For Private Circulation Only
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Eastern India Regional Council

of the Institute of Chartered Accountants of India

EIRC NEWSLETTER

₹ 10

Chairman Writes

Dear professional colleagues,

I feel great delight in communicating with all my respected professional colleagues and beloved students from this page at least once in a month. We professionals are bound to go haywire, if there is lack of coordination within ourselves. With today's tough demand of service, in the fiercely competitively world, we have to update ourselves each day. If members communicate amongst themselves, form and nurture network, things would be much easier. I request all my brethren to come forward with whatever suggestions, queries he or she may possess which can be discussed and suitably addressed.

Regional Conference – Diamond Jubilee Year – EIRC. I invite you to the Regional Conference in the Diamond Jubilee Year of EIRC apart from enriching us in knowledge also to explore the possibility of networking with our professional brethren. Networking is what will keep us going in the days to come. The mega event is being planned on a truly mammoth scale and I would like to personally assure all of you that no stone will be left unturned to make the event an enjoyable, rewarding and learning experience. I humbly request to kindly send in your registrations at the earliest and also assist in obtaining sponsors for this mega event. Please AVOID SPOT REGISTRATION. With extended arms we welcome you to the Science City, Kolkata.

CPE Programmes. We are putting our earnest efforts to organise as many as CPE Programmes not only to cater for the members to complete their mandatory quota but also organising programmes on topics of professional interests. CPE programmes were organised on 'Service Tax-Point of Taxation', FDI Rules, Project & Micro Finance. Keeping in view of the time of Audit, Seminars on Tax Audit was also organised. Similarly other programmes like Survey, Search & Seizure under Income Tax Laws, Corporate Social Responsibility were held apart from the regular programmes on Investor Awareness. The National Conference on Corporate Laws organised by Committee on Corporate Laws & Corporate Governance, hosted by EIRC on 10th Sept 2011 at City Centre-I, Salt Lake, deserves special mention. Dr. Navrang Saini, Regional Director (Eastern Region), MCA, Govt. of India graced the programme as the Chief Guest accompanied by eminent speakers from Mumbai, Chennai and others. Another Full Day Seminar on Information Technology which was earlier scheduled on 16th Sept 2011 was deferred to **21st Oct 2011** keeping in view of the present busy schedule of the members who may not find it convenient to attend the same in September 2011. A three day Workshop is organised on **Service Tax** with **18 Hour CPE** at Haldiram, Ballygunge Park from **13th Oct to 15th Oct 2011**. I invite all to register for the same and benefit from the very important topics scheduled to be deliberated by eminent speakers.

EIRC Members' Referencer 2011-12. Let me proudly announce that the effort put in by all my council colleagues and other contributors for the Members' Referencer has brought in accolades for the full Team of EIRC. The valued publication has been appreciated by all users and same is now out of print. I once again like to thank all the persons helped directly or indirectly in bringing such a wonderful publication from EIRC.

New Committee – EICASA (2011-12). The new committee members have taken office of the EICASA of the EIRC for the year 2011-12 on 16th Sept 2011. I congratulate all the office bearers and urge upon them to put in their best in the interest of the ever growing number of the students of the Eastern Region.

Before I sign off, may I draw your attention to the fact that our Institute have taken a firm stand for ethics and against unethical acts, as we believe that our profession can show a ray of belief and hope to our society. We need to take control of our destiny through our acts. Let us take an oath to trade the path of ethics and be more sincere, loyal while leaving examples worth following by other members of the society.

When this issue reaches all of you, I believe everybody will be in a festive mood. I wish you all Happy Festive season ahead while celebrating Vijaya/Dussehra and Deepawali.

Yours sincerely,

CA Sushil Kr Goyal
Chairman, EIRC

Forthcoming Programmes for the month of October & November, 2011

Day and Date	Programme	Speakers	Venue	Duration	Coordinator	CPE Hours	Delegate ₹
Thursday, Friday & Saturday 13th ,14th, 15th October, 2011	Workshop on Service Tax	To be announced later (Details Inside)	Haldiram Food City, 24, Ballygunge Park, Kolkata 19	10 am to 5.00 pm on all three days	EIRC	**18**	3000
Friday & Saturday 14th, 15th October,2011	Joint Regional Conference of EIRC along with WIRC	Eminent Speakers (Details Inside)	Nagpur	10 am to 5.00pm	All Regional Councils	**12**	2000 (Rs.1800 if regn upto 08.10.11 & Rs.2200 for Spot Regn and non members)
Thursday 20th October, 2011	XBRL – MCA Requirements	CS Mamta Binani Mr. Mitul Das	R.Singhi Hall, EIRC Premises	5.15 pm to 8.30 pm	CA Pramod Dayal Rungta	**3**	150
Friday 21st October, 2011	Seminar on Information Technology (Details Inside)	Eminent Speakers (Details Inside)	Royal Bengal Room, Salt Lake	10 am to 5.30pm	EIRC	**6**	800
Tuesday 1st November 2011	Investor Awareness	Eminent Speakers	R.Singhi Hall, EIRC Premises	6.00 pm to 8.30 pm	CA Ranjit Kr. Agarwal	**2**	100
Thursday 3rd November 2011	Post Search Assessment-Legal and Practical Issues	CA Paras Kochar	R.Singhi Hall, EIRC Premises	5.15 pm to 8.30 pm	CA Krishanu Bhattacharyya	**3**	150
Tuesday 8th November 2011	MAT Tax Liability U/S 115JB-Computation and Controversies	CA Ramesh Patodia	R.Singhi Hall, EIRC Premises	5.15 pm to 8.30 pm	CA Subhash Ch.Saraf	**3**	150
Saturday 12th November 2011	Take over Code	Eminent Speakers	R.Singhi Hall, EIRC Premises	5.15 pm to 8.30 pm	CA Prasun Kr. Bhattacharyya	**3**	150
Friday 25th & Saturday 26th November, 2011	Regional Conference of the Diamond Jubilee Year	Eminent Speakers (Details in the next issue)	Science City, Kolkata	10 am to 5.30pm on both days	EIRC	**12**	1500

BIJAYA – DIWALI GET TOGETHER

Friday, 4th November, 2011 (Details Inside)	Bijaya Diwali Get Together	Gala Evening of Song & Dance-	Vidya Mandir 1, Moira Street, Kolkata	6.00 pm onwards	Entry by Card

!! CONGRATULATIONS TO ALL !!

We like to inform to all our members as well as students that the 15 cottahs of land is now ready to come back to us. We have given acceptance to the offer letter, regarding the said land, which came to us from KMDA. Now we are eagerly awaiting for allotment document which may come at any moment.

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DIAMOND JUBILEE YEAR 2011-12

CONTENTS

EIRC NEWSLETTER
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Newsletter can be downloaded from the **EIRC website : www.eircicai.org**

The EIRC Newsletter seeks to enhance the proficiency and competitive advantage of its readers by providing articles from amongst its Members and other professionals. However the views expressed are the personal view of the author and not that of the EIRC. Many contemporary and relevant issues have been covered in this edition of the newsletter.

The Institute of Chartered Accountants of India
7, Anandilal Poddar Sarani
(Russell Street), Kolkata - 700 071
Phone : (033) 39893989
Fax : (033) 30211146
Website : www.eircicai.org

Branches

- Asansol
- Bhubaneswar
- Cuttack
- Durgapur
- Guwahati
- Rourkela
- Sambalpur
- Siliguri

Dear Students,

By the time this Newsletter reaches you, I am sure many of you would have put in your hard work at office with your respective Principal in September 2011 and would be looking forward to enjoy the festive season commencing with the Durga Puja – the symbol of triumph of good over evil. May the Goddess Durga shower her blessings on all of us.

Enjoy your festive season, but at the same time those due to appear for IPCC/PCC and the Final Examination scheduled for November 2011 would have to get ready. On **27th & 28th September,2011 Special Counseling session for PCC/IPCC/Final Students** is scheduled and for **CPT students** the same would be held **after 15th October,2011**. We have also arranged **mock tests** for **PCC/IPCC/Final students** on **2nd October, 2011, 12th October, 2011, 13th October,2011 and 14th October,2011 at Maharaja Cossimbazar Polytechnique Institute, 3, Nandolal Bose Lane, Bagbazar, Kolkata – 700 003** (Nearest Metro Station – Shyambazar). Interested Students have to record their names beforehand with BOS Section on or before 29/09/2011 either personally or through e-mail at eroelig@icai.in mentioning his/her name, registration number, course of study (PCC or IPCC or Final) & the paper to be attempted. Details have been furnished in the notice board.

27th and 28th August 2011 witnessed a huge gathering of nearly 900 students at the Calcutta University wherein the **National Convention of Students** was held. I personally would like to thank and congratulate the EICASA members and the Board of Studies and my colleagues in the EIRC for lending their support in the stupendous success the Convention achieved and I am sure next year again we would be chosen as a venue for the national Convention.

The first Management Committee meeting of the new look EICASA was held on 19/09/2011 and the Officer Bearers were elected on the same day. While I earnestly thank the outgoing EICASA body for their contribution, I sincerely look forward to yet another, if not better regime from the newly elected body which took office on 19/09/2011.

The notice board of the Institute is still full of requirements posted for articles from various CA firms. A few requirements have been posted in the EIRC website www.eircicai.org The students are also welcome to post their resume therein.

I await your concrete views and suggestions at chairmaneicasa@gmail.com

With Best Wishes,

CA. Prasun Kr. Bhattacharyya
Chairman, EICASA
Vice-Chairman, EIRC

RULES FOR SECONDMENT OF ARTICLED ASSISTANTS

(1) A principal may, with the consent of the articled assistant, second from time to time the articled assistant to other member or members with a view to provide the articled assistant the opportunity of gaining practical experience in areas where the principal may not be in a position to provide the same.

(2) The articled assistant shall be seconded only to a member who is entitled to train one or more articled assistants in his own right or to a member in industry who is entitled to train one or more industrial trainees.

(3) The member to whom the articled assistant is seconded will not be entitled to train more than two such assistants on secondment at a time.

(4) (a) The maximum period of secondment shall be one year which may be served with a single eligible member.

(b) The Council may permit secondment with more than one such member provided the minimum period of secondment shall be four months and the aggregate period served on secondment with such members shall not exceed one year.

(5) Where an articled assistant is seconded to a member in industry, the total period spent in industry by the articled assistant, including the period of industrial training under these regulations, shall not exceed one year.

(6) During the period of secondment, the member with whom the articled assistant is seconded shall pay the stipend as provided under these regulations.

(7) The member with whom the articled assistant is seconded shall be responsible for imparting training during secondment. He shall maintain records of practical training undergone by the articled assistant during secondment and forward the same to the principal on completion of period of secondment. The principal shall include required particulars in the report to the Council under regulation 64.

(8) A statement in the form approved by the Council shall be sent to the Secretary for records within thirty days from the date of commencement of training on secondment.

ANNOUNCEMENT

Review of Study Material for various levels of courses - CPT/IPCC/Final of CA curriculum

The Board of Studies proposes to engage persons on assignment basis as 'Reviewers; for carrying out review of Study Material for various levels of courses viz. CPT/IPCC/Final of CA curriculum.

The applicants should be highly qualified academicians/ professionals with sufficient experience in teaching/professional areas. They should also possess experience in preparation and review of Study Material for professional courses like CA/CWA/ CS/MBA.

Scope of Work

(i) Go through the Study Material word by word, and method of presentation;

(ii) Suggest corrections;

(iii) Identify printing mistakes;

(iv) Suggest changes in language so as to be easily readable and comprehensible by students;

(v) Suggest additions, if any, required to be made

Terms and Conditions

(i) The Reviewer shall be required to stay in Delhi/Noida for undertaking the assignment. In case, a reviewer is not able to come and stay in Delhi/Noida for undertaking the assignment, he shall be sent the material at his place for carrying out the review work.

(ii) The Reviewer shall also be required to give an undertaking that he shall not use the material reviewed by him, for any purpose. He shall also surrender to the Institute, copyright of the additional material suggested for inclusion in the Study Material.

(iii) The Reviewer shall be paid @ Rs.100/- per page for review. An additional amount of Rs.150/- per page shall be paid to the reviewer for the addition, if any, suggested by him in the Study Material. Each page reviewed and changes/ modifications, if any, suggested shall be signed by the Reviewer.

(iv) The Reviewer shall also be required to give a Certificate to the effect that he has gone through each and every page of the Study Material reviewed by him, in token of which he has signed each page of the reviewed material.

(v) The Reviewer shall be eligible for to and fro air travel to Delhi and daily allowance of Rs.1500/- per day. The lodging expenses during the period of stay of the Reviewer shall be borne by the Institute.

The decision of the Board of Studies in selection of applicants shall be final and binding.

Persons interested in carrying out the above assignment may submit their applications in the prescribed format (enclosed) to The Director, Board of Studies, The Institute of Chartered Accountants of India, ICAI Bhawan, A-29, Sector-62, Noida – 201 309, **by September 26, 2011**.

Director, Board of Studies

WORK DISPOSAL POSITION

The position of disposal of various matters relating to members of EIRC

MEMBERS SECTION – as on 21/09/2011

PARTICULARS	DATE
Proprietary Firm Registration	20/09/2011
Partnership Firm Registration	20/09/2011
Constitution Reconstitution	19/09/2011
Grant of Certificate of Practice	19/09/2011
Fellow Admission	19/09/2011
Change of Address	20/09/2011
New Enrollment	07/09/2011
Restoration	19/09/2011
Permission of other Engagement	20/09/2011

BOARD OF STUDIES SECTION – as on 23/09/2011.

PARTICULARS	DATE
CPT Registration	12/09/2011
IPCC Registration	16/09/2011
Final Registration	02/09/2011
Issuance of Study Materials – CPT	19/09/2011 by post By hand upto date
Issuance of Study Materials – IPCC	12/08/2011 by post By hand upto date
Issuance of Study Materials – Final	19/09/2011 by postBy hand upto date
GMCS Certificate issuance	Up to date
Orientation Programme Certificate issuance	Up to date
ITT Certificate issuance	Up to date
Change of Name / Address	Up to date

ARTICLES SECTION – as on 23/09/2011

Industrial training Registration	14/09/2011
Re-registration	16/09/2011
Termination	16/09/2011
Completion	12/09/2011
Permission to Study	14/09/2011
Supplementary Registration	14/09/2011
Change of Address	20/09/2011

FULL DAY SEMINAR ON INFORMATION TECHNOLOGY

CPE : 6 Hrs.

Date

Friday 21st October, 2011

Delegate Fee - Rs 800/-

Venue

Royal Bengal Room

City Centre, Salt Lake, Kolkata

TOPICAL ISSUES

- **Cloud Computing**
- **ERP**
- **Forensic Audit**
- **Cyber Crime**

Eminent Speakers will be deliberating on different subjects

For Registration & further details, please contact:

Phone: (033) 30211104/33

Email : eircevents@icai.in, pradyut.chakraborty@icai.in;

ICAI Bhawan, 7, Anandilal Poddar Sarani (Russel Street), Kolkata 700 071.

Cheque/DD should be payable at Kolkata & drawn in favour of

"The Institute of Chartered Accountants of India, EIRC".

LIBRARY NEWS

Some of the useful and compelling additions to the EIRC Library at Kolkata.

1 **Krishnamurthy K**
(The) Indian Stamp Act.Ed.11th Wadhwa, Gurgaon.2011.

2. **Mittal D P**
Indian Double Taxation Agreements. Ed.6th,Taxmann. 3vols.New Delhi.2011.

3. **Mehta H**
Masterguide to Limited Liability Partnerships.Ed.3rd.Wolter Kluwer, Gurgaon, 2011.

4. **Sharma R C**
Income tax pleadings,practice and conveyancing. Ed.10th .Bharat Law House.2vols.New Delhi,2011.

5. **Chaturvedi T**
HB for NRI covering income tax and FEMA Provisions. Ed.3rd..Commercial Law publishers.Delhi,2011.

6. **Gupta A**
IND –Ass & IFRS.ED 1st.Young Global Pub.New Delhi.2011.

7. **Valechha M M**
Self guide on information systems Control and Audit. Ed.1st.Valechha Educational .Chennai.2011.

8. **Chalam K S**
Economic reforms and social exclusion-impact and liberalisation on marginalized groups in India. Ed.1st.Oxford University Press.New Delhi.2011.

9. **Gokarn S**
Challenges to Central Banking in the context of financial crisis. Academic Foundation,New Delhi,2011.

10. **Rao M G & Rakshit M**
Public economic theory and policy. Sage pub.New Delhi,2011.

11. **Debroy B & Others**
Economic Freedom of the States of India. Academic Foundation.New Delhi.2011.

12. **Kochhar S**
Growth and Finance. Academic Foundation.New Delhi.2011

13. **OECD Economic surveys in India-2011.**
Academic Foundation.New Delhi.2011.

14. **Dicson D C M**
Insurancerisk and ruins.Cambridge University press.U.K.2010.

15. **Jha S**
Interest rates markets- a practical approach to fixed income. John Wiley &Sons.New Jersey.2011.

Other than books & journals, non-book references are also available in the Library on Direct/Indirect taxes, Company law and Capitaline that contains the financial reports of more than twenty thousand listed/unlisted companies.

For more information please call Library at 033 30211103/05.Mail-eirc.library@icai.in/ swati.banerjee@icai.in

IMPORTANT ANNOUNCEMENT

QUERY REDRESSAL OF MEMBERS AND STUDENTS

While appreciating the need to synchronize a Member - Student friendly effective query redressal system, arrangements have been made to provide specific reply of the queries relating to various activities/exercises of the Institute by the officials concerned. Members and Students may contact the following land line Nos. and Email Ids for their queries :-

GENERAL QUERY RELATED TO

Activities	Ph. No. STD –(033)
1) Basics of CA Course 2) Articleship 3) Dates of submission of Exam & Registration Forms 4) Issue of Forms relating to Articleshp except Form No. 102 & 103 , 5) Dates & fees of GMCS & Orientation Course, 6) Fees enquiry relating to Members & Students	3021 1140, 3021 11413989 3989

ARTICLE SECTION

Activities	Ph. No. STD –(033)	Email
1) Article Registration with Permission to pursue additional course & other engagement, change of address, Issuance of ATC Certificate after pursuing PE-II/Intermediate/ PCC and completion of full period of articleship.	3021 1113	eroreg@icai.in
2) Article Re-registration, termination & transfer, Secondment & Industrial Training, Supplementary Registration, Final Exam Eligibility	3021 1112	eroart@icai.in eroterm@icai.in
3) Completion of Article & leave calculation, permission to pursue additional course & other engagement.	3021 1107, 3021 1114	erocompl@icai.in

MEMBER SECTION

Activities	Ph. No. STD –(033)	Email
1) Fresh enrolment of Associate Membership and fees enquiry	3021 1109	eroenroll@icai.in
2) Merger, Networking, Partner's joining & leaving, Branch office opening and close, change of branch office Incharge, Removal of names	3021 1111	erofirm@icai.in
3) Restoration of name ,Registration of Firms, Joining & leaving of paid assistants, Address change, closure of Firm, Fees enquiry, Sole practice, Change of name and addition of other qualifications, Restoration of COP	30211111	erorestore@icai.in
4) Fellow admission, Grant of COP, Cancellation of COP and Fees enquiry	3021 1124	erofellow@icai.in
5) Convocation, Disputes amongst Members/ Firms and Member, MEF, Online Payment, Fees enquiry.	3021 1110	eromem@icai.in

BOARD OF STUDIES

Activities	Ph. No. STD –(033)	Email
CPT / IPCC / Final Admission Form submission by Students	3021-1117	ero@icai.in
Issuance/Non-receipt of Study Materials (CPT/IPCC/Final) , Supplementary Study Materials & Revision Test Papers	3021-1120	eroelig@icai.in
Final Course Registration, Issuance/Non-receipt of ITT/CCT certificate	3021-1121	erocct@icai.in
GMCS & Orientation Course, Main Examination related issues	3021-1122	eroexam@icai.in
To know about CA Course, CPT/IPCC registration	3021-1123	erobos@icai.in

REGIONAL COUNCIL SECTION

Activities	Ph. No. STD –(033)	Email
Seminar & Conferences	3021 1133, 3021 1134 3021 1104	eircevents@icai.in eirc@icai.org
CPE Hours Query	30211104	eirccpe@icai.in
EIRC Accounts	30211138	eircaccounts@icai.org

Sales Counter (Issue of Forms 102 & 103, Registration for CPT & IPCC, Sales of Books, Prospectus & Study Material)	3021 1101, 3021 1147	psc_ero@icai.in
Library	3021 1103, 30211105	eirc.library@icai.in
Computer Section for IT Training	3021 1142, 3021 1143	
Certificate courses on Valuation	3021 1117	ero@icai.in
Post Qualification Course on Information System Audit	3021 1117	ero@icai.in
Post Qualification Course on IFRS	3021 1122	eroexam@icai.in
Accounts Section	30211136, 30211137	eroacc@icai.in

Members/Students may first try in the landline No. and in case of non availability of the official concerned, they may email their queries at the email ID as mentioned hereinabove indicating Name, Membership/Registration No., Mobile/Phone No.

In case of non- reciept of Registration letter,CPT Candidates are advised to email their queries mentioning their name, date of birth, address and phone/mobile number, on expiry of 30 days from date of form submission.

E-FILING OF SERVICE TAX RETURN BECOMES MANDATORY FROM 1ST OCTOBER,2011. TRADE NOTICE TO THIS EFFECT IS APPENDED BELOW.

GOVERNMENT OF INDIA
OFFICE OF THE COMMISSIONER OF SERVICE TAX, KOLKATA,
KENDRIYA UTPAD SHULK BHAWAN, 3RD FLOOR,
180, SHANTIPALLY, RAJDANGA MAIN ROAD, KOLKATA - 700107

TRADE NOTICE No.-1112011

DATED :.09.2011

Attention of the Trade & Industry, field formations, Departmental Officers and all other concerned is invited to the letter under C. No. V(30) 104/ CC/ CE/Misc(Sys)/Kol/2011/10319 dated 23.08.2011[based on the letter bearing F. No. IV(24)/07 /2011-Systems/ 1708 dated 29.07.201 1/09.08.2011 issued by Shri F. M .J aswal, Director-General(Systems), Directorate General of Systems & Data Management, Customs & Central Excise, Kautilya Marg,Chanakyapuri, New Delhi-I10021 addressed to all the Chief Commissioner] on the subject of “ACES Performance” issued by the Assistant Commissioner, Office of the Chief Commissioner of Central Excise & Service Tax, Kolkata for information, guidance and compliance.

In terms of the aforesaid letter dated 23.08.11 , Central Board of Excise & Custom has decided that w.e.f 01.10.2011, use of ACES will be mandatory by all users, both by the department -and the assessee. Accordingly, it has been suggested that necessary preparatory steps may be initiated to sensitise the trade as well as the staff members by putting the infrastructure in place and imparting necessary training by using LMS as well as active assistance from the Directorate (System).

As regards other guidelines to be followed by the departmental officers as mentioned in the aforesaid letter, one circular has already been issued for compliance and field formations within this Commissionerate have been requested to streamline their functions in conformity with the above-quoted advice and guidelines issued by the Directorate General of Systems & Data management.

All the Service Tax Assessees and their Associations are requested to give wide publicity to the instant Trade Notice amongst their constituent members.

All the Trade Associations are also requested to bring the contents of the Trade Notice to the attention of their members, in particular, and the trade and all other concerned in general.

Encl: as above.

(DR. SANJAY KR. AGARWAL)
COMMISSIONER

OBITUARY

(Member left for heavenly abode. We pray to the Almighty ‘may his soul rest in peace’.)

CA. S. Narendra Singh
Past Chairman
Durgapur Branch of EIRC
(M. No. - 52981)
Left us on 9th July, 2011

ANNOUNCEMENT

RTP for Nov,2011 of PCC/IPCC/Final are available at the sales counter of EIRC office A limited copies of Final RTP for May,2011 are also available till stock last.

Recent Judgements on Service Tax

Banking and other financial services

In respect of financial leasing services, service tax is leviable on lease management fee/ processing fee and documentation charges and on finance /interest charges and not on the principal amount. *[ITWIndiaLtd.vs.CCE (2011)23STR159(Tri-Ahmd.)]*

Business auxiliary services

Where the assessee, an authorised dealer, received overriding commission from the manufacturer on the sales made directly by the manufacturer in the territory of the dealer, the Tribunal on facts observed that such commissions are paid mainly as a compensation for the dealer's effort in popularizing the products in the territory; for the opportunity loss of not being able to get the dealers margin on the said sales; for the dealer's efforts to procure order; and for realization of sale proceeds. The dealer was held not to be an agent of the manufacturer and his services could not be considered as services provided by a commission agent. Hence the commission is not eligible for exemption under notification 13/2003 -ST. dated 20.6.2003 *[CCE vs. Krishna Automobiles(2011) 23STR57(Tri–Delhi)]*

The process of cutting paper into sheets though does not amount to 'manufacture', does form part of 'production' and accordingly would be liable for service tax under the category of business auxiliary services as being 'production of goods on behalf of client'.[Orient Packaging Ltd. vs. CCE (2011) 23 STR 167(Tri – Delhi.)]

Cargo Handling Services

Cargo handling service means 'loading, unloading, packing or unpacking of cargo', and the expression "cargo" is goods 'loaded or unloaded on a truck, aircraft and ship'. Hence the activity of shifting finished goods and unfinished goods within the factory premises does not come within the ambit of cargo handling service since the goods are not 'cargo'. *[CCE vs. Modi Construction Company(2011)23STR6(Jhar)]*

Clearing and Forwarding Agent

The activity of financing the purchase of coal, and arranging for its transportation by paying the freight, arranging insurance and R/R etc. is not liable for service tax under the category of 'Clearing and Forwarding Agent Services' *[Kaveri Coal Suppliers vs. CCE (2011) 23 STR 35 (Tri-Del) relyingon HanumanCoalCovs. CCE (2011) 22STR350 (Tribunal)]*

Where the assessee was engaged in procuring orders from the customers, for their principal and also guaranteeing the payment, the Tribunal held that the said activity would not be covered under the category of 'Clearing and Forwarding agent service' since clearing and forwarding agent services mainly comprised of receiving the goods on behalf of principal, storing then and thereafter delivering the same at the instruction of the principals. *[CCE vs. K.K.Polymers (2011) 23 STR129 (Tri- Del)]*

Where the assessee was engaged in the activity of promoting sale of their principal's products by identifying buyers the Tribunal held that the said activity would not be covered under the category of 'Clearing and Forwarding agent service' *[Susheel Yarn Pvt. Ltd. vs. CCE (2011) 23 STR 130 (Tri–Delhi)].*

Manpower recruitment and supply agency services

Where the assessee was an academic institution, and not a 'commercial concern' the Tribunal held that receipts from various business organizations for the campus recruitment programme conducted by them would not be liable for service tax under the category of 'manpower, recruitment and supply agency' services prior to 01.05.2006,since at that point of time only service rendered by a 'commercial concern' was liable for service tax. *[CST vs. Indian Institute of Management (2011) 23STR132 (Tri–Bang)]*

Import of Services

Prior to the enactment of section 66A (charging section) into the Finance Act, 1994, i.e. 18.04.06 making the service recipient in India liable for service tax in respect of services provided by a person from outside India, demand on service recipient by merely relying on rule 2(1)(d)(iv) of the Service Tax Rules, 1994, is not permissible *[CST vs. Quintiles Data Processing Centre (I) P. Ltd. (2011) 23 STR 15 (Guj);* See also *CST vs. Metro Cash And Carry (2011) 23 S.T.R. 124 (Kar); Vardhman Spinning General Mills vs. CCE (2011) 23STR158 (Tri-Del)]*

Demand

Procedural lapses should not prevent substantive justice when the money has gone into treasury since procedures are not tyrant but subordinate to legislation. Thus where the assessee had made payment of service tax under the wrong accounting code the Tribunal held that tax cannot be demanded on the ground that money paid by the assessee has not gone in to the government treasury. *[BAS Engineering (P) Ltd. vs. CCE (2011)23STR145(Tri-Del.)]*

Limitation

Where the assessee had failed to obtain service tax registration, since it *bona fide* believed that its activities were not liable for service tax but had subsequently on being pointed out by the department obtained the service tax registration and discharged its service tax liability, the High court held that the extended period of limitation could not be invoked *[CST vs. Karnataka State Warehousing Corporation (2011) 23 S.T.R. 126 (Kar)].*

Where the appellants were regularly paying service tax on their services and filing returns, where audits had been conducted by the department raising objections and subsequently dropping them and where the Board had also issued a circular referring to the prevalence of doubts and also providing clarification thereon, the Tribunal held that there was no mala fide intention on the part of the assessee and accordingly the extended period of limitation was not invocable *[Essar Projects (India) Ltd. vs. CCE (2011)23STR140(Tri-Ahmd.)]*.

Appeal

Appeals against the Tribunal's order involving questions of classification of service rendered lies before the Apex Court by virtue of section 35L of the Central Excise Act, 1944, and not before the High Court u/s 35G of the said Act. *[CCE vs.S.S. Maritime (2011)23STR114(Kar)].*

The question whether the assessee is liable to pay service tax for a courier service during the period from 15.3.2005 to 15.6.2005 as the service provided by the assessee constitutes export of services was held to be 'determination of a question relating to rate of service tax' and accordingly an appeal against the order of the Tribunal lies before the Supreme Court *[CCE vs. S.S. Maritime (2011) 23 STR 114 (Kar); CCE vs. TNT Ltd. (2011) 23STR115(Kar)].*

Penalty

Where the assessee who was under the impression that its activities were not liable for service tax but had promptly obtained service tax registration and paid service tax along with interest on being pointed out by the department the High Court held that there was no intention to evade payment of duty on its part and hence there was a reasonablecause under section 80 of the Finance Act, 1994, for waiver of penalties. *[CSTvs.VinayakaTravels(2011)23STR5(Kar)]*

Where the assessee had paid service tax along with interest before the issuance of the show cause notice and claimed waiver from the issue of SCN and penalties u/s 73(3) [which grants such waiver where there is no intent to evade] the Tribunal granted the claim and also held that there was no requirement to pay 25% of penalty alongwith tax and interest which was only required under 73(1A) of the Act [which covers cases where there was an intent to evade tax.] *[CST vs. Independent News ServicesP.Ltd.(2011)23STR23(Tri-Del)].*Imposition of penalty u/s. 76 and 78 for the same offence is not warranted even where the dispute pertains to the period prior to the amendment of Section 78 w.e.f. 10.05.08 since the penalties are substantially for the same offence. *[CCE vs. Krishna Automobiles (2011) 23STR57(Tri-Del)]*

Where there was a confusion among the trade for a long time as regard the liability to service tax which was later clarified by a Board circular, the Tribunal held that the bona fide belief of the assessee that no service tax was payable on its activities was justified. *[CCEvs. Abharan Motors Pvt Ltd. (2011)23STR72 (Tri-Bang)]* W.e.f. 10.5.08 the fifth proviso to Sec 78 had been inserted which stipulated that no penalty u/s 76 would be imposed if penalty u/s 78 had been imposed. Accordingly where the show cause notice had been issued post 10.5.08 for the period prior to 10.5.08 imposing penalties under sections 76 and 78, the Tribunal held that since the show cause notice has been issued when the 5th proviso to section 78 was in force penalty u/s 76 is not imposable when penalty u/s 78 has been imposed. *[CCEvs. Pendharkar Constructions (2011) 23STR75 (Tri-Mumbai)].*

Where the assessee-manufacturer, had contested that erection, commissioning and installation of the products it sold was not liable for service tax since it bore excise duty but subsequently paid the same after the Tribunal's order (which upheld the demand but condoned the penalties), the High Court on appeal by the department against the non-imposition of penalties, condoned the penalties on the reasonable cause ground under u/s. 80 since there was no wilful attempt to evade payment of tax and the disputed period (1.7.03 - 30.9.03) is in the nature of transitional period and the benefit of doubt needs to be given to the assessee. *[CST vs. LincolnHelios (India) Ltd. (2011) 23STR112(Kar)].*

Where the revenue was aware of the appellant's activity on account of an ongoing excise litigation as to whether or not the said activity would amount to manufacture, and further did not advise the assessee that the said activities would be liable for service tax w.e.f. 10.9.04 under the category of business auxiliary services as 'production of goods on behalf of client', the High Court held that there had been no suppression or intention to evade payment of service tax on the part of the assessee and accordingly there was a reasonable cause u/s. 80 for non-imposition of penalties *[CCE vs. PSL Corrosion Control Services Ltd. (2011) 23 STR 116 (Guj.)].*

Where the issue involved in the case was one relating to interpretation of statute, the Tribunal held that it was a fit case for invoking Section 80 of the Finance Act, 1994, to waive imposition of penalty. *[Orient Packaging Ltd. vs. CCE (2011) 23STR167 (Tri–Delhi)]*

Where there was a doubt relating to the taxability of commission received by authorized automobile dealers from the banks and other non-banking finance companies for arranging loan facility to their customers for purchase of vehicles which had been recognized by the Board Circular No. 87/05/2006-ST dated 6.11.06, the Tribunal observed that non – payment of service tax by the assessee could not be held to be intentional and accordingly no penalties were imposable. *[CCE vs.VivekramBajaj(2011)23STR136(Tri-Chennai)*

(a) It is a settled principle that show cause notice gives rise to civil and penal consequences. Thus where there was no proposition in the show cause notice for levy of penalty under section 78 but the same had been imposed by the adjudicating authority the Tribunal held that there was no opportunity of rebuttal granted to the appellant and hence the same is not imposable.

(b) Existence of several controversies at the infancy stage of law is a reasonable cause u/s. 80 for non-imposition of penalties.

[BAS Engineering (P) Ltd. vs. CCE (2011) 23STR145 (Tri-Del.)] ■

Recent Procedural Amendments in Orissa VAT Laws

By CA. Ajay Agrawal

Orissa Value Added Tax Act (OVAT Act), 2004 came into force on 01.04.2005. Since then, it has been amended from time to time. The article given below attempts to highlight important procedural amendments that have taken place in the last few months.

A. Pre-requisites for obtaining e-services:

For various e-services offered by the Department of Commercial Taxes, Orissa, the dealer has to obtain log-in credentials in the form of password from the respective circle offices of the Department of Commercial Taxes, Orissa. After obtaining the initial password, the dealer has to log in to the Department's website www.orissatax.gov.in to complete the enrolment process by providing new secret password after replacing the initial password provided by the Department, e-mail id, phone number, security question, etc. System generated activation link shall be mailed to the dealer's e-mail id. After clicking the activation link, the dealer's account shall be activated and a web page containing the registration details of the dealer and various e-services offered by the Department shall be available.

B. E-filing of tax returns:

The following dealers are required to mandatorily e-file their tax returns:

a) Wef 1st August, 2011, all company dealers and registered dealers whose annual gross turnover is Rs. 20.00 lacs or above in any of the preceding three years.

b) Wef 1st October, 2011, all registered dealers whose annual gross turnover is Rs.10.00 lacs or above in any of the preceding three years.

In order to e-file the tax returns under various Acts, the dealer has to click the download tab available at the bottom menu of the home page to select the appropriate e-return form. After filling the mandatory details, e-return form requires validation. In case any mandatory field is left, an excel sheet containing errors committed while filling the return shall be displayed, upon rectification of which the return form can be again validated. Upon successful validation, a message confirming the same shall be displayed after which the e-return is to be saved. It is to be noted that a return cannot be saved unless & until it is successfully validated by the system. The dealer is required to log in to the website using registration no. (TIN/SRIN) and password. The dealer is required to click the e-return filing tab and upload the filled-in return form. After uploading the e-return, summary of the e-return in the form of total purchase, total sales, vat, etc shall be displayed by the system. The dealer has to confirm the same before final submission of the e-return. A message indicating successful filing shall be displayed by the system after which the dealer can generate the e-receipt and save or print it. Details of e-filed return and e-payment can also be obtained from the "check status" and "payment history" tab available at the menu of the web page. The dealer is advised to retain a print out of the e-return and system generated acknowledgement slip to be produced before the tax authorities, on demand.

C. E-Way Bills:

The dealer is required to log in to the portal of the Department of Commercial Taxes, Orissa using his TIN & password. The dealer is required to click the "e-form" link to make new requisition or view existing requisition of e-way bills already applied.

Dealers who file their tax returns electronically under all Acts under which they are registered and e-pay their taxes will be able to obtain system generated e-way bills not requiring approval from the concerned circle officer of the Department of Commercial Taxes. However, at any point of time, the number of e-way bills printed from the system and utilized at the designated check gates, shall not exceed 100 & 25, in case of dealers whose tax period comprises a month and a quarter, respectively. Otherwise, the facility of system generated e-way bills shall be temporarily withdrawn by the system until the difference is within the permissible limit of 100 or 25, as the case may be. This limit can be enhanced for large corporate dealers depending upon their requirements, on case-to- case basis. In case of other dealers, requisition of e-way bills shall require approval of the concerned circle officer.

A new "zero log-in" procedure, introduced wef 3rd August, 2011 for bringing taxable goods from outside the State into Orissa, facilitates updation of commodity & transportation details after generation of e-way bill number. Under this procedure, the consignee dealer shall intimate the e-way bill number to the consignor dealer outside the State of Orissa.

The consignor dealer shall be required to enter his TIN and numeric part of e-way bill number intimated by the consignee dealer in the State of Orissa, after log in to the "e waybill consignor" tab appearing on the bottom menu of the portal of the Commercial Tax

Department, Orissa. The consignor dealer shall click the search tab and way bill details as entered by the consignee dealer in Orissa shall be displayed in case correct e-way bill number and TIN have been entered. Date of despatch of the consignment, details of commodity and mode of transportation, can be edited by the consignor before printing the e-waybill at his/her end. Once the e-waybill is confirmed and printed by the consignor dealer outside the State of Orissa, details entered will be non-editable. It shall be the responsibility of the purchasing dealer in the state of Orissa to ensure that correct details have been entered in the way-bill at both ends. In case of loss or damage of e-way bill, it can be re-printed by clicking the search tab after entering e-way bill number & consignor's TIN.

E-way bills shall be bar-coded and bear unique numbers.

In case of e-waybills requiring approval from the concerned circle office, transportation details can be edited even after approval but before it is printed.

In any case, if transportation details are required to be changed after the e-way bill is printed, it can be edited at the check gate by the concerned officer-in-charge in the VATIS.

An approved e-way bill can be cancelled before it is confirmed and printed. Even a printed e-way bill can be cancelled by the concerned circle officer, upon intimation to him.

D. E-CST Forms

The dealer is required to log in to the portal of the Department of Commercial Taxes, Orissa using his TIN & password. The dealer is required to click the "e-form" link to make new requisition or view existing requisition of e-CST forms already applied. The dealer is required to select appropriate e-CST form from the drop down list to make new requisition or view existing requisition. Details like name, registration number, address, etc of the dealer in Orissa shall be automatically filled in and is non-editable. Details of the other transacting party shall be required to be entered, besides commodity details. Filled in forms shall be required to be sent for approval to the concerned circle officer. After approval, these forms can be downloaded from the website and printed. The dealer is not required to submit utilization statement of e-CST forms as utilization is automatically captured by the system at the time of printing the e-CST forms. Utmost care should be exercised while filling the requisition of e-CST Forms as these are non-cancellable.

E- facility is also provided for the following services:

a) Amendment & cancellation of Registration Certificate under OVAT Act, 2004 ,CST Act, 1957 & Entry Tax Act, 1999.

b) E-Registration under OVAT Act, 2004, CST Act, 1957 & Entry Tax Act, 1999.

c) Various e-forms issued by the Department can be searched using Form Search option available at the bottom menu of the home page of the Department's website after inserting the numeric portion of the serial no. of the e-form.

d) Details like name of the dealer, address and the various Acts under which registered can be obtained from the "Dealer Search" facility offered by the website. One is required to enter the registration number or name of the dealer, for using this facility.

Besides, various Acts, Rules, forms, circulars, notifications, reports, help guide on e-services , etc can also be downloaded.

E. E-payment of Taxes:

E-payment of commercial taxes can be made either through the treasury portal of Directorate of Treasuries & Inspection through multiple banks or through payment gateway of State Bank of India. ■

Announcement

Integrated Professional Competence Examination [Paper 7 - Section B] and Professional Competence Examination [Paper 6 - Section B]

Strategic Management

The students of Integrated Professional Competence Course [Paper 7 - Section B – Strategic Management] and Professional Competence Course [Paper 6 - Section B – Strategic Management] may note that there will be no Case Study (carrying 15 marks) in the examinations.

Instead of the Case Study a compulsory question containing five sub-divisions carrying three marks each would be included to cover maximum possible topics from the syllabus.

The new pattern of the question paper shall be applicable from November, 2011 examinations.

Director, Board of Studies

TDS & Service Tax

CA. Shivani Shah, shivanishah83@gmail.com

The Central Board of Excise & Customs (CBEC) is contemplating to bring in force the provisions of Tax Deducted at Source (TDS) within service tax.

The Backdrop

- TDS, as a concept, has been prevalent in income tax successfully, garnering substantial revenue for the CBDT;
- Recently, it is observed by the CBEC that there has been significant non-compliance from service tax assesses, wherein out of 15 lakh registered assesses, the service tax returns are filed only by 6 lakh assesses; and
- The CBEC has a stiff revenue target of Rs 82,000 crores for the year 2011-2012.

The implementation of Point of Taxation Rules have helped boost the revenue collection of service tax for the government. It seems that the CBEC is considering TDS as a mechanism to boost revenue collections further.

However, there are lot many issues that need to be settled for successful implementation of this TDS mechanism.

Refund of excess TDS required to be filed by service providers

The huge chunk of refund applications to be filed for refund of excess TDS would indeed be a mammoth task for the department to handle. Considering the Cenvat credit provisions, it may not be possible for the service receiver to determine the exact liability of the service provider. Hence, any amount deducted, even if done by virtue of an arbitrary percentage prescribed for such deduction, may result in excess tax paid to the government on behalf of a service provider.

Therefore, the service provider shall be required to file refund applications for such TDS deposited. The process of applying for a refund shall pre-suppose that an assessment of the tax liability of a service provider shall be completed and thereafter the amount of TDS adjusted and balance amount determined as refund.

Additionally, the current TDS regulation under income tax is still not totally matured, as problems relating to credit of TDS in the account of the service provider, providing documentation like TDS certificates, TDS returns, etc can be applicable to service tax as well.

Apart from the burden of going through a refund process, the service provider would also lose substantial working capital which shall be stuck in obtaining such refunds which are delayed for many years. A provision for payment of interest on such delayed refunds, in line with the provision in income tax under Section 244 of Income-tax Act, may be introduced in service tax as well. This shall not only assist the service provider in recovering the cost of working capital blocked, but also desist the departmental authorities from delaying the issuance of such refunds.

Compliance requirements shall substantially increase

Currently, service providers are registered under service tax, including obtaining centralized registration for covering all premises from where services are provided. Additionally, monthly tax payments are being made, as well as filing of half yearly service tax returns.

To add to the above, the introduction of TDS shall mean the following additional compliances to be followed:

- Obtaining a separate registration for the purpose of TDS (like in the case of income tax where a separate TAN is obtained)
- Remittance of TDS deducted on a periodic basis
- Filing of quarterly TDS returns, electronically
- Undergoing audits, investigations, verifications, etc on the fulfillment of the above compliance requirements, including performing reconciliations of the payments made with the TDS deducted.

Unwarranted duplicity

The above compliance requirements to be performed by the deductor shall result in duplication of the same compliances being carried out by the service provider, as the service providers shall continue to meet their compliance obligations.

Assessee base under service tax shall be unnecessarily widened

It is possible that various persons, who are currently not required to follow any service tax compliances as they are not yet covered under the service tax law, shall be required to register with the service tax authorities only for the purpose of meeting this compliance requirement. This shall also add to the burden of the departmental officers to administer the assesses registered only for the purpose of TDS.

TDS is unwarranted in the light of imminent introduction of GST

With the Government preparing for the implementation of Goods & Service Tax (GST), it seems unwarranted to burden the assesses with yet another herculean change in the form of TDS in service tax.

Introduction of Point of Taxation Rules, 2011 – objective already met

The Point of Taxation Rules, 2011 ("POTR") with effect from April 1, 2011, has already started reaping the desired results to the Government. Prior to the implementation of the POTR, service tax was payable only on receipt basis. However, post the implementation of the POTR, service tax is no longer payable on receipt basis. As per POTR, under general circumstances, the point of taxation shall be earliest of date of invoice, date of payment or completion of services.

The service tax collections in the first four months of this financial year has shown stupendous growth in service tax collections and the reason for the same attributed by the Chairman of CBEC in a recent interview has been primarily on account of the introduction of POTR.

Therefore, with the introduction of POTR, the government is already collecting service tax on accrual basis and therefore introducing TDS in service tax shall not provide any material benefit to the government, in terms of timing of collection of service tax.

Reverse charge mechanism already in line with TDS framework

It may be observed that currently the Finance Act, 1994 provides for payment of service tax on reverse charge basis for certain domestic services like:

- Goods transport agency services;
- Sponsorship services, etc

For these services, the recipient of services remits the service tax on behalf of the service provider and the service provider is therefore not covered under the ambit of service tax compliance.

In case the CBEC observes that there is evasion of service tax by service providers in case of certain taxable services, these services may be included in the above list (by covering them under Rule 2(1)(d) of the Service Tax Rules, 1994), whereby the service recipient shall directly remit service tax to the government on these services.

However, it is important to keep in mind that while such a provision shall meet the requirement of payment of service tax to the government on such services and therefore shall not require the need of TDS for such services, this shall lead to a break in the CENVAT chain for such services. Therefore, the possible CENVAT credit that could have been availed by the service provider shall become a cost and the entire tax on the service shall be remitted by the service recipient on reverse charge basis.

Refund for service exporters

The CBEC is aware that refund of service tax paid by service exporters has been a grave issue, wherein refund of Rs 35 bn only to the IT/ ITES sector is under process and not yet issued.

The delay in processing these refunds has been attributed mainly to the examination of documentation underlying such refund claims. The primary examination (being done by a statutory auditor) of documentation is with respect to the invoices for "input services" to verify the authenticity of such amounts. This has resulted in substantial time and effort being spent on this process and thereafter the certification issued by the auditor is also seen as challenged by the authorities on account of various reasons – thereby resulting in the entire exercise being frivolous.

The introduction of TDS in service tax shall result in the amount of TDS deposited by such service exporters to the government with respect to the input services availed by them. The CBEC should use this process to amend the refund provisions (ie, Rule 5 of CENVAT Rules read with Notification 5/ 2006-CE) to provide for a refund of the amount of TDS deducted by the service exporter without actually requiring any certification from the statutory auditor, as the TDS mechanism shall act as a self-policing process, whereby the tax actually deposited to the government (albeit with respect to an eligible service) shall be refunded to the service provider.

Conclusion

Hence there are issues galore that need to be put to rest before implementation of TDS within service tax. With the successful implementation of the POTER and with the Government preparing a road map for implementation of GST in the near future, further complicating the already complex scenario by way of enforcing TDS mechanism in service tax, in my view, is uncalled for. ■

Exclusively Structured Campus Placement Programme for Small and Medium Sized CA Firms For Newly Qualified Chartered Accountants

Date: 18th & 19th October, 2011 | **Time:** 10:00 a.m. – 6.00 p.m. | **Venue:** Ahmedabad, Bangalore, Bhubaneswar, Chennai, Coimbatore, Hyderabad, Indore, Jaipur, Kanpur, Kolkata, Mumbai, Nagpur, New Delhi & Pune

OVERVIEW

The Institute of Chartered Accountants of India (ICAI) through its Committee for members in Industry **(CMII)** is organizing an Exclusively Structured Campus Placement Programme for Small & Medium Sized CA Firms in October, 2011. In its endeavor to provide quality Accounting, Finance, Tax, Audit and Management Consultancy personnel to small and medium sized CA Firms and to provide a platform to the newly qualified Chartered Accountants, CMII would be conducting this Campus Placement Programme.

OBJECTIVE

The objective of this programme is to provide quality personnel to Small and Medium Sized CA Firms and to provide platform to newly qualified Chartered Accountants to get suitable jobs.

PARTICIPATION FEE

The tariffs for Campus Interviews shall be as follows:

Name of Centre	Fee per centre (Rs.)*
Bangalore, Chennai, Kolkata, Mumbai and New Delhi	7,500
Ahmedabad, Bhubaneswar, Coimbatore, Hyderabad, Indore, Jaipur, Kanpur, Nagpur and Pune	5,000
Common to all Centres: Conducting interviews on the immediate following day of the day of initial interviews	5,000

**service tax as applicable*

Exclusively structured Campus Placement Programme for Small and Medium Sized Enterprises (SMEs) For Newly Qualified Chartered Accountants

Date: 20th & 21st October, 2011 | **Time:** 10:00 a.m. – 6.00 p.m. | **Venue:** Ahmedabad, Bangalore, Bhubaneswar, Chennai, Coimbatore, Hyderabad, Indore, Jaipur, Kanpur, Kolkata, Mumbai, Nagpur, New Delhi & Pune

OVERVIEW

The Institute of Chartered Accountants of India (ICAI) through its Committee for members in Industry **(CMII)** is organizing an Exclusively Structured Campus Placement Programme for Small & Medium Sized Enterprises (SMEs) in October, 2011. In its endeavor to provide quality Accounting, Finance, Tax, Audit and Management Consultancy personnel to small and medium sized Industries and to provide a platform to the newly qualified Chartered Accountants, CMII would be conducting this Campus Placement Programme.

The Small and Medium Enterprises for this purpose would include all commercial, industrial and business reporting enterprises, whose turnover for the immediately preceding accounting period on the basis of audited financial statements does not exceed Rs 100 Crores.

PARTICIPATION FEE

The tariffs for Campus Interviews shall be as follows:

Name of Centre	Fee per centre (Rs.)*
Bangalore, Chennai, Kolkata, Mumbai and New Delhi	10,000
Ahmedabad, Bhubaneswar, Coimbatore, Hyderabad, Indore, Jaipur, Kanpur, Nagpur and Pune	7,500
Common to all Centres: Conducting interviews on the immediate following day of the day of initial interviews	5,000

**service tax as applicable*

OBJECTIVE

The objective of this programme is to provide quality personnel to Small and Medium Sized Enterprises and to provide platform to newly qualified Chartered Accountants to get suitable jobs.

All Regions Joint Regional Conference

Organised by

WESTERN INDIA REGIONAL COUNCIL, ICAI

Hosted By

NAGPUR BRANCH OF WESTERN INDIA REGIONAL COUNCIL, ICAI

Date: Friday 14th and Saturday 15th October, 2011

Venue: Hotel Tuli Imperial, Nagpur

CPE- 12 Hrs
Delegate Fee – 2000
(Rs1800 if regn upto 08.10.11 & Rs 2200 for spot Regn and non members)

PROGRAMME SCHEDULE

Day 1 - Friday 14th October, 2011

Topics	Speakers
IND AS, Applicability & Future	– CA P.R.Ramesh, Mumbai
Corporate Governance- Role of Auditor	– CA Debashis Mitra, Guwahati
Issues Abatement and Exemptions under Service Tax	– CA Ashok Batra, New Delhi

Day 2 - Saturday 15th October, 2011

Topics	Speakers
Office Automation & Data Security	– CA Atul Gupta, Indore
Reporting under Revised Schedule VI	– CA Akshay Gupta, Kanpur
Tax Implications in Real Estate Development	– CA Padamchand Khincha, Bengaluru
Assertive Behaviour	- CA Gurunandan Savnal

Conference Chairman

CA. Shrinivas Joshi,
Chairman,WIRC

Conference Co-Chairman

CA Sushil Kr. Goyal,*Chairman,EIRC*

CA K. Shanmukha Sundaram,*Chairman,SIRC*

CA Vivek Khanna,*Chairman,CIRC*

CA Rajesh Sharma,*Chairman,NIRC*

Conference Coordinator

CA. Julfesh Shah, *Treasurer, WIRC*

CA Makarand Joshi, *RCM,WIRC*

Host Branch Coordinator

CA Satish Sarda, *Chairman, Nagpur Branch*

CA Swapnil Agarwal, *Secretary, Nagpur Branch*

For Accomodation Contact

CA Abhijit Kelkar,*Vice Chairman, Nagpur Branch*

CA Ashwini Agarwal,*Treasurer, Nagpur Branch*

For Registration & further details, please contact:

Nagpur Branch of WIRC of ICAI, 20/1, Dhantoli, Nagpur- 440012, Ph- 0712-2443968, email – nagpur@icai.org, website- www.nagpuricai.org

MEMBERS AT HELM

CA. Amitav Kothari, FCA, Former Council Member of ICAI has been appointed a Director of National Insurance Company Limited for a period of three years.

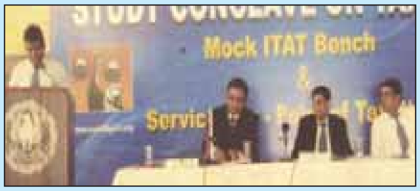
CA. Anjan Kumar Mitra,
Inducted on 23rd August, 2011
As Trustee Kolkata Port Trust

ATTENTION !! ATTENTION !! ATTENTION !!

Three years' articledship is an integral part of CA Course and our Institute attaches maximum importance to the same. However, it is observed that at times some students indulge in "**Dummy Articledship"** in close cooperation with the practicing Chartered Accountants concerned. This is unwarranted and needs to be stopped forthwith. Appropriate disciplinary action against all those connected with **Dummy Articledship** will be Initiated.

BRANCH PROGRAMMES IN RETROSPECT-EIRC

Siliguri Branch



Full Day Seminar on ITAT Mock Bench & Service TAX- Point of Taxation was organised on 27.08.11.

Seminar on NBFC was organised by RBI and Siliguri Branch on 30.07.11

Annual CA Student Seminar – " Manthan-2011" as was organised on 2nd July,2011.V.Murali, Chief Guest and CA Subodh Kr. Agrawal, Central Council Member were present.

Cuttack Branch

Central Council Member CA. Subodh Kumar Agarwal Lighting the lamp during inaugural session of Workshop on Capacity Building Measures of Parishioners & CA Firms. With Chairman of Cuttack Branch and other Members.

From Left to Right : Ca. Krishanu Bhattacharyya from Eastern India Regional Council and Chairman, Cuttack Branch of EIRC of ICAI, CA. N V Bhaskar Rao, Secretary of Cuttack Branch CA. Rajesh K. Agarwal.

Bhubaneshwar Branch

(L to R): CA. Raja Narayan Tripathy, Treasurer and CA. B. Manoj Kumar Patro, Chairman , Bhubaneswar Branch in the Inaugural Session of the Campus Placement Programme held on 1st & 2nd September, 2011 at Branch Premises.

(L to R) : CA. Siddharth Ranjan, GMCS Faculty, CA. Saroj Kumar Sahu, Past Chairman, CA. B. Manoj Kuamar Patro, Chairman, CA. Raja Narayan Tripathy, Treasurer & CA. Jyotirmay Pradhan, Secretary of Bhubaneswar Branch in the closing ceremony of the GMCS Class on 9th September, 2011.

Guwahati Branch

Full Day Seminar on Professional Updates, XBRL, Audit & Income Tax held at Tinsukia on 20-08-2011.

Sambalpur Branch

Semiar on Presumptive Taxation, Tax Audit and TDS Matters was held on 28th August, 2011.L to R: CA Madhusudan Agarwal, CA Pradip Lath, Chairman, Sambalpur Branch, CA Rajesh Tibrewal and CA Ajay Agarwal.

STUDY CIRCLE / CHAPTER / STUDY GROUP PROGRAMMES IN RETROSPECT - EIRC

ACAE Chartered Accountants Study Circle - EIRC

The Study Circle organised a Seminar on Non Banking Financial Companies - General Aspects on 30th August 2011 from 5pm at Emami Conference Hall, Kolkata

The Study Circle organised a Seminar on XBRL - Practical Aspect and MCA - Latest Circulars on 5th September 2011 at Emami Conference Hall, Kolkata

The Study Circle organised a Seminar on Tax Audit - Procedures & Important Issues on 14th September 2011 from 5pm at Emami Conference Hall, Kolkata

Assocas Chartered Accountants Study Circle - EIRC

The Study Circle organised a Seminar on XBRL and Service Tax on 20th August 2011 from 5pm to 9pm at Jibanananda Sabhagriha. The speakers were CA. Krishanu Bhattacharyya, CA. Sunil Gandhi, CA. Shivani Shah

Nagaon Chartered Accountants Cpe Chapter - EIRC

The Chapter participated in a Teleconference on Professional Opportunities in Internal Audit, Risk Management and Internal Control on 29th August 2011

The Chapter participated in a Teleconference on Tax Audit under Section 44AB & 44AD of the Income Tax Act, 1961

Tinsukia Chartered Accountants Cpe Chapter - EIRC

The Chapter organised a Seminar on Service Tax - Law & Practice on 12th June 2011 at Hotel East International, Tinsukia. The speakers were CA. Manish Agarwal, CA. Sushil Kumar Goyal, CA. Richa Rasiwasia

The Chapter organised a Seminar on Professional Challenges & Opportunities on 20th August 2011 at Hotel East International, Tinsukia. The speakers were CA. Dindayal Dhandaria, CA. Ramesh Kumar Agarwal, CA. Sashi Bhushan Goel, CA. Manohar Lal Agarwala, CA. Tarun Paul, CA. Richa Rasiwasia

The Chapter organised a Seminar on Service Tax & Professional Updates on 3rd September 2011 from 4pm to 7pm at Hotel East International, Tinsukia. The speakers were CA. Khusbu Agarwal, CA. Indraneel Bhattacharjee

Views Exchange Chartered Accountants Study Circle - EIRC

The Study Circle organised a Seminar on Implication of Code of Ethics in Disciplinary Mechanism on 30th July 2011 from 3pm to 6pm at CCI, Kolkata. The speakers were CA. Subodh Kumar Agarwal and CA. Manoj Banthia

The Study Circle organised a Seminar on Soft Skills for Professionals on 6th & 7th August 2011 at Mondarmani. The speakers were CS. Mamta Binani, CA. Mahabir Soni, CA. C S Sarda and Ms. Sunita Singhi

The Study Circle organised a Seminar on RBI directions and regulation of non banking financial companies, auditors role and audit of NBFC and compliances of NBFC and approvals from RBI on 6th May 2011 from 4pm to 7pm at Merchants' Chamber of Commerce. The speakers were CA. Subodh Kumar Agrawal and Shri. Kishor Pariwal

The Study Circle organised a Seminar on Recent Judgements on Direct Tax Laws and Recent Amendments and Judgements in Service Tax on 28th May 2911 from 3pm to 6pm at Merchants' Chamber of Commerce. The speakers were CA. R C Jhawar and CA. Vinay Shraff

The Study Circle organised a Seminar on Role and Responsibility of Audit Firms and Opportunities for CA in Banking Industry and Networking and Merger of CA Firms on 17th August 2011 from 4pm to 7pm at Merchants' Chamber of Commerce. The speakers were CA. Amarjit Chopra, CA. Debabrata Sarkar and CA. Santosh Choraria

The Study Circle organised a Seminar on Recent MCA Circulars and XBRL hand-on Workshop on 20th August 2011 from 3pm to 6pm at Merchants' Chamber of Commerce. The speakers were CS. Mamta Binani and Mr. Mitul Das

The Study Circle organised a Seminar on Tax Audit and Survey, Search and Seizure on 1st September 2011 from 3pm to 6pm at Merchants' Chamber of Commerce. The speakers were CA. K K Chhaparia and CA. Sanjay Bhattacharyya

VIP Road Chartered Accountants Study Circle - EIRC

The Study Circle organised a Seminar on Professional Ethics for CAs including Disciplinary Proceedures on 28th August 2011

National Convention of CA Students - 27th & 28th August,2011

Lighting of the Inaugural Lamp by Shri Harsh Neotia. Standing from L to R are: CA Sumantra Guha, Central Council Members,ICAI, CA Ranjeet Kr. Agarwal, Secretary, EIRC, CA Prasun Kr.Bhattacharyya, Vice Chairman,EIRC,CA V.Murli and CA Subodh Kr. Agrawal, both Central Council Members,ICAI, CA Jaydeep Narendra Shah,VicePresident,ICAI, CA Sushil Kr. Goyal, Chairman, EIRC, CA Pramod Dayal Rungta, Member, EIRC and Ankit Agarwal, EICASA Vice Chairman.

CA Prasun Kr.Bhattacharyya,Vice Chairman, EIRC, addressing the gathering. Seated from L to R : CA V.Murli, Council Member, ICAI, CA Jaydeep Narendra Shah,VicePresident,ICAI, Shri Harsh Neotia, CA Sushil Kr. Goyal, Chairman, EIRC and Ankit Agarwal, EICASA Vice Chairman.

Releasing of the Convention Souvenir: (L to R) : CA Prasun Kr.Bhattacharyya, Vice Chairman,EIRC, CA V.Murli,Central Council Member,ICAI,CA Jaydeep Narendra Shah, VicePresident,ICAI, Shri Harsh Neotia, CA Abhijit Bandyopadhyay,Central Council Member, ICAI and CA Sushil Kr. Goyal, Chairman, EIRC.

(L to R) : Valedictory Session -CA Ranjeet Kr. Agarwal, Secretary, EIRC, CA Prasun Kr. Bhattacharyya,Vice Chairman,EIRC, Mr. Vijay Kapur and Mr. Ankit Agarwal along with the paper writers

National Conference on Taxation –19th & 20th August, 2011

Lighting of the Inaugural Lamp by CA Debobrato Mazumdar, Mayor in Council,KMDA,Others Standing from L to R are: CA Ranjeet Kr. Agarwal, Secretary, EIRC, CA Pramod Dayal Rungta, Member, EIRC, Dr.Girish Ahuja, CA Sushil Kr. Goyal, Chairman, EIRC, CA Sumantra Guha, CA Sanjay Agarwal, CA Subodh Kr. Agrawal, all Central Council Members,ICAI, CA Prasun Kr. Bhattacharyya, Vice Chairman,EIRC.

L to R: CA Sushil Kr. Goyal, Chairman, EIRC, giving his welcome Address,CA Prasun Kr. Bhattacharyya,Vice Chairman,EIRC, CA Sumantra Guha, Central Council Member,ICAI, CA Sanjay Agarwal, Central Council Member,ICAI,CA Debobrato Mazumdar, Mayor in Council,KMDA, CA Subodh Kr. Agrawal, Central Council Member,ICAI.

CA Debobrato Mazumdar, Mayor in Council,KMDA, addressing the gathering.

Dr. Girish Ahuja and CA Ranjeet Kr. Agarwal, Secretary, EIRC.

CA Susmita Basu, CA Pramod Dayal Rungta, Member, EIRC and Mr. K.K.Chythanya.

Lto R: CA Prasun Kr. Bhattacharyya,Vice Chairman,EIRC, CA Sanjay Bhattacharyya, Vice Chairman,EIRC and CA Sunil Gabhawalla.

Lto R: CA Subhash Ch. Saraf, Treasurer,EIRC, CA Sunil Choudhary, CA Dhiren Dalal and CA Krishanu Bhattacharyya, Imm. Past Chairman, EIRC.

Seminar on "CA Profession Success and Growth" – 17th August, 2011

L to R: CA Subhash Ch. Saraf, Treasurer, EIRC, CA Rajesh Jain and CA Sushil Kr. Goyal, Chairman, EIRC

Seminar on ICAI Motto – Ya esa suptesu Jagarti on 24th August, 2011

L to R: CA Ranjeet Kr. Agarwal, Secretary, EIRC and CA Jai Narayan Gupta, Past Chairman, EIRC.

Seminar on Service Tax-Point of Taxation on 26th August, 2011

Lto R: CA Shivaini Shah and CA Pramod Dayal Rungta, Member, EIRC.

Seminar on FDI Rules on 29th August, 2011

Lto R: CA Rajneesh Agarwal, CA Sushil Kr. Goyal, Chairman, EIRC, CA Raj Singhania and CA Pramod Dayal Rungta, Member, EIRC.

Seminar on Investor Awareness on 30th August, 2011

CA Ranjeet Kr. Agarwal, Secretary, EIRC, Mr. D. Bandhyopadhyay, Registrar of Companies,Kolkata, MCA, Govt of India,CA Sushil Kr. Goyal, Chairman, EIRC and CA Kanak Jain

Seminar on Project Finance and Micro Finance on 2nd September 2011

Lto R: CA Ranjeet Kr. Agarwal, Secretary, EIRC, CA Sushil Kr. Goyal, Chairman, EIRC,CA Anup Sanghai and CA Krishanu Bhattacharyya, Immediate Past Chairman, EIRC.

Seminar on Tax Audit Under Section 44 AB & 44 AD on 7th September 2011

CA Prasun Kr. Bhattacharyya,Vice Chairman,EIRC and CA Sunil Surana

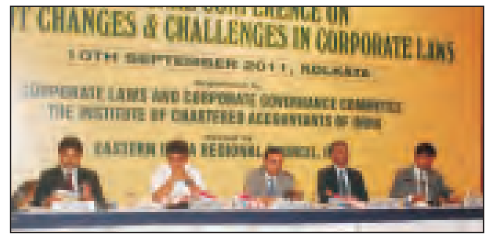
Seminar on Survey Search and Seizure under Income Tax Laws on 14th September 2011

Mr. B.B.Mohanty,Director General Income Tax (Investigation) East,CA Pramod Dayal Rungta, Member, EIRC and CA Jinesh Vanzara

National Conference on Corporate Laws on 10th September, 2011

Lighting of the Inaugural Lamp by Mr. Navrang Saini, Regional Director,Eastern Region, MCA, Govt. of India. Lto R: CA Ranjeet Kr. Agarwal, Secretary, EIRC, CA Sushil Kr. Goyal, Chairman, EIRC, CA Subhash Ch. Saraf, Treasurer,EIRC, CA Prasun Kr.Bhattacharyya,Vice Chairman,EIRC, CA Sumantra Guha and CA. Nilesh S. Vikamsey, both Central Council Members,ICAI.

Address in the Inaugural Session by Mr. Navrang Saini, Regional Director,Eastern Region, MCA, Govt. of India.Seated from Lto R: , CA Sushil Kr. Goyal, Chairman, EIRC, CA Sumantra Guha and CA. Nilesh S. Vikamsey, both Central Council Members,ICAI, and CA Prasun Kr.Bhattacharyya,Vice Chairman,EIRC



Lto R: CA Ranjeet Kr. Agarwal, Secretary, EIRC, Mr. S.Swaminathan, CA Sumantra Guha and CA. Nilesh S. Vikamsey, both Central Council Members,ICAI and CA Pramod Dayal Rungta, Member, EIRC.

CA Subhash Ch. Saraf, Treasurer,EIRC,CA Debashis Mitra, CA. Nilesh S. Vikamsey, Central Council Member, CA Vinod Kothari and CA Krishanu Bhattacharyya, Imm. Past Chairman, EIRC.

A full house gathering at the National Conferenceon Corporate laws

Seminar on Training on 'An insight on the concepts applicable to Autonomous Bodies' jointly with Comptroller and Auditor General (C&AG) of India - 8th & 9th September 2011 at Hyderabad

CA Ranjeet Agarwal,Secretary EIRC,CA Gelli Dayakar,Vice Chairman,Hyderabad Br.,CA Rajkumar Adukia and CA Anuj Goyal,CCM & Shree K.P.Sasidharan of CAG.

Seminar on Corporate Social Responsibility on 19th September 2011

CA Subhash Ch. Saraf, Treasurer, EIRC and CS Subrata Kr. Ray

Seminar on Investor Awareness on23rd September, 2011

CA Brijesh Dalmia and CA Pramod Dayal Rungta, Member, EIRC

Wishing you all a very Happy Bijaya/Dussehera and a Prosperous Deepawali

BOOK POST

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