00 P.M.	*20*	Registration	
	2.20 P.M	*10*	Welcome address	
I	*2:30 P.M.*	*30*	Manufacture & removal	CA Madhukar N Hiregange
II	*3.20 P.M.*	*30.00*	Classification & Valuation	CA Madhukar N Hiregange
III	*3.40 P.M.*	*30.00*	SSI & Job-work procedures,	CA Madhukar N Hiregange
	4.00P.M.	*15.00*	Tea	
IV	*4.15 P.M.*	*60.00*	Credit availability for Capital goods, inputs & input services	CA Roopa Nayak
	5.15 PM	*30.00*	Interactive session for individual clarifications	CA Madhukar N Hiregange + CA Roopa Nayak

Day 2 – Introduction to Service Tax

Session	Start Time	Mins	Topic	Speaker
I	10.00 A.M.	45.00	Brief Idea of Liability including Reverse charge/Joint charge implications	CA Roopa Nayak
II	10.45 A.M.	30.00	Brief idea of Classification & valuation	CA Roopa Nayak
	11.15 A.M.	15.00	Tea Break	
III	11.30 A.M.	60.00	Point of taxation, Place of provision of service	CA Akbar Basha
	12.30 P.M.	45.00	Brief idea of Negative List	CA Akbar Basha
IV	1.15 P.M.	60.00	Lunch Break	
V	2.15P.M.	90.00	Dispute Avoidance & Resolution	Adv. Saiprasad
	3.45 P.M.	15.00	Tea Break	
VI	4.00 P.M.	60.00	Interactive session- individual clarifications	CA Madhukar N Hiregange

Day 3 – Filing of returns

Session 1 – Excise Return

Session	Start Time	Mins	Topic	Speaker
I	10.00	60.00	Excel formats to capture information E.R.-1	CA Roopa Nayak
II	11.00	15.00	Tea	
	11.15 A.M.	60.00	Overall methodology for filing the returns to ensure the "error-free" zone. E.R.-1	CA Roopa Nayak
III	12.15	45.00	Practical Case studies for filing returns E.R.-1	CA Roopa Nayak
	1.00 P.M.	60.00	Lunch	

Session 2 – Service Tax Returns

Session	Start Time	Mins	Topic	Speaker
I	2.00	60.00	Excel formats to capture information S.T.-3	CA Lakshmi G K
II	3.00	15.00	Tea	
	3.15	60.00	Detailed Entry wise tips to fill the returns S.T.-3	CA Lakshmi G K
III	4.15	45.00	Practical Case studies for filing returns	CA Lakshmi G K

Featured Speakers

CA. Madhukar N. Hiregange: – Mentor for many CAs in the field of indirect taxes. He is interested in making the tax law in India simple, certain and transparent and also education of lesser privileged. He believes in “value based practice and life”.

CA. Roopa Nayak - Qualified as a Chartered Accountant in 2008. Co-author of books like Central Excise Made Simple (e-book & KSCAA publication), background material for Indirect Taxes Certificate Course, ICAI. She is an active contributor of articles to Peenya Industries Association and KSCAA.

CA. Akbar Basha – Qualified as a Chartered Accountant in 2009. Currently assisting CA. Rajesh Kumar T. R. in representation services. He is also mentor for CS and CWA students. Co-authored Service Tax Made Simple, KSCAA Publication. Member of various powerful study circles like Artha.

Adv. SaiPrasad – An eminent practicing advocate and also a Chartered Accountant qualified in the year 2006. He has handled sessions on IDT certification programmes conducted by the ICAI at various places across India He also teaches Indirect taxes to CA final students at the Bangalore branch of ICAI for the students of ICWAI.

CA. Lakshmi – Qualified as a Chartered Accountant in 2012. Currently assisting CA. Rajesh Kumar T. R. in representation services. She has also co-authored Service Tax Made Simple. Member of various powerful study circles like Artha.

Course material includes :-

1	Small books published by the Academy
	a. Understanding of Service Tax
	b. Central Excise made simple
2	PPT for each session with spiral bound format
3	Practical case studies with format for return filling for the delegates

Fee structure & other details.

- **Delegate Fee per person –**:
  - Rs. 1500 for Introduction to Excise Returns & Session 1 – Filing of Excise Returns;
  - Rs. 1500 for Introduction to Service Tax & Session 2 – Filing of Service tax Returns
  - Rs. 2500 for both the courses.
- No of seats available per batch – 30 Seats.
- Course material would be provided to all the Delegates.
- **Course fee does not include lunch**. No arrangement for lunch would be made as such. Delegates may either carry their food(space for having lunch provided in the academy) or may have their lunch at nearby eateries. . Kindly co-operate.

Kindly issue Cheque/DD in favour of "Hiregange Academy" payable at Bangalore

Contact :-
Hiregange Academy
 # 1010, 1st Floor, 26th Main, (Above Corporation Bank)
4th 'T' Block, Jayanagar, Bangalore – 560 041
Phone: 080-26536404
Web: www.hiregangeacademy.com
E-Mail id: gopi@hiregangeacademy.com

Hiregange Academy

Empowering Knowledge & Employability

Workshop on:

INDIRECT TAXES - IMPACT ON MANUFACTURING INDUSTRY

13th & 20th September 2014
@ Hotel Ramanashree
#16, Raja Ram Mohan Roy Road,
Bangalore – 25
(Next to Woodlands Hotel, Richmond Road)

Hiregange Academy,
Empowering Knowledge & Employability
1010, 1st Floor, 26th Main,
(Above Corporation Bank)
4th 'T' Block, Jayanagar,
Bangalore – 560 041
Phone: 080-26536404
Web: www.hiregangeacademy.com

__*Contact person:*__
T.V. Gopinath : 09620116163
E-Mail id: gopi@hiregangeacademy.com

About the workshop

All things are difficult before they are easy.! 'Indirect taxes – the concept' as such since is wide, there is ambiguity due to which the impact of it has not been clearly understood in majority. This has lead to a lot of litigation and disputes which could be actually minimised to a great extent if clarity on Indirect taxes on the whole is ensured. Hence, Hiregange Academy is conducting a 2 day workshop making an effort to bring about clarity in law and to also put light on the impact of IDT.

As the saying goes , **"The secret of success in life is for a man to be ready for his opportunity when it comes."** Well, here is an opportunity to understand the law and its practical aspects better. So come, join us on the 13th & 20th of September..!

Life itself is your teacher and you are in a state of constant learning..! So let's learn the concepts and get IDT-friendly…!

Snapshot of Schedule - Day -1

13th September 2014

Session	*Start Time*	*Mins*	*Topic*	*Speaker*
	9.30	20	Registration	
	9.50	10	Welcome address	
I	10.00	105	Overview of IDT- Customs, Central Excise, VAT/CST & Service Tax	CA Rajesh Kumar T R
		15	Q & A	
	12.00	15	Tea Break in between	
	12.15	75	IDT Impact- Case Study	CA Rajesh Kumar T R
	1.30	45	Lunch	
	2.15	45	Issues under Credits-IDT (VAT, Central Excise & Service Tax)	CA Srikanth Rao. T
II	3.00	45	Interactive Session-Issues from Delegates	
III	3.45	15	Tea	
	4.00	45	issues on classification and valuation	CA Roopa Nayak
IV	4.45	45	Interactive Session-Issues from Delegates	

Day -2

20th September 2014

Session	*Start Time*	*Duration (in min)*	*Topic*	*Speaker*
I	10.00	75	Exports, EOU, SEZ-Benefits including FTP	Mr. Prashanth Bhat
		10	Interactive Session-Issues from Delegates	
	11.25	15	Tea	
II	11.40	50	Issues -SSI & Job work	CA Madhukar N Hiregange
		10	Interactive Session-Issues from Delegates	
III	12.40	60	Major Issues CST/VAT	CA Chandra Shekar B D
		10	Interactive Session-Issues from Delegates	
	1.50	45	Lunch	
IV	2.35	90	Facing Audit, Avoiding disputes & its resolutions-IDT	Adv. K S Naveen Kumar
		10	Interactive Session-Issues from Delegates	
	4.15	15	Tea	
V	4.30	60	Cost control under IDT	CA Madhukar N Hiregange
		15	Interactive Session-Issues from Delegates	

Fee structure

Delegate Fee – Rs. 3000/- per delegate
For 3 or more delegates from the same organization, fee would be Rs. 2500/- each (Inclusive of taxes)
The fee covers delegate kit, lunch and refreshments

Kindly issue Cheque/DD in favour of "Hiregange Academy", payable at Bangalore

Featured Speakers

CA Rajesh Kumar T. R. - Apart from being a Chartered Accountant, he is a graduate in Law. Involved in providing strategic indirect tax consultancy and representation services. Also written many articles and authored many books.

CA. Srikanth Rao. T – A Partner in RCE & Co. Chartered Accountants, heads the Indirect Taxes segment. He specialises in Indirect Taxes covering the subjects of Central Excise, Customs, Service Tax, Karnataka VAT, Special Economic Zones and Foreign Trade Policy besides Central Sales Tax and handles consulting, audits and litigation services for his clients. co-authored books on Central Excise and Service Tax besides contributing articles on Central Excise and Service Tax to journals of Karnataka State Chartered Accountants Association and FKCCI.

CA. Roopa Nayak - Qualified as a Chartered Accountant in 2008. Co-author of books like Central Excise Made Simple (e-book & KSCAA publication), background material for Indirect Taxes Certificate Course, ICAI. She is an active contributor of articles to Peenya Industries Association and KSCAA.

Mr. Prashanth Bhat – A practicing Cost Accountant in M/s SME Network, Bangalore, specialized in Foreign Trade Advisory Services and having expertise knowledge and providing distinguished services in the areas like Import & Export, FTP benefits, Customs procedures & compliance matters, Banking & Complex Financial affairs to an esteemed clientele.

CA. Madhukar N. Hiregange: – Mentor for many CAs in the field of indirect taxes. He is interested in making the tax law in India simple, certain and transparent and also education of lesser privileged. He believes in "value based practice and life".

CA. Chandrashekar B.D. – A Practicing Chartered Accountant specializing in the field of Indirect Taxes. a partner of M/s Shekar & Yathish, Chartered Accountants, Bangalore and is his 15th year of practice. Presented various papers at various forums for both Industry and Chartered Accountants in the field of Indirect taxes viz Service tax, Excise, Vat and FEMA & has authored articles in this field.

Mr. K.S.Naveen Kumar - A graduate in Law. Visiting faculty at many prominent institutes. Also a graduate of Landmark Education. Practices at High Court and Supreme Court.

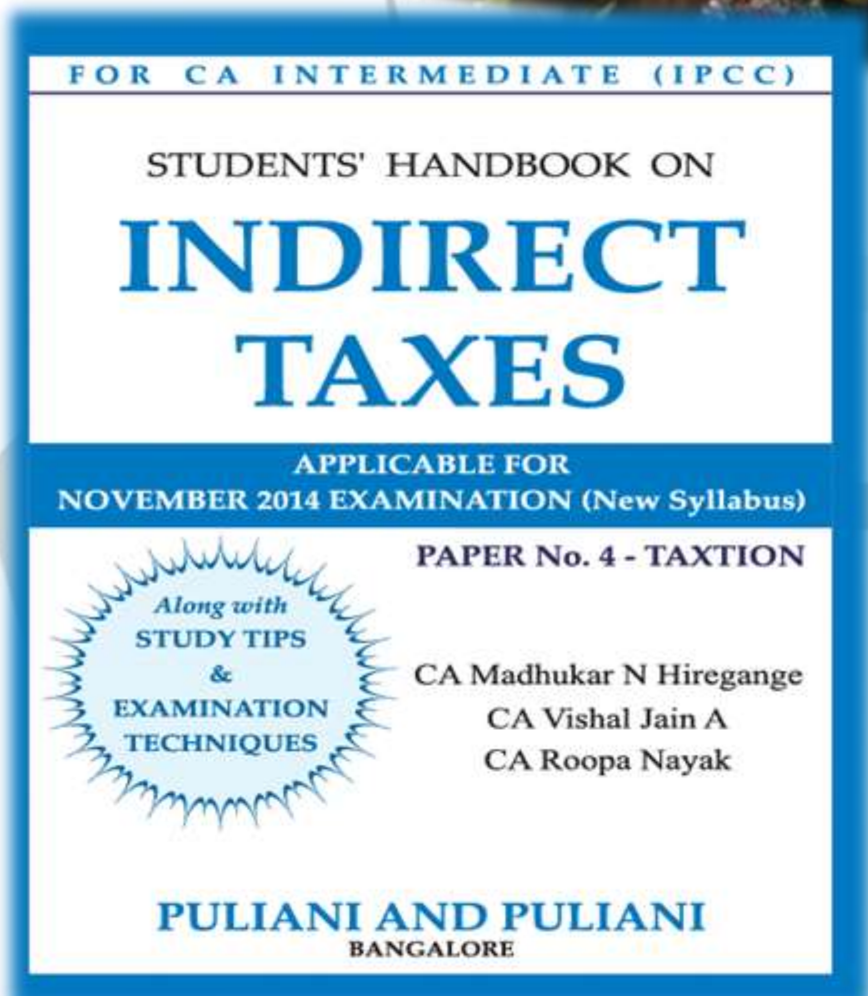
The workshop would be of special interest to –

- Managers & Senior Managers- Accounts, Senior Accountants & Accountants
- Senior Managers - Purchases & Marketing
- Professionals- CA's, CMA's, CS's and Tax Practitioners

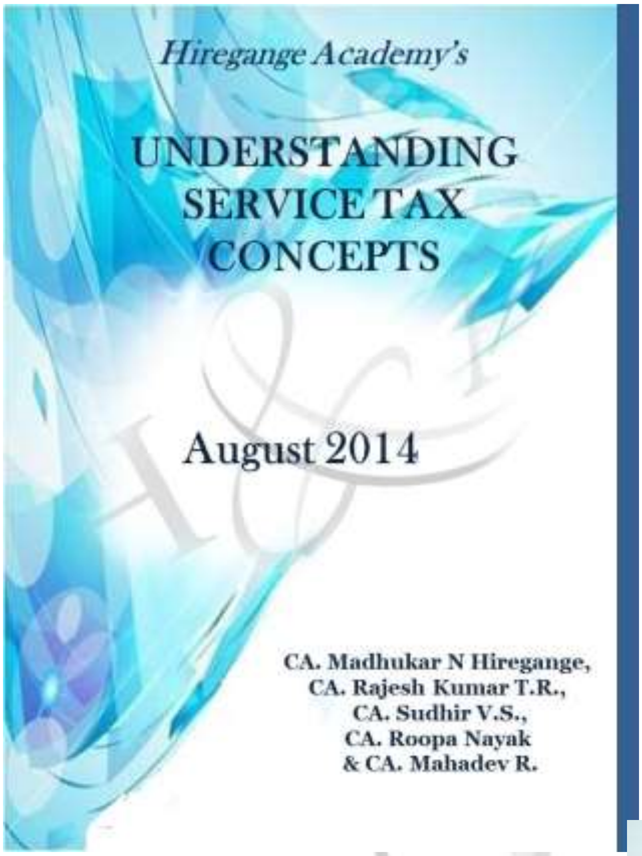
Gaining knowledge, is the first step to wisdom,
Sharing it, is the first step to humanity..!!

Our Book Release!!!

A step towards, Empowering Knowledge..!!!

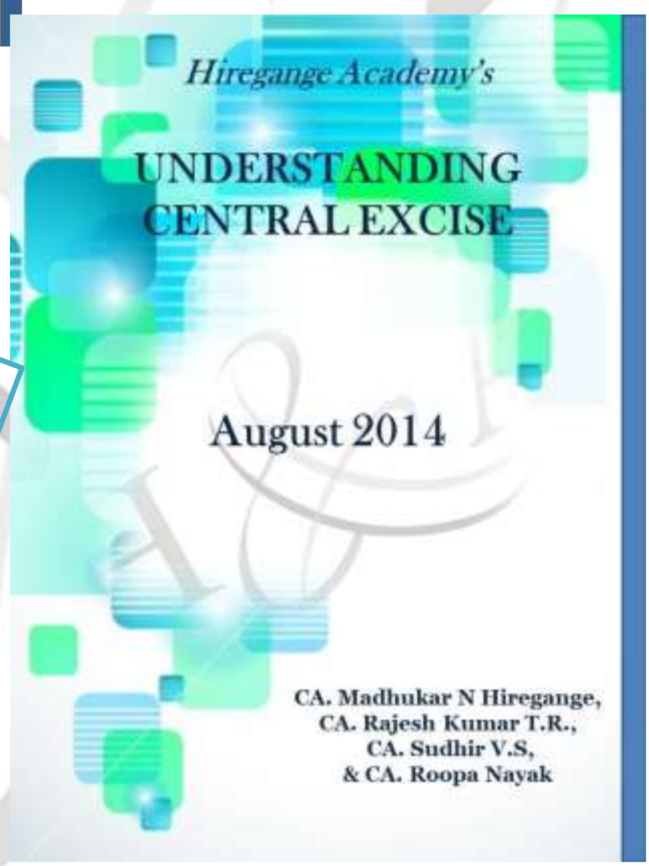


Just the Beginning…!!!!



Knowledge is free at the library, Just bring your own container!!!

Await for our online book, “Understanding Service Tax” & “Understanding Central Excise”…



The Grand Jubilation of Hiregange Academy

The workshop conducted on 19th July 2014 was informative and accelerated the knowledge of the delegates..!!!

We thank all the delegates and speakers who made this seminar a fabulous learning experience..!!!