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From the Desk of the Chairman...

Dear Professional Colleagues,

"Happiness is a butterfly, which when pursued, is always beyond your grasp, but which, if you will sit down quietly, may alight upon you." Nathaniel Hawthorne

It has been a unique privilege bestowed upon your NIRC which entails to organize and conduct as many programs as possible to fulfill the foremost duty and prime responsibility to equip our CA Fraternity so as to enable us to perform with utmost skill and expertise without any hindrances. Therefore, we always look forward to organize maximum number of qualitative programs on contemporary and emerging topics. Conferences, Seminars and similar programs are conducted to facilitate Continuous Professional Education and to offer a platform for interaction among Members to share and benefit from mutual diverse experiences and vision.

Regional Council Activities

During the last month NIRC organized a number of programs for the benefit of Members. Seminar on Companies Act 2013 J/w Gurgaon Central CPE Study Circle of NIRC was organized at Gurgaon. Full Day Conference on FEMA & Competition Act was also Organized under the aegis of Committee on Economic, Commercial Laws & WTO of ICAI. In order to apprise the Members with new provisions of Companies Act 2013 in relation to LLP, a detailed Workshop on LLP was organized which was chaired by Sh. R. Bandhopadhyaye, Registrar of Companies Delhi & Haryana. The Ld ROC clarified various doubts of the Members present at the Seminar.

Sub Regional Conference

During the last month a sub regional conference was also organized at Jammu which was hosted by J & K Branch of NIRC of ICAI on the various provisions of Companies Act and Direct Taxes. Members of Jammu Region and nearby areas enthusiastically participated in the Sub Regional Conference.

148th Batch of Certificate Course on Concurrent Audit of Banks

I am pleased to share with you that NIRC under the aegis of internal audit Standard Board of ICAI has started 148 batch of Certificate Course on Concurrent Audit of Banks w.e.f 1st November, 2014 at weekends at India Habitat Centre. I am so glad to see the over whelming response of the members for this course in spite of the fact that the batch was started at a very short notice. It shows your tremendous faith in us.

Diwali Pooja at NIRC

Staff Members of NIRC and Team NIRC celebrated Diwali Pooja at NIRC office on 22nd October, 2014 Members and Staff collectively worshiped Maa Laxmi & Lord Ganesha for the good fortune for everyone.

New Reading Room cum Library at 383/10B, East Azad Nagar, Near Swarn Cinema, New Delhi.

As you are already aware that a Library cum Reading Rooms has been opened by NIRC at Prashant Vihar and Shakarpur for the benefit of our Students, keeping this a continuous process for the benefit of our future Chartered Accountants, NIRC have opened another centre for Library cum Reading Room at 383/10B, East Azad Nagar, Near Swarn Cinema, New Delhi on 31st October, 2014 which was inaugurated by our beloved President of ICAI in august the presence of various Members of the Central as well as the Regional Council of the ICAI . You are requested to encourage your articles and CA Students to avail maximum advantage of this facility of Library cum Reading Room.

Celebration of National Unity Day

Pledge taking Ceremony (NIRC Staff Members) on Rastriya Ekta Diwas was organized on the occasion of National Unity Day on 31st October, 2014 at NIRC, ICAI Bhawan, I. P. Marg, New Delhi. The event was concluded with the collective singing of National Anthem.

Felicitation of Faculty Members of Various Classes organized by NIRC of ICAI

The faculties are the Gurus for CA Students who mould and motivate the Students to become a perfect professional. In order to recognize their contribution towards this noble cause a felicitation program was organized by Team NIRC in which faculties of GMCS 2, GMCS 1, Orientation and the Faculties of Regular & Revisionary classes were invited and acknowledged for their hard work for our future generation of Chartered Accountants.

Mock Test for CA Students Series-II

NIRC organized Mock Test Series-II for the benefit of IPCC and Final group CA Students. A large number of students participated to test their knowledge and check their preparation before pursuing the final exams of ICAI.
NIRC is going to organize a Mock Test for CPT Students in the 3rd week of November, 2014.

Seminar for CA Students

During the last month various Seminars for CA Students like Seminar on IT/ISCA and Seminar on Amendments in Companies Act were organized free of cost at the Auditorium of ICAI Bhawan, Vishwas Nagar, Delhi. All the Seminars were attended by a large number of Students with a great zeal and enthusiasm.

Forth Coming Programmes for the Members

During the coming month NIRC is organizing various Programs for the benefit of Members like **Interactive Question-Answer based Problem Solving Workshop on Transfer Pricing on 21st November, 2014, Seminar on Income Tax & Companies Act 2013 Jointly with Bhikaji Cama Place CPE Study Circle of NIRC on 2nd December, 2014, S. Vaidyanath Aiyar Memorial Lecture on Personality Development & Stress Management on 5th December, 2014 and two Days detailed Workshop on International Taxation on 19th & 20th December, 2014. You are requested to kindly join all the programmes and gain maximum benefit of them.**

Regional Conference of NIRC for Members

This year your NIRC is planning to organize its Regional Conference on 15th November, 2014 which will be hosted by Faridabad Branch of NIRC of ICAI. I appeal to Members to please block your diaries for 15th November 2014 and attend Mega Regional Conference and make it a grand success.

Forthcoming Sub Regional Conference at Shimla

Branches and Study Circles are Arms & Lengths of NIRC. Keeping this in view another Sub Regional Conference of NIRC is going to held on 12th December, 2014 at Shimla, which will be hosted by Himachal Pradesh Branch of NIRC. You are requested to make it convenient to join the same.

National Convention for CA Students

As informed earlier, NIRC is going to organize National Convention for CA Students at Sirifort Auditorium, New Delhi on 17th & 18th December, 2014. NIRC is receiving overwhelming response from the Students all across India who are interested to participate in the said Convention.

Team NIRC have formed a coordinator team which comprises of more than 50 Students who will work in close Coordination with the NIRC Team and Staff to make the convention a grand success. I request all of you to kindly arrange to disseminate the same information among CA Students. Who are in touch with your goodself and inspire and motivate them to register and participate in the Convention. A Cultural Evening on the first day of the convention will also be organized highlight of which will be the performances by the Students for their fellow Students.

Cricket Tournament for Members

All work and no play makes Jack a dull boy. Keeping in this view your NIRC is also organizing cricket tournament for Members. Nearly 15 teams are going to participate in the tournament, which is going to start from 9th November, 2014 and will conclude in January, 2015 with the final Match the date of which will be informed to you.

Non Receipt of Newsletter and Circulars

May I take this opportunity to request you to share your feedback regarding Non Receipt of NIRC Newsletter and other correspondence either from NIRC or from ICAI. You can check your personal details (like address, mobile Number and E-mail ID) at ICAI Portal and in case of any change you can edit the same. You are requested to please submit the print out of the changes after rectification at the office of NRO, ICAI. If you are not receiving your NIRC Newsletter and other correspondence then feel free to kindly notify at nirc@icai.in or chairman-nirc@icai.in .

Chartered Accountant Benevolent Fund (CABF)

Once again I earnestly request all the Members of ICAI to contribute generously towards the CABF fund. It is my desire that by 1st January, 2015 we should collect a good and sizable amount and handover to our worthy and Hon'ble President of ICAI for furtherance of this noble cause.

Before I conclude, I on behalf of NIRC and on my own, convey our best wishes to all the CA Students appearing in the forthcoming examinations scheduled to be held in November, 2014.

"Success is the sum of small efforts, repeated day-in and day-out." Robert Collier

With Warm Regards,

CA. Radhey Shyam Bansal

Date: 12th November, 2014 **Chairman, NIRC**

From the Desk of the Secretary...

Secretary

Dear Professional Colleagues,

"To be successful you must accept all challenges that come your way. You can't just accept the ones you like." Mike Gafka

As the year end is approaching we are going to access our performance for the year 2014 and going to plan for the New Year i.e. 2015. I am of the view that there are always success and failure in one's achievement. We should get motivated from the task achieved and completed well in time and learn from our failures.

TEAM NIRC organized number of actives during the last month. To name a few are Sub Regional Conference of NIRC hosted by J&K Branch of NIRC of ICAI at Jammu, Seminar on Companies Act 2013 J/w Gurgaon Central CPE Study Circle of NIRC, Conference on FEMA & Competition Act Organized by Committee on Economic, Commercial Laws & WTO of ICAI Hosted by NIRC of ICAI, Workshop on LLP, Felicitation of Faculty Members of Various Classes organized by NIRC of ICAI, Pledge taking Ceremony (By NIRC Staff) on Rashtriya Ekta Diwas (National Unity Day), 148th Batch of Certificate Course on Concurrent Audit of Banks Organized by IASB of ICAI hosted by NIRC of ICAI, National Seminar on Audit, Risk and Governance organized by IASB of ICAI hosted by NIRC of ICAI.

We are organizing Regional conference with Faridabad branch of NIRC on 15th November, 2014. I invite all the members to participate in large numbers to make the conference to make the great success.

In the coming months NIRC going to organize the following programmes for the updation of knowledge of Members Workshop on Transfer Pricing (Interactive Question-Answer based Problem Solving Workshop), Seminar on Income Tax & Companies Act 2013 Jointly with Bhikaji Cama Place CPE Study Circle of NIRC, S. Vaidyanath Aiyar Memorial Lecture on Personality Development & Stress Management, Sub Regional Conference of NIRC Hosted by Himachal Pradesh Branch of NIRC, Two Days Workshop on International Taxation (Including DTAA, Transfer Pricing & Withholding of Tax)

I am aware that Students are working hard for their exams and I wish them all the best for their forthcoming exam. Their dedication, sincerity and hard work will pay them in their endeavors.

I am happy to inform you that NIRC in order to attract talent to the CA fraternity and in the process NIRC is organizing career counselling programmes in various Schools and motivating the young blood to join the course of Chartered Accountancy.

I am happy to inform you that to help the Students in their studies a new reading room with the all the facilities have been inaugurated by the worthy hand of Hon'ble President at East Azad Nagar Shadhara. Many more reading rooms in the series are expected to be open in the near future.

The National CA Students Convention Organized by Board of Studies of ICAI and Hosted by NIRC of ICAI is being held on 17th and 18th December 2014, at Siri fort Auditorium, Khel Gaon Marg, Siri Fort Road. I request all the students to attend the same in large numbers. I also request the members to encourage their articles to attend the same.

I once again appeal to the Members to contribute wholeheartedly to the cause of Chartered Accountant Benevolent Fund. In the process, we will help the family of some Members who is in the dire need of the financial help.

"If you genuinely want something, don't wait for it-- teach yourself to be impatient. "Gurbaksh Chahal

With Warm Regards,

Gupta

CA. Swadesh Gupta
Secretary, NIRC
M : 9312580854

Date: 12th November, 2014
Place: New Delhi

UPDATES, OCTOBER 2014

Vice Chairman

INCOME TAX:

1. Computerized Scrutiny cases in F.Y. 2014-15 on basis of AIR, CIB or non reconciliation with 26AS to be limited to verification of these aspects. [IT Instruction 7 of 26-09-2014].

2. Exemption under section 10(23c) (III AB) of the income tax act, 1961 is not available to the university run for the purpose of profit.

3. Protocol to India-Poland DTAA cuts down tax rates: 10% tax on dividend and interest, 15% tax on royalty and FTS.

4. Where assessee disclosed all the material facts about royalty payment during original assessment proceeding, A.O. cannot issue re-assessment notice u/s 148 of the act to find the nature of royalty. [Oracle India Pvt. Ltd. vs. DCIT, W.P. No. 13896/2009, Date of Order: 25.09.2014, Delhi High Court].

5. Addition made to assessee's income on account of consignment sales not included in turnover was against guidelines issued by ICAI and thus same deserved to be deleted- Please find attachment in the[ITAT Delhi ITO vs. Jaintex Apparels (P.) Ltd].

6. The act of CIT of passing an order u/s 263 of Income-tax Act, 1961 and disallow the deduction claimed by the assessee u/s 80IC, where the same was allowed by CIT(A) in earlier assessment year, is not justified. [Tejpal Singh Kohli vs. CIT, ITAT - Delhi].

7. Books of Accounts cannot be rejeced on mere fall in G.P. Ratio.[ACIT V/S Smt. Meena Singh Shekhawat Hon'ble Jodhpur ITAT].

8. Deemed dividend under Section 2(22)(e) of the Income Tax Act applies only where there is 'actual payment' & not on 'transaction in kind.'

9. Cultivation of land and its classification as agricultural land in revenue records proved it as an agricultural land [In The ITAT Hyderabad Smt. M. Vijaya].

10. Penalty u/s 271(1)(c) should not be levied on the amount which was voluntarily surrendered by the assessee during survey.[ITO vs. M/s Indian & Overseas Trading Co. ,ITAT Lucknow].

11. Loss from a Business Activity cannot be disallowed for mere non mention of that activity in Form 3CD.[ACIT vs. Sh. Amarjeet Singh Sethi (ITAT Delhi)].

12. No disallowance can be made u/s 14A of Income Tax Act, 1961 if there is no exempt income is earned during the year. [ACIT vs. Mr. M.Baskaran, ITAT CHENNAI].

13. CBDT Directive on calling for returns of non-filers for A.Y. 2014-2015. The Joint Director of Income-tax systems has issued a letter dated 29.10.2014 stating that 5,09,898 taxpayers who had submitted an e-return in the earlier AYs with returned income of Rs. 10 lakhs and more have not filed a return for AY 2014-2015.

SERVICE TAX:

1. Service Tax Refund cannot be denied on the ground that same was not shown as 'receivable' in Balance Sheet.

2. Finance Act, 2014 has made certain changes in Service Tax, which are applicable from 1st October, 2014: Service Tax is applicable on Radio Taxi, advertisements in internet websites, mandatory e-payment for every assessee; Partial Reverse Charge Mechanism etc.

3. No penalty if there was mass unawareness in service providers about taxability of certain services under Service Tax Act. - [HIGH COURT OF ALLAHABAD- H.M. Singh & Co. vs. CCES].

4. Pay Service Tax in time as w.e.f 01-10-2014, Interest payable for delayed payment @ 18% p.a. for 6 months, 24% pa for 6 to 12 months & 30% pa beyond 1 year.

5. CBEC has issued a circular no 986/10/2014- CX dated 9th Oct, 2014 quashing the power of excise officers for service tax audits.

6. Clarification regarding allowability of deduction u/s 10A/10AA on transfer of technical man-power in the case of software industry. [Circular 14/2014 of 8-10-14]

7. Service Tax applies on service provided by agent/sub-agent, bank to foreign money transfer operator and on currency conversion for payee. Circular 180 of 14-10-2014.

CA. Manoj Kumar Bansal
Vice-Chairman, NIRC of ICAI

8. Services provided to Foreign Principals for marketing their products in India qualify as an export of service. Hon'ble CESTAT, Delhi in the case of Microsoft Corporation India Pvt. Ltd. vs. Commissioner of Service Tax.

9. High Court of Allahabad in the case of Comm. of Central Excise Vs. M/s GLYPH International Ltd., clarified that if an assessee is filling appeal before Tribunal relating to refund/rebate of Service tax, no fees is required to be paid U/s 86(6) of The Finance Act, 1994.

10. Due date for filing ST-3 extended from 25th October, 2014 to 14th November, 2014.[Order No. 02/2014-Service Tax, Dated 24th October, 2014].

TDS :

1. CBDT amends rule 28AA to provide issue of nil TDS certificate to deductor and lower TDS certificate to recipient of income.

2. CBDT has extended the due date for the payment of TDS to 10th October, 2014.

3. File Q2 TDS/TCS returns of non-govt. deductors by 15-10-2014, in case of delay, tax auditor to certify inclusion of 100% transactions in 34(b) of 3CD.

4. For J&K, AP, Telengana& Orissa, date of TDS Q2 returns extended to 07-11-2014 for Govt. Deductors& 31-10-14 for private deductors. CBDT Press Release of 17-10-2014.

VAT:

1. Correction in 2A and 2B under Central Act for the year 2012-2013 is now possible for limited period. Please do the correction immediately.

2. Delhi High Court in its Judgment in M/s Shubham Marketing WP(c) 2214/13 has quashed the penalty order u/s 70(5) of the DVAT Act, 2004 for non submission of stock details of March 2012.Date for filing 2nd Qtr. Return 2014-15 in form DVAT 16, 17 and 48 extended to 10-11-2014 vide circular no 14 date 22-10-2014.

3. VAT Filing of online return for 2nd quarter of 2014-15 – extension of period thereof in Form DVAT-16, DVAT-17 and DVAT-48 along with required annexures /enclosures to 10/11/2014. [Circular No. 14 of 2014-15.]

4. VAT Commissioner does not have right to impose penalty of Rs 10,000/- on Dealers for not filing Stock Statement- Delhi High Court granted relief to 50,000 dealers on its judgement on 29.10.2014.

5. Haryana dealers of Petrol and Diesel products liable to pay vat on price at which the products are sold to consumers[Hon'ble High court of Punjab and Haryana in all Haryana petroleum dealers Association vs. State of Haryana].

OTHERS:

1. Use DIR-3C to intimate DIN of Directors appointed before 30-06-2007. Contact ROC for entering details of such directors if no authorized signatory regd on MCA.

2. MCA has granted immunity from disqualification of directors pursuant to Section 164(2) (a) of the Companies Act, 2013 to all such companies and their directors who have filed due returns between 01-04-2014 to 15-08-2014 i.e. prior to the launch of CLSS – 2014. [General Circular No. 41/2014 dated October 15, 2014]

3. Unified portal for registration of units for LIN, reporting of inspection, submission of returns & grievance redressal launched. (www.efilelabourreturn.gov.in)

4. MCA notified new e-form ADT-1 with mandatory attachments:- Copy of the intimation; Copy of consent by auditor; Copy of resolution; etc.

5. Export to Nepal in INR and FOC export, excise duty benefit is available on export of manufactured goods made on FOC basis will also eligible for excise duty benefits.

6. Where assessee handed over possession of property to builder on first installment of sale consideration, transfer of property took place when said installment was received- Case Law on Joint Venture- Kerala High Court.

Corporate Social Responsibility & Professional Opportunities for Chartered Accountants(Provision under New Companies Act, 2013)

CA. Anand Lakhotia

How SMEs can fund expansion through VC funds

The SME are the backbone of economic development in any country. They are the incubators for talent, innovation and entrepreneurial spirit which is central to a country's development. Efficiently organized and innovative, SMEs often exercise frugal management skills and use local resources to create innovative products and services which cater to any country's growing needs.

However in order to continue scaling up, timely and adequate access to financial services is an imperative, and this has been traditionally one of the biggest hurdles.

Traditionally, private funds from friends and family form the single largest source of finance to SMEs in India. SMEs in India also rely heavily on private money lenders and the unorganized financial sector for their requirements, where the terms of financing are unclear and interest rates are high. This small pool of funding providers often forces many potentially viable and growth focused SMEs out of operation.

Banks have been making steady strides in order to bridge this gap. However the approach followed by banks to funding is very restrictive as the bank has to create value by controlling & managing risk. In any loan application for a business, a Bank has to necessarily evaluate the risks involved, gauge collateral support and the methods to mitigate those risks. Therefore it is not always possible for an entrepreneur to satisfy all requirements and conditions which the Bank might pose. The above methods of financing are majorly debt financing, and sources of equity funding remain elusive in India.

The void created by the Banks are filled by, Angel Investors, Venture Capitalists and Private Equity Funds.

1) Angel investors : These are typically high-net-worth individuals (HNIs) who have often been successful entrepreneurs themselves. They re-deploy their wealth in next-generation businesses. They invest in new-idea enterprises (that do not yet have external validation), help bring these ideas to market, take significant risks and invest a lot of time and energy in mentoring, management guidance and networking. In India apart from traditional funding avenues from friends and close associates, there is growing trend in terms of institutionalization of this funding source. Angel investors are also governed by considerations other than finance alone, such as belief in Entrepreneurship itself.

2) Venture Capital (VC) funding provides funds for early stage companies. VC investments are traditionally made for scaling up operations (i.e. developing, launching and expanding new products or services).

Vcs take lesser degree of risk and invest more money than angel investors. However, a VC is about more than financial support alone. VCs provideentrepreneurial support and partnership-basedvalue-addition, often in the form of providing financial advice, human resources, establishing networks with customers and overall guidance in company strategy.

Venture Capital financing is a process whereby funds are pooled in for a period of around 10 years and investing it in venture capital undertakings for a period of 3 to 5 years with an expectation of high returns. To protect the funds of the investors against the risk of losses, venture capital fund provides its expertise, undertake advisory function and invest in the 'patient capital' of the undertaking – equities.

3) Private Equity players are established investment bankers and typically invest into proven/establishedbusinesses. PE funds/players are among the largest sources of funding for enterprises that are relatively secure with an established track record, requiring significantly large funds for expansion and growth. As such, they take reasonably well-defined risks and their exit strategy is usually up to the stage when the company goes public or gets acquired at high value. PE funds are generally seen to attract huge amount of capital from investors, including pension funds, insurance funds, university foundations and individuals. PE investors can be domestic or foreign private equity firms. Domestic PE firms are either established as trusts, or set up as a company.

There are number of Venture Capital (VC) funds in India as well apart from Private Equity (PE) funds which funds slightly with higher ticket size. Following table best illustrate the business type funding scenario in terms of
equity options –

Business segment	Type of Investor	Funding amount ticket size
Start-ups/Early stage	Angels/HNI's/Family set-ups	Upto INR 5 cr.
Early stage growth with proven market product/services	VC Funds + PE funds or in isolation	From INR 5 cr. Onwards to INR 50 cr.
Hyper growth venture to establish SME business owners	Private Equity Funds	Upward of INR 10 cr. Plus onwards

From the above table it can be ascertained that how Venture Capital can act as a catalyst in providing funds as well guidance on the other aspects of the business in SME sector .

V.C. funding in SME sector

As funds required by SMEs are too large for micro finance institutions and too small or too risky for commercial banks, this is one of the primal issues that the PE/VC component addresses as part of the investment promotion of the consolidated project for SME development in India.

Stages in Venture Capital Funding :

A. Early Stage Financing:

- Seed financing for supporting a concept or idea.
- Research and Development financing for product development.
- Start-up capital for initiating operations and develop a prototypes.
- First stage financing for production and marketing.

B. Expansion Financing:

- Second stage financing for working capital and initial expansion.

- Development financing for major expansion.
- Bridge or mezzanine financing for facilitating public issue.

C. Acquisition/Buy-out Financing:

- Acquisition financing for acquiring another firm for further growth

- Management Buy-out financing for enabling operating group to acquire the firm or part of its business.

- Turnaround financing.

Advantages Of Venture Capital

- It injects long term equity finance which provides a solid capital base for future growth.

- The venture capitalist is a business partner, sharing both the risks and rewards. Venture capitalists are rewarded by business success and the capital gain.

- The venture capitalist is able to provide practical advice and assistance to the company based on past experience with other companies which were in similar situations.

- The venture capitalist also has a network of contacts in many areas

  that can add value to the company, such as in recruiting key personnel, providing contacts in international markets, introductions to strategic partners, and if needed co-investments with other venture capital firms when additional rounds of financing are required.

- The venture capitalist may be capable of providing additional rounds of funding should it be required to finance growth.

Factors Determining The Venture Capital Requirements

Nature of business: The requirements of working is very limited in public utility undertakings such as electricity, water supply and railways because they offer cash sale only and supply services not products, and no funds are tied up in inventories and receivables. On the other hand the trading and financial firms requires less investment in fixed assets but have to invest large amt. of working capital along with fixed investments.

• Size of the business: Greater the size of the business, greater is the requirement of working capital.

• Length of production cycle: The longer the manufacturing time the raw material and other supplies have to be carried for a longer in the process with progressive increment of labor and service costs before the final product is obtained. So working capital is directly proportional to the length of the manufacturing process.

• Seasonal variations: Generally, during the busy season, a firm requires larger working capital than in slack season.

• Working capital cycle: The speed with which the working cycle completes one cycle determines the requirements of working capital. Longer the cycle larger is the Requirement of working capital.

• Business cycle: In period of boom, when the business is prosperous, there is need for larger amt. of working capital due to rise in sales, rise in prices, optimistic expansion of business, etc. On the contrary in time of depression, the business contracts, sales decline, difficulties are faced in collection from debtor and the firm may have a large amount of working capital.

Factors Considered By VC Before Investing In A Venture:

• An innovative project is essential but within realistic and logical area, venture capitalists seeks any project which promises immense growth potential and competitive ability to succeed and sustain in the market.

• Entrepreneurial personality, experience and his management team contribute towards the execution and success of the project, since they utilise the VC's fund the venture capitalist make sure of their major role with managing, working, guiding and co-coordinating the team towards the right path.

• Good Team work, the mantra for modern success stories in the market, holds good for venture capital funding too.

• Market Characteristics covers the marketability of the product and the competition it faces from other competitors. Returns in the short period depend on the market characteristics of the project hence it is criterion in decision making for capital funding.

Conclusion:

• Venture capital has become a part of the popular business in India. Venture capital has also become synonymous with investing in high risk technology businesses, that could be majorly IT and can spread across further domains like healthcare, agriculture etc.

• The VC's final decision on a proposed venture is based on many criteria and also it differs from one to other. All seek one common thing the right and proper way of documentation for them to analyse the projects faster and easily.

• If the project is new, promising and has innovative features then VC's seek to have more interest and are ready to help with more amounts because of its wide market characteristics and its ability to capture the market.

• Many SME's usually lack the right method and technique to approach the suitable VC and thereby they seek consultants to seek funds in the startup stage through financial institution.

• SME firms in India believe that ownership of the company is compromised with the price paid for VC funds.

• The preference for investing venture capital is given to start-up stage may be because of innovativeness of the project and a good team. It is found that less preferences is given for expansion and turnaround stage of the venture.

• Due to the formal structure of the VC operation and more stringent evaluation process, complete business plans are compulsory.

Thus it can be concluded that even though obtaining finance from Venture Capital is rigid , but the with kind of experts and resources available with the Venture Capitalist , success of the business in which Venture Capital has invested money is ensured.

Source: Yes Bank article on SME sector for the period

November 2013- March 2014,

NSE Research papers on SME segment & Google.

High Seas Sales- An analysis

CA Vijay Kumar Gupta

Constitutional Validity
Article 286 of the Constitution of India mandates that states have no power to levy sales tax on imports and exports including deemed import and deemed exports. Hence no state government can levy tax on import/Export of goods into/from the territory of our mother India.

Legislative History
DEFINITION OF SALE

As per Section 2(g) of The CST Act, 1956-

"Sale" with the grammatical variations and cognate and expressions, means any transfer of property in goods by one person to another for cash or deferred payment or for any other valuable good consideration, and includes -
(I a transfer, otherwise than in pursuance of a contract, of property in any goods for cash, deferred payment or other valuable considerations;
(ii) a transfer of property in goods (whether as goods or in some other from) involved in the execution of a works contract;
(iii) a delivery of goods on hire-purchase or any system of payment by installments;
(iv) a transfer of the right to use any goods for any purpose (whether or not for a specified period) for cash, deferred payment or other valuable consideration;
(v) a supply of goods by any unincorporated association or body of persons to a member thereof for cash, deferred payment or other valuable consideration;
(vi) a supply, by way of or as part of any service or in any other manner whatsoever, of goods, being food or any other article for human consumption or any drink (whether or not intoxicating), where such supply or service, is for cash, deferred payment or other valuable consideration,
but does not include a mortgage or hypothecation of or a charge or pledge on goods.

As per Section 3 of The CST Act, 1956 -

When is a sale or purchase of goods said to take place in the course of inter- State trade or commerce
A sale or purchase of goods shall be deemed to take place in the course of inter-State trade or commerce if the sale or purchase-
(a) occasions the movement of goods from one State to another; or
(b) is effected by a transfer of documents of title to the goods during their movement from one State to another.
Explanation 1-
Where goods are delivered to a carrier or other bailee for transmissions, the movement of the goods shall, for the purposes of clause (b), be deemed to commence at the time of such delivery and terminate at the time when delivery is taken from such carrier or bailee.
Explanation 2-
Where the movement of goods commences and terminates in the same state it shall not be deemed to be movement of goods from one state to another by reason merely of the fact that in the course of such movement the goods pass through the territory of any other State.

Section 5(2) of The Central Sales Tax Act,1956
A sale or purchase of goods shall be deemed to take place in the course of the import of the goods into the territory of India only if the sale or purchase either occasions such import or is effected by a transfer of documents of title to the goods before the goods have crossed the customs frontiers of India.

What is Customs frontiers of India
As per Section 2(ab) of the CST Act, crossing the customs frontiers of India means crossing the limits of the area of a customs station in which imported goods or export goods are ordinarily kept before clearance by custom authorities.

What is Custom Station
Section 2(13) of the customs act defines custom station means any custom port, customs airport or land customs station". Customs port is defined in that Act in section 2(12): "Customs Port' means any port appointed under (a) of section 7 to be a customs port and includes a place appointed under clause (aa) of that section to be an inland container depot".

What is high Seas Sales
It means sale of goods after crossing the Custom barriers of the Foreign Nation but before crossing (entering) the Custom frontiers of India by way of transfer of documents of title of goods

Documentation
This is a agreement where seller do the import by means of sea and sell the same to buyer before the consignment reaches port of destination.
Seller will raise a invoice higher amount as prescribed(normally 2-3%) in comparison to foreign invoice.
Need to endorse the bill of lading and all necessary documents.

Contents of an High seas Agreement
IE CODE NUMBER
CHA LICENSE NUMBER
PORT OF SHIPMENT
COUNTRY OF ORIGIN
COUNTRY OF CONSIGNMENT
IGM NUMBER
MASTER B/L NO. & DATE
HOUSE B/L & DATE
MARKS AND NUMBERS ON THE PACKAGES
CONTAINER NUMBER
CONTAINER SEAL
CONTAINER SIZE
NUMBER OF PACKAGES
GROSS WEIGHT
TYPE OF BILL OF ENTRY
ADVANCE/PRIOR ENTRY/POST ARRIVAL
HIGH SEAS SALE/DEFENCE/BOOKS
CATEGORY OF IMPORTER
WHETHER FIRST REQUIRED – Y/N IF YES, REASONS THEREFORE
WHETHER GREEN CHANNEL CLEARENCE REQUIRED
Source: AS PER EXPORT-IMPORT PROCEDURE CODE ANNEXURE-III

Gems of judiciary
(a). K. G. Khosla and Co. Ltd. V. Dy. Comm. of Commercial Taxes [1966] 17 STC 473 (SC): Exporter: Belgium (Manufacturer) Goods were inspected in Belgium Importer: K. G. Khosla Consignee: DGS&D There was no possibility of the goods being diverted by the assessee for any other purpose.

(b) **Dy. Comm. v. Kotak & Co. [1973] 32 STC 6 (SC)-**The respondent was precluded from selling to anybody other than the consignee to whom the user's import license had been granted.
(c) **Binani Bros. (P) Ltd. v. UOI [1974] 33 STC 254 (SC)-**Importer Binani-consignee-DGS&D-there was no privity of contract between Binani & DGS&D-benefit of Section 5(2) was denied.

(d) **Hindustan Motors Ltd. V. State of Tamil Nadu [1994] 93 STC** 159-Section 5(2): the sale or purchase was effected by a transfer of documents of title to the goods before the goods had crossed the customs frontiers of India.

(e) **Indo Tex Export (P) Ltd. S.A. No. 284 & 285 of 1990 dated 17-Jun-95 (Tribunal of Maharashtra)-**Goods were sold form the bonded warehouse after goods were cleared for home consumption-The Court while rejecting the claim of appellant held that there cannot be crossing the custom frontiers twice.

(f) **K. Gopinathan Nair v. State of Kerala [1997] 105 STC 580 (SC)-** The transaction in substance must be such that the canalizing agency or the intermediary agency through which the imports are effected into India so as to reach the ultimate local users appears only as a mere name lender through whom it is the local importer-cum-local user who masquerades-The appellant imported cashew nuts through CCI-Appellant v. CCI (contract of Import)-Goods were cleared by the ultimate buyers-There was no clear evidence as to when the transfer of documents took place between the appellant and the actual users-Goods could be sold to someone else also if not got cleared by the ultimate buyers.

(g) **Determination dated 23-Nov-11-Performance Motors (P) Ltd.-**Import of cars manufactured according to specification of customers**-K. Gopinathan Nair [1997] 105 STC 580 (SC) applied. Claim rejected.**

(h) **MMTC v. State of A.P. [1998] 110 STC 294 (A.P.)-**Irrespective of the fact whether duty is paid or not, once the bill of entry is filed and import duty is assessed, the goods cross the limits of the customs port. However, STC v. State of T.N. [2003] 129 STC 294 (Mad.) dissents from this view and says that until the duty is paid goods are not cleared.

(I) **Anurag Agencies (P) Ltd. S.A. 1506 & 1507 of 1999 dated 31-Mar-2001 (ST Tribunal of Maharashtra)-**Bill of Lading were handed over or endorsed to the buyers only then B/E were made in the name of buyers. **Claimed allowed.**

(j) **National Mineral Development Corp. Ltd. (NMDC) v. State of A.P. [2007] 8 VST 252 (A.P.)-**Exporter in Indonesia-import of sponge iron-consignees mini-steel plants-importer NMDC-mini-steel plants got the goods cleared. **Claim rejected-**no separate agreements with consignees-agreement with mini-steel plant association says that conditions of sale shall be decided after the import.

(k) **BPL Telecom Ltd. v. State of Kerala [2009] 23 VST 264 (Ker.)-** Important decision where the delivery was taken by BPL and goods were taken at Pondicherry for ONGC Project-Benefit of Section 5(2) was allowed.

(l) **Hotel Ashoka (ITDC Ltd.) v. Asstt. Commissioner [2012] 48 VST 443 (SC)-**Writ-Duty Free Shops at Bengaluru International Airport were held exempt-the property in goods were transferred by giving physical delivery to the customers and not by transfer of documents of title to the goods.

(m) **Punjab Concast Steels v. State of T.N. [2012] 50 VST 65 (Mad.)-**Sale in the case of import by transfer of documents of title could be effected by handing over the documents. An endorsement to the defect on the documents is one mode of proof and not the only way proving the fact.

(n) **State of T.N. v. Kawarlal & Co. [2012] 2 VST 221 (Mad.)-**Bill of Lading-Yes-HSS Agreement-Yes-Claim was rejected due to the reason that the name of the dealer was found returned in the bill of entry. HC held in favor of the dealer saying that BOE is not a document of title.

(o) **Laxmi Trading Co. v. State of T.N. [2013] 66 VST 308 (Mad.)-** Claim was rejected where after importing goods in bulk for three parties. Goods were cleared by the petitioner.

(p) **"Kiran Spinning Mills vs. CC(1999) 113 ELT 753 (SC)"-** Goods remain to be in Customs barrier when they are in Custom bonded warehouse.

The views expressed herein are personal views of the authors and do not necessarily represent the views of the NIRCs

SECTION 203 OF THE COMPANIES ACT 2013

CA. Priyanka Maheshwari

Companies Act, 2013 (Act) has introduced many new concepts and Key Managerial Personnel is one of them. While the Companies Act, 1956 recognised only Managing Director, Whole Time Director and Manager as the Managerial Personnel, the Companies Act, 2013 has brought in the concept of Key Managerial Personnel which not only covers the traditional roles of managing director and whole time director but also includes some functional figure heads like Chief Financial Officer and Chief Executive Officer etc. These inclusions are in line with the global trends. "Company Secretary" has also been brought within the ambit of Key Managerial Personnel giving them the long deserved recognition of a Key Managerial Personnel of the Company. Another noteworthy feature of this concept is that it combines the important management roles as a team or a cluster rather than as independent individuals performing their duties in isolation to others.

WHO IS A KEY MANAGERIAL PERSONNEL?

The definition of the term Key Managerial Personnel is contained in Section 2(51) of the Companies Act, 2013. Key managerial personnel in relation to a company, means—

(I) The Chief Executive Officer or the managing director or the manager
(ii) The company secretary
(iii) The whole-time director
(iv) The Chief Financial Officer and
(v) Such other officer as may be prescribed

WHICH COMPANIES ARE MANDATORILY REQUIRED TO APPOINT KEY MANAGERIAL PERSONNEL

As per Section 203 of the Companies Act, 2013 read with the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014, the following class of Companies, namely

a) Every listed company, and
b) Every other public company having paid up share capital of Rs. 10 Crores or more shall have the following whole-time key managerial personnel,—(Imanaging Director, or Chief Executive Officer or manager and in their absence, a whole-time director;
(ii) Company secretary; and
(iii)Chief Financial Officer

Further, as per recently notified Rule 8A of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014, a company other than a company which is required to appoint a whole time key managerial personnel as discussed above and which is having paid up share capital of Rs. 5 Crores or more shall have a whole time Company Secretary.

MANNER OF APPOINTMENT OF KMP

Every whole-time key managerial personnel of a company shall be appointed by means of a resolution of the Board containing the terms and conditions of the appointment including the remuneration.If the office of any whole-time key managerial personnel is vacated, the resulting vacancy shall be filled-up by the Board at a meeting of the Board within a period of 6 months from the date of such vacancy.

RESTRICTIONS REGARDING APPOINTMENT OF KEY MANAGERIAL PERSONNEL:

1) Same person not to act as Chairman and MD/CEO.

It has been provided under the Act that the role or designation of Chairman and Managing Director or Chairman and Chief Executive Officer should not be assigned to the same person. In other words, the same person should not act as both Chairman and Managing Director or Chief Executive Officer of the Company. However, in the following circumstances, the above restriction will not apply:

(a) the articles of the company contain provision for appointment of same person, or (b) the company carries only a single business, or
(c) the company is engaged in multiple businesses and has appointed one or more Chief Executive Officers for each such business as may be notified by the Central Government

2) Whole time KMP not to hold office in more than one company.
It has been provided under the Act that a whole-time key managerial personnel shall not hold office in more than one company at the same time, except:

a) In the company's subsidiary company,
b) As a director in any other company with the permission of the Board
c) As a MD, if he is the managing director or manager of one and of not more than one other company and such appointment or employment is made or approved by a resolution passed at a meeting of the Board with the consent of all the directors present at the meeting and of which meeting, and of the resolution to be moved thereat, specific notice has been given to all the directors then in India.

Further, it has also been provided that a whole-time key managerial personnel holding office in more than one company at the same time on the date of commencement of

100% Export Oriented Unit

CA. Nagesh Bajaj

Introduction

An Export Oriented Unit is initiated with the intention of exports. The delight of foreign valuable exchange and globalized market opportunities prompts a manufacturer to export his produces. At the same time, he is indirectly contributing towards the Indian economy, in so much he has to repatriate the foreign earnings to India. Again he expands the market of Indian products in the world. Therefore to promote the exports, Export Oriented Units scheme has been framed under Chapter 6 of Foreign Trade Policy 2009-14

Benefits

EOU units have been segregated from State Trading regime, duty free procurement/import of goods, relaxation on receiving of export proceeds to 12 months, retention of 100 % of export proceeds with EEFC account maintained with RBI, CST is reimbursable to them, fast track clearance of goods is another sort of benefit to EOUs having Status holder. Apart from various incentives are also available to EOUs which are available to other exporters.

Eligibility

EOU must have minimum investment of 1 crore in Plant and machinery, though Board of Approval may allow EOU with lower investment. The units should have a positive NFE (Net Foreign Exchange) which is the difference between FOB value of Exports and CIF value of all imported inputs and capital goods and all payments made in foreign exchange. NFE shall be calculated in a block of five years starting from commencement of production.

Registration

The project report shall form base of forming of EOU unit. An application in Appendix 14-I-A to Foreign Trade Policy along with the report and other specific documents will be submitted to BOA/UAC. Letter of permission in Appendix 14-I-E will be granted within 15 days whose initial validity will be 3 years and as extendable. Once unit commence operations its initial validity will be 5 years at a time. To commence operations EOU unit will have to submit Letter of Undertaking with concerned Development commissioner after which Green Card will be issued to the unit. Thereafter license under section 58 (warehousing) and under section 65 (manufacturing in warehouse) shall have to be obtained if not obtained already.

Procurement of Goods

For duty free procurement of goods, the EOU unit will have to file B-17 bond with jurisdictional excise and customs authorities who will issue CT-3 Certificates to the EOU units and these certificates will allow EOUs to procure/import duty free. All goods can be imported/procured can be imported except those prohibited by ITC (HS). Leasing of capital goods and sale and lease back transactions are also permissible to EOU units. Spares procurement is permitted upto 5% of FOB value of exports. Utilization of input materials shall be within 3 years.

De-Bonding

EOU units may exit from scheme after approval of Development Commissioner and payment of excise and customs duties. After payment of duty and clearance of all dues, unit shall obtain "No Dues Certificate" from Customs and Central Excise authorities. On the basis of "No Dues Certificate" so issued by the Customs and Central Excise authorities, unit shall apply to DC for final de-bonding. EOU units may also de bond through opting for EPCG Scheme, Advance Authorization or any other scheme.

FLOW CHART OF REGISTRATION AND OPERATIONAL WORKING

Prepare Project Report A
↓
Application for Setting up EOU in Appendix 14-I-A in triplicate
↓
Letter of Permission in Appendix 14-I-E issued to be issued as per criteria mentioned in Appendix 14-I-B and Appendix 14-I-C

Within *15 days

Letter of undertaking to be submitted in Appendix 14-I-F
↓
Letter of undertaking to be accepted

Within * 3 days

Letter of undertaking to be accepted
↓
Green card to be issued

Within * 2 days

↓
Apply for License u/s 58 and 65 of Customs Act, 1962
↓
Obtaining License u/s 58 and 65 of Customs Act, 1962
↓
Execution and Acceptance of B-17 Bond along with Solvency Certificate

Within * 1 days

↓
Obtain CT-3 Certificates for duty free procurement/import

* Sane days

* as per guidance issued by concerned authorities

Job Work (Sub Contracting)

(1) Doing job work for other: EOU may perform job on behalf of DTA units, other EOUs/FTZs or Foreign Supplier. The equivalent benefit of their value addition will be accounted in NFE.

(2) Sending on job work to others: If EOU sub contract its process or production, the same is allowed subject to:

1 DTA Units: upto 50% of overall production of previous year in value terms in DTA with permission of Customs authorities
2 Other EOUs/FTZs: without any limit
3. Foreign Supplier: declaration of intermediate goods sent on job work and their equivalent repatriation of consideration in India

Clearances of goods

An EOU unit can clear goods by itself, through other EOU Unit, through foreign showrooms, showrooms at airport, exhibition promotion tours or as personal carriage.

Clearances (including Finished goods, by products, rejections, scrap) except specified goods like motor car, alcoholic liquors etc to DTA units are allowed upto 50% of FOB value of exports in aggregate and 90% individually, subject to fulfillment of positive NFE, at concessional duties, beyond which it is allowed at full rate of duty. NFE relaxations are available in case of rejections and scrap sales.

De-Bonding

EOU units may exit from scheme after approval of Development Commissioner and payment of excise and customs duties. After payment of duty and clearance of all dues, unit shall obtain "No Dues Certificate" from Customs and Central Excise authorities. On the basis of "No Dues Certificate" so issued by the Customs and Central Excise authorities, unit shall apply to DC for final de-bonding. EOU units may also de bond through opting for EPCG Scheme, Advance Authorization or any other scheme.

ANNOUNCEMENT

Team NIRC is pleased to announce about the starting of fresh batch of Regular Coaching Classes organized by NIRC for IPCC & Final students from 1 Dec,2014.These classes will be held at "E-52, Prashant Vihar, Sec-14 Rohini and also at U-37-38, Shakarpur, Delhi. You are requested to encourage your articles and other CA students to register themselves for the same. Details of the same are available at www.nirc-icai.org

OBITUARY

NIRC Condole the sad demice of CA Pravin Ahuja (M.No 081791) who Has passed away on 17th August, 2014

National Convention for CA Students

17th & 18th December, 2014

Venue : Siri Fort Auditorium, Khel Gaon Marg, Siri Fort Road, Delhi – 110 049

[To be organized by Board of Studies of ICAI and hosted by NIRC of ICAI]

CULTURAL EVENING : 17th December, 2014 (06.00 P.M. – 09.00 P.M followed by Dinner.)

The **National Convention for CA Students – 2014** will be organized by the Board of Studies of the ICAI and hosted by Northern India Regional Council (NIRC) of the ICAI in **Siri Fort Auditorium, Khel Gaon Marg, Siri Fort Road, Delhi – 110 049.**

The technical sessions on various topics have been hosted on the website of the NIRC of ICAI (www.nirc-icai.org

Students from all over India are invited to **register for the above said Convention.** The registration form for the above mentioned Convention has been hosted on the website of the NIRC of the ICAI **(www.nirc-icai.org).** Interested Students are also invited to submit their **Paper(s) of about 5-7 pages** and will be given **atleast 15 to 20 minutes for Presentation** and/or a proposal to **organize a Technical Session.** The selected papers will be published in the Paper Book/Backgrounder together with **photograph** of the concerned student. The Student speakers **can participate only in 2 Conventions/Conferences** organized by Board of Studies of ICAI in a year and a **declaration to this effect shall be submitted at the time of accepting the invitation as paper**presenter. **No Participation fee will be charged from the Paper Presenters** selected for the above said Convention. It has been decided to **reimburse to and fro travel expenses** (AC 2 tier)/first class railway fare (including service tax paid) or airfare by any airline, whichever less to students **Paper Presenters** from outside Delhi/New Delhi and **DA @ Rs.1500/- per day** for **maximum of 5 days** including the journey is time on production of travel tickets and bill of hotel. There would be no restriction to travel by Rajdhani and Shatabadi Trains.

The main goal to organize the said Students' Convention is to provide a forum to exchange the ideas besides sharpen the communication and presentation skills and focus on tangible thoughts/perceptions in accordance with syllabus of CA Course. The Convention will definitely provide an opportunity to wider attention towards skill, personality and creation/free flow of ideas and assist in unearth talent.

REGISTRATION FEE : Rs. 300/- On-Line Payment (http://www.nirc-icai.org/student/studentseminar.aspx) OR by way of Cheque/DD in favour of `NIRC of the ICAI' payable at New Delhi.

ACCOMMODATION : Two Nights accommodation (16th evening & 17th evening) would be available for outstation students attending both days of the Convention @ **Rs. 450/- per night** excluding taxes, if any, on sharing basis.

(***Please send the duly filled Registration Form along with requisite fee or Paper(s) by e-mail - nirc@icai.in or to*** "CA. Amit Threja, Dy. Secretary, Northern India Regional Council of the ICAI, ICAI Bhawan, Annexe Building, 4th Floor, Indraprastha Marg, New Delhi-110 002" Contact Nos. : 011-30100510/500, E-mail : nirc@icai.in)

Last Date for submission of Paper(s) : 13th November, 2014

REGIONAL COUNCIL ACTIVITIES

Date	Name of Programme/Venue	Chief /Guest Speakers	CPE Hours
08th October 2014 (Wednesday)	**Sub Regional Conference of NIRC hosted byJ&K Branch of NIRC of ICAI Hotel Fortune Inn Riviera, 9, Gulaab Singh Marg, Jammu (J&K)**		6
	Amendments in Direct Taxes by the Finance Act 2014 Provisions Relating to Wealth Tax	CA. (Dr.) Girish Ahuja	
	Issues and Challenges in Companies Act 2013	CA. Amarjit Chopra Past President, ICAI	
10th October 2014 to 17 October 2014	**Mock Test Series II for CA IPCC/Final Students** Venue: Laxmi Public School, Karkardooma Court, New Delhi	—	—
12th October 2014	**Seminar on IT/ISCA for CA Students** **Venue: "ICAI Bhawan" Vishwas Nagar, Delhi**	CA. Jatin Tagra CA. Bhavana Gargg CA. Rajan Khurana	
15th October 2014 (Wednesday)	**Seminar on Companies Act 2013 J/w Gurgaon Central CPE Study Circle of** NIRC Venue: IPSAA House, Mayfield Gardens, Sector-51, Gurgaon Practical aspects on Companies Act 2013	CA. Rajeev Goel, Advocate	3
18th October 2014 (Saturday)	**Conference on FEMA & Competition Act Organized by Committee on Economic, Commercial Laws & WTO of ICAI Hosted by NIRC of ICAI** Venue: NDMC Convention Centre, CP, New Delhi.		6
	Technical Session-I: Impact Assessment of Competition Law (Overview of the Competition Act, 2002, Latest developments, case laws & professional Opportunities)	Sh. Dhanendra Kumar Ex. Chairman, Competition Commission of India (Guest of Honour)	
	Technical Session-II: FEMA-New Vision & Approach(Overview of the FEMA law, Inbound & Outbound Investments, Latest Developments & Professional Opportunities)	CA. Manoj Shah	
	Technical Session –III: Cross Border Investments including Contemporary Regulatory & Tax Environment(Compounding of Contraventions under FEMA, Transfer Pricing Developments)	Prof. (Dr.) Alok Pandey	
	Technical Session-IV: Mergers & Acquisitions and Competition Law (Cross Border Mergers & Acquisitions, Regulatory Regime)	Prof. (Dr.) Alok Pandey	
19th October 2014 (Saturday)	Seminar on Amendment in Company Laws for CA Students at "ICAI Bhawan" Viswas Nagar, Delhi	CA. Vineet Jain CA. Shubham Seth	
22nd October 2014 (Wednesday)	Diwali Pooja at NIRC of ICAI (Team NIRC and Staff Members of NIRC at NIRC, IV Floor, I. P. Marg, New Delh.		
30th October 2014 (Thursday)	**Workshop on LLP** **Venue: IMA, ITO, New Delhi.**		3
	Address by Chairman Technical Session: LLP- A New Driver for Corporate Growth	Sh. D. Bandyopadhyay Registrar of Companies (Delhi & Haryana)	
	Formation, Conversion & Taxation of LLP	Sh. Rajeev Goel, Advocate	
30th October 2014 (Thursday)	**Felicitation of Faculty Members of Various Classes organized by NIRC of ICAI Venue: IMA, ITO, New Delhi.**		
30th October 2014 (Thursday)	**Coordiators Meeting for National Convention for CA Students, 2014**	Team NIRC	
31st October 2014 (Friday)	**Pledge taking Ceremony (By NIRC Staff) on RashtriyaEktaDiwas (National Unity Day) Venue: ICAI Bhawan, I. P. Marg, New Delhi.**		
31st October 2014 (Friday)	**Opening Of New Reading Room Cum Library For CA. Students** at 383/10 East Azad Nagar, Near Swarn Cinema, New Delhi	CA. K. Raghu, Hon'ble President, ICAI Central Council Members, ICAI Regional Council Members, NIRC	
1st & 2nd November 2014 (Saturday & Sunday)	**148th Batch of Certificate Course on Concurrent Audit of Banks Organized by IASB of ICAI hosted by NIRC of ICAI**		
	Concurrent Audit Procedures	CA. P. LakshmanaRao	
	Forex and Trade Investments	CA. Lokesh Gupta	
8th November 2014 (Saturday)	**National Seminar on Audit, Risk and Governance organized by IASB of ICAI hosted by NIRC of ICAI** Venue: Scope Complex, Lodhi Road, New Delhi.		6
8th& 9th November 2014 (Saturday & Sunday)	**148th Batch of Certificate Course on Concurrent Audit of Banks Cond.....**		
	Treasury and Investment Function	**CA. Dhananjay J. Gokhale**	
	Audit in CBS Environment	CA. Kuntal P. Shah	

Forthcoming Programmes of NIRC of ICAI

Workshop on Transfer Pricing

4 CPE HRS. | Members

(Interactive Question-Answer based Problem Solving Workshop)

Date & Day	21st November 2014 (Friday)
Venue	Hindi Bhawan Auditorium, 11, Vishnu Digamber Marg (Near Bal Bhawan, ITO) New Delhi.
Timing	05.00 PM - 09.00 PM followed by Dinner. Limited Seats.
Fee	Rs 500/- for Members Rs.800/- for Non Members No Fee for All Study Group Members of NIRC (2014-15)

Seminar on Income Tax & Companies Act 2013

4 CPE HRS. | Members

Jointly with Bhikaji Cama Place CPE Study Circle of NIRC

Date & Day	2nd December 2014 (Tuesday)
Venue	Recreational Cum Library Center, behind Safdarjung Club, (Opp. B-4/229), Safdarjung Enclave, New Delhi-110029
Timing	05.30 PM - 09.30 PM
Fee	Rs 500/- No Fee for All Study Group Members of NIRC (2014-15)

S. Vaidyanath Aiyar Memorial Lecture On Personality Development & Stress Management

3 CPE HRS. | Members

Date & Day	5th December 2014 (Friday)
Venue	Hindi Bhawan Auditorium, 11, Vishnu Digamber Marg (Near Bal Bhawan, ITO) New Delhi.
Timing	05.00 PM - 08.00 PM
Fee	Rs 400/- No Fee for All Study Group Annual Members of NIRC

National Conclave on Technical Standards

6 CPE HRS. | Members

Organized by
Peer Review Board of the ICAI
Hosted by
NIRC of the ICAI

Date & Day	6th December 2014 (Saturday)
Venue	Hotel Le Meridien, Windsor Place, Janpath, New Delhi
Timing	09.30 AM to 05.30 PM
Chief Guest	Sh. Prasenjit Mukherjee (Deputy Comptroller and Auditor General (CAG) & Chairman, Audit Board)
Guest of Honour	Sh. P. Sesh Kumar, Director General (Commercial Audit)
Fee	Rs. 1000/- for Members No Fee for All Study Group Annual Members of NIRC (2014-15)

For Registration & Online Payment Please Click
http://www.nircseminars.org/seminardesc.aspx?semid=4

Sub Regional Conference of NIRC Hosted by Himachal Pradesh Branch of NIRC

6 CPE HRS. | Members

Date & Day	12th December 2014 (Friday)
Venue	Hotel Holiday Home, Cart Road, Shimla
Timing	02.00 PM to 08.00 PM
Fee	Fee Rs. 1000/- Per Member No Fee for All Study Group Members of NIRC (2014-15)

Workshop on Standards on Auditing

4 CPE HRS. | Members

Organized by
Auditing and Assurance Standards Board (AASB) of the ICAI
Hosted by
NIRC of the ICAI

Date & Day	16th December 2014 (Tuesday)
Venue	Indian Medical Association Auditorium (IMA), Near Vikas Minar Building, Indraprastha Marg, ITO, New Delhi
Timing	04.00 PM to 08.00 PM
Fee	Rs.500/- for Members No Fee for All Study Annual Members of NIRC

Two Days Workshop on International Taxation

12 CPE HRS. | Members

(Including DTAA, Transfer Pricing & Withholding of Tax)

Date & Day	19th & 20th December 2014 (Friday & Saturday)
Venue	Hotel the Suryaa, New Friends Colony, Delhi
Timing	09.00 AM to 05.30 PM Limited Seats, Registration on First Come First Serve No Spot Registration.
Fee	Rs. 3000/- for Members Rs.1500/- for All Study Group Annual Members of NIRC Rs. 4000/- for Non Members **(As it is Specialized Designed Workshop, therefore it is also Chargeable to All Study Group Annual Members of NIRC on discounted basis)**

For Registration & Online Payment Please Click
http://www.nircseminars.org/seminardesc.aspx?semid=3

National Convention for CA Students

[Set up by an Act of Parliament]

TO BE PUBLISHED IN PART III SECTION 4 OF THE GAZETTE OF INDIA NOTIFICATION

No.13-CA(EXAM)/ISA/D/2014: - In pursuance of Regulation 204 of the Chartered Accountants Regulations, 1988, the Council of the Institute of Chartered Accountants of India is pleased to notify that the Information Systems Audit (ISA) Course Assessment Test (which is open to the members of the Institute) will be held on **27th December, 2014 (Saturday) from 10.30 AM to 2.30 PM** at the following cities provided that sufficient number of candidates offer themselves to appear therefrom.

Sl. No.	Name of the Cities	Sl. No.	Name of the Cities	Sl. No.	Name of the Cities
1	AGRA	23	GUWAHATI	45	MUMBAI
2	AHMEDABAD	24	GWALIOR	46	MYSORE
3	ALIGARH	25	HISAR	47	NAGPUR
4	AMRAVATI	26	HYDERABAD	48	NASIK
5	AURANGABAD	27	INDORE	49	PATNA
6	BANGALORE	29	JAIPUR	51	RAIPUR
8	BHOPAL	30	JALANDHAR	52	RAJAMAHENDRAVARAM
9	BHUBANESWAR	31	JALGAON	53	RAJKOT
10	BIKANER	32	JAMMU	54	ROHTAK
11	BILASPUR	33	JAMNAGAR	55	SHIMLA
12	CHANDIGARH	34	JODHPUR	56	SILIGURI
13	CHENNAI	35	KANPUR	57	SOLAPUR
14	COIMBATORE	36	KARNAL	58	SURAT
15	CUTTACK	37	KOLHAPUR	59	TIRUPUR
16	DELHI / NEW DELHI	38	KOLKATA	60	UDAIPUR
17	DURGAPUR	39	KOZHIKODE	61	VADODRA
18	ERNAKULAM	40	LUCKNOW	62	VARANASI
19	FARIDABAD	41	LUDHIANA	63	VIJAYAWADA
20	GANDHIDHAM	42	MANGALORE		
21	GHAZIABAD	43	MEERUT		
22	GOA	44	MORADABAD		

The Council reserves the right to withdraw any centre at any stage without assigning any reason. The above Test is open only to the Members of the Institute who are already registered with the Institute for the ISA course and passed the related eligibility test. The fee payable for the above Assessment Test is ₹ 1000/-.

"ICAI Bhawan", Post Box No.7112 Telephones: 3054829, 3054823, 3054822
Indraprastha Marg, New Delhi-110 002, India Fax: 0120-3054843/3054841 E-Mail: examcoob@icai.in

An application for admission to the Assessment Test is required to be submitted online by visiting http://isaat.icaiexam.icai.org and the sum of ₹ 1100/- (₹ 1000/- as examination fees and ₹ 100/- towards the examination form) has to be paid online using Master / Visa / Maestro Credit or Debit Card on or from 21st November, 2014. Alternatively, the format of application form can be downloaded from the website of the Institute viz. www.icai.org and the cost of the application form of ₹ 100/- can be added to the Assessment Test fee of ₹ 1000/- and the Demand Draft for ₹ 1100/- of any Scheduled Bank drawn in favour of "The Secretary, The Institute of Chartered Accountants of India", payable at New Delhi only has to be sent to the Additional Secretary (Exams), The Institute of Chartered Accountants of India, ICAI Bhawan, Indraprastha Marg, New Delhi – 110002 so as to reach him on or before 4th December, 2014. The applications received after 4th December, 2014 will not be entertained under any circumstances.

(V. Sagar)
Acting Secretary

GLIMPSES- REGIONAL COUNCIL ACTIVITIES


A View at the Seminar on IT/ISCA for CA Students held on 12th October 2014

A View at the Seminar on Companies Act 2013 J/W Gurgaon Central CPE Study Circle Held on 15th October 2014



A View at the Conference on FEMA & Competition Act Organized by Committee on Economic, Commercial Laws & WTO of ICAI Hosted by NIRC of ICAI Held on 18th October 2014

A View at the Certificate Course on Concurrent Audit of Banks

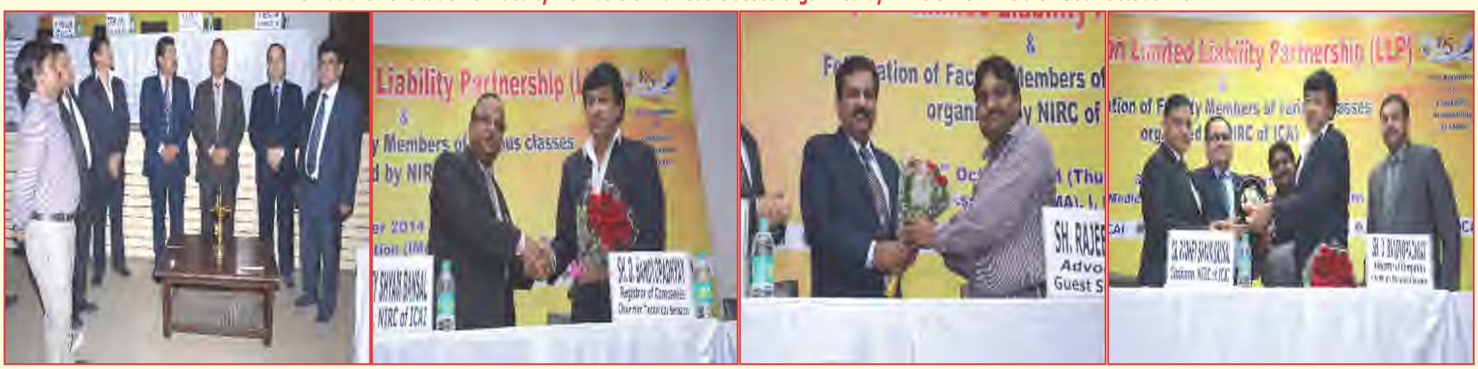


A View at the Amendment In Company Laws For CA Students Held on 19th October 2014

Team NIRC & Staff During Diwali Poojan on 22nd October, 2014

GLIMPSES- REGIONAL COUNCIL ACTIVITIES

A View at the Felicitation of Faculty Members of Various Classes organized by NIRC of ICAI Held on 30th October 2014



A View at the Workshop on LLP Held on 30th October 2014

A View at the Inauguration of Reading Room Cum Library Held on 31st October 2014

A View at the Opening Ceremony of Jind CPE Chapter of NIRC of ICAI

GLIMPSES- REGIONAL COUNCIL ACTIVITIES

Visit at Ambala Branch of NIRC of ICAI

A View at the Felicitation of Hon'ble Vice President, ICAI by Jalandhar Branch of NIRC of ICAI

A View at the Sub - Regional Conference Hosted by J & K Branch NIRC of ICAI

A View at the 1st State Level CA Women Conferance Hosted by Amritsar Branch of NIRC of ICAI

A View at the National Conference on Direct Taxes Organized by Ludhiana Branch of NIRC of ICAI

A View at the National Seminar on Audit, Risk and Governance held on 8th November 2014

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