



SIRC MYSURU CHAPTER

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219th Edition

Vision

"To be a global leader in promoting good corporate governance"

Motto

सत्यं वद। धर्मं चर। इष्टार्कं कुरु। अर्थो भवेत्। अर्थो भवेत्। अर्थो भवेत्।

Mission

"To develop high calibre professionals facilitating good corporate governance"

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CS A HARSHA
CHAIRPERSON
MYSURU CHAPTER

Dear Professional Colleagues

This month of July 2022 is observed as the Students' Month and I'm looking forward to see the hidden talents of all the students of this Institute through various events and competitions that are being organized. I invite all the students to actively participate and bring out the best of yourself utilizing this platform as a great opportunity.

On June 15, 2022, the PCS day was celebrated with a session conducted by CS Reshma, she gave insights on health and wellness and its importance. At the Southern Sangam League, a cricket league organized by ICSI Bengaluru Chapter, Mysuru won the Bronze Runner-up trophy. I would like to recognize and appreciate the efforts of CS Naman Joshi for his efforts.

Later in the month, Manthan 2022, a unique two-day workshop on Critical Issues in Corporate Laws was conducted on 24th & 25th June, which received an overwhelming response with participants from across India. The participants discussed the intricacies in detail and were greatly benefitted by way of clarity. The program concluded with the Valedictory ceremony on a very emotional note and the efforts of the panellists and the chapter were appreciated by the participants. We also celebrated Vanamahotsava and GST Day.

There are many upcoming events lined up for this month, one of which is a one-day seminar on "Compliance on Share Capital". I would request all the members to participate in it and gain additional knowledge on the topic to be able to better utilise it in the future.

Once again, I would like to remind the students to give their wholehearted participation in the various events organised during the Students Month and come out in flying colours and conclude with the quote.

It doesn't matter how slowly you go as long as you do not stop. - Confucius

Thank you.



THE INSTITUTE OF
Company Secretaries of India

भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

(Under the jurisdiction of Ministry of Corporate Affairs)

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Career Awareness Program

Mysuru Chapter organized Four Career Awareness Program during the month. The detail are as follows.

S. No	Date	College Name	Resource Person	No of Students
1.	29/06/2022	Government First Grade College for Women, Hassan	CS Phani Datta D N	500
2.		Government Arts & Commerce College, Hassan	CS Phani Datta D N N Dhanabal	100
3.		Government First Grade College for Women (New), Gandadakoti, Hassan	CS Phani Datta D N N. Dhanabal	70
4.		MMK & SDM College, Mysuru	CS Harsha A	120



PCS DAY CELEBRATIONS



The Institute of Company Secretaries of India - Mysuru Chapter organized a session in the topic “Contemporary Issue in CSR & Nutrition + Fitness - Optimized Productivity” on 15th June, 2022 at Chapter Premises. CS Reshma A., Practicing Company Secretary was the speaker for the session. In her address she explained the importance of having balanced nutrition for better productivity. CS Harsha A., Chairperson welcomed the gathering and introduced the Speaker. Around 20 participants were attended the session

MANTHAN 2022

The Institute of Company secretaries of India - Mysuru Chapter organized Manthan 2022 - A Unique two day workshop on critical issues in corporate laws, at Hotel Le Ruchi The Prince on 24th & 25th June, 2022. Around 80 well known company secretaries from all over India participated in the program. Intention of the program was to understand and discuss the critical issues of the company law along with other respective laws which goes with it namely SEBI, FEMA etc. As company law is getting amended frequently and notifications are issued almost on a daily basis, this is a much needed effort by the cream layer of the professionals to serve the corporate world better. In the two day program around 50 issues were discussed and came to conclusion on how that should be interpreted and solved with the help of decided cases. CS Amit Gupta, PCS, Lucknow, CS Anshul Kumar Jain, CCO, KFin Technologies Limited, CS Manoj Singh Bisht, Company Secretary, Reckitt Benckiser (India) Pvt Ltd., CS Karthick V., PCS, Bangalore & CS Thirupal Gorige, PCS, Bangalore were the panelists for the program. Chairperson of the chapter CS Harsha A, welcomed the gathering and CS Phani Datta D N, Vice Chairman did the vote of thanks. Other Committee Members CS Pavithra P., Treasurer, CS Veerash M J, Member, CS Parvati K R, Member & CS Vijaya Rao, Member were also present during the occasion.



MANTHAN TESTIMONIES

"I have first time attended Manthan-2022 programme. I have no idea about it earlier. When I was enrolling, I thought, at least I will get the credit hour whether I ll get anything or not. But after attending the program my thought got changed. Its a unique and motivating program I have ever attended in our profession and it's not for getting credit hour but to enrich our knowledge. All the panellist were good and their way of analysing and reading sections motivates me which will help me in my professional life"
-CS Debashish Panda

"I should say, I was fortunate enough to be part of Manthan - 2022! This was a scholarly event, be it organizers or moderators, the participants, each one of them had scholarly views on the topics that were picked up for discussion. This type of event indeed develops the interpretational skills of professionals and they can easily inculcate them in their practice. Manthan literally translates to churning, in the process of this intellectual churning of interpretation of Company Law, the participants come out afresh with all skills needed to take the profession to better heights! At the end it was a paisa-wasool event!"

-CS Abhishek Bharadwaj A B

“Thank you Mysuru Chapter and chapter office bearers for hosting this wonderful program.

Thank you Karthik ji, Thirupal, Amit, Anshul and Manoj for taking the program to great height. We may agree to disagree but Manthan and Mano Manthan to continue.

Thank you everyone for sharing and learning from each other 🙏”

-CS Amita desai

“It was a wonderful session. Indeed a sat sang. Enjoyed the company of intellects, their views, their thoughts and perspectives, a lot of take away for me. Thanks to all the organisers and Mysore chapter for their wonderful hospitality 🙏😊”

-CS Satya Jyothi

Pictures Wall



LOAN FROM SHAREHOLDERS AND ITS TREATMENT IN DPT-3

SHORT SUMMARY:

In this editorial author discusses about Provisions of loan from shareholders by Private Limited Company, Process of acceptance of loan from shareholder, Treatment of such loan in DPT-3, Balance Sheet etc.

There are many ambiguities in the corporate and professionals about treatment of Loan from shareholder, whether considered as deposit or not?

Section/ Rules Involved:

a.	Section 73	Prohibition on Acceptance of Deposit and relevant rules
b.	Section 179	Power of Board of Directors and relevant rules

Important - Circular/ Notification Involved:

a.	Exemption Notification Dated 05th June, 2015
b.	Exemption Notification Dated 13th June, 2017

Forms Involved:

a.	MGT-14	Within 30 days of passing of resolution, if required
b.	DPT-3	Every year till 30th June

Extract of section/ Rules/ Circular shall be mentioned at the end of the article link shall be provided for the same.

A.PROVISIONS - LOAN FROM SHAREHOLDER:

PRIVATE LIMITED COMPANIES

- Under Companies Act, 1956 it was allowed to accept loan from the Shareholders and such loan considered as non-deposit.

“

-Loan received from shareholder shall be considered as deposit for Private Limited Company. However, such PVT Company can accept the same subject to above mentioned exemptions”

CS Divesh Goyal
Practicing Company Secretary
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- Under Companies Act, 2013 since 01st April, 2014 it was not allowed to accept deposit/ Loan from shareholder
- MCA issue Exemption notification for Private Limited Companies on 05th June, 2015 states that:

“Chapter V, clauses (a) to (e) of sub-section (2) of section 73, Shall not apply to a private company which accepts from its members monies not exceeding one hundred per cent, of aggregate of the paid up share capital and free reserves, and such company shall file the details of monies so accepted to the Registrar in such manner as may be specified.”

- MCA issue Exemption notification for Private Limited Companies on 13th June, 2017 states that:

“Chapter V, clauses (a) to (e) of sub-section (2) of section 73, Shall not apply to a private company which fulfils all of the following conditions ; namely-

- a) which is not an associate or a subsidiary company of any other company
- b) if the borrowings of such a company from banks or financial institutions or any body corporate is less than twice of its paid up share capital or fifty crore rupees, whichever is lower; and
- c) such a company has no default in repayment of such borrowings subsisting at the time of accepting deposits under this section.”

However, one can opine that

S. No.	Date		Provisions
	From	- To	
I.	01-04-2014	05-06-2015	Not allowed to accept loan from shareholders
II.	05-06-2015	13-06-2017	Allowed to accept loan from shareholders upto 100% of paid up share capital and free reserve (subject to exemption of some compliances)
III.	13-06-2017	Continue...	Allowed to accept loan from shareholders any limit if fulfill three conditions mentioned above.

B. PROCESS – ACCEPTANCE OF LOAN FROM SHAREHOLDER:

If private limited company wants to accept loan from the shareholders, then such company have to follow the following below mentioned procedure.

STEP-1

To check whether company falls in exemption limit of 05.06.2015 or 13.06.2017 to calculate the amount which such company can accept from shareholders.

STEP-2

- To Hold a Meeting of Board of Director u/s 179(3)
- To Pass Board Resolution for Borrowing
- To issue notice for calling of General Meeting u/s 73(2)

STEP-3

- To Hold a Meeting of Shareholders u/s 73(2)
- To Pass ordinary resolution to accept loan from shareholder

STEP-4

- Company shall file e-form DPT-3 every year for such loan on or before 30th June.

C. TREATMENT-LOAN FROM SHAREHOLDER:

Where to mention loan from shareholder in e-form DPT-3?

As e-form DPT-3 divided under four remote buttons:

- i. Onetime Return for disclosure of details of outstanding money or loan received by a company but not considered as deposits in terms of rule 2(1)(c) of the Companies (Acceptance of Deposits) Rules, 2014
- ii. Return of Deposit
- iii. Particulars of transactions by a company not considered as deposit as per rule 2 (1) (c) of the Companies (Acceptance of Deposit) Rules, 2014
- iv. Return of Deposit and Particulars of transactions by a company not considered as deposit

As per provisions mentioned above Private Limited Company can accept loan from shareholders subject to exemption of compliance of Section 73(2) provision (a) to (e).

However, such loan from shareholder is nowhere mentioned under exemption list of definition of Deposit.

First:

Therefore, one can opine that,

Loan received from shareholder shall be considered as deposit for Private Limited Company. However, such PVT Company can accept the same subject to above mentioned exemptions.

Second:

- As loan from shareholder shall be considered as deposit even for private limited Companies.
- Therefore, if companies having loan from shareholders as on March 31, they have to select remote button no. 2 i.e. 'Return of Deposit' to show this amount.
- One can opine that to show loan from shareholder Company always will select Remote Button No. 2 or Remote Button no. 4.
- Company has to attach certificate of Statutory Auditor for the same.

D. CONSEQUENCIES:

a) Fine on Contravention on Section 73:

The company shall,

- in addition to the payment of the amount of deposit or part thereof and
- the interest due,
- be punishable with fine which shall not be less than one crore rupees or twice the amount of deposit accepted by the company, whichever is lower rupees but which may extend to ten crore rupees; and
- every officer of the company who is in default shall be punishable with imprisonment which may extend to seven years and with fine which shall not be less than twenty-five lakh rupees but which may extend to two crore rupees,

b) Punishment for non filing of DPT-3: Rule 21

The Company and every officer of the company who is in default shall be punishable with fine which may extend to five thousand rupees and where the contravention is a continuing one, with a further fine which may extend to five hundred rupees for every day after the first day during which the contravention continues

Disclaimer: The entire contents of this document have been prepared based on relevant provisions and as per the information existing at the time of the preparation. Although care has been taken to ensure the accuracy, completeness, and reliability of the information provided, I assume no responsibility, therefore. Users of this information are expected to refer to the relevant existing provisions of applicable Laws. The user of the information agrees that the information is not professional advice and is subject to change without notice. I assume no responsibility for the consequences of the use of such information.

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“You don’t always get
what you wish for; you
get what you work for.”

GST LAW : JOURNEY OF 5 YEARS AND THE WAY FORWARD

Role of ICSI in successful implementation of GST Law:

“GST is economic integration of India just like what Sardar Vallabhbhai Patel had done decades back to integrate the country”

-Sri. Narendra Modi, Hon’ble Prime Minister.

EVOLUTION & INTRODUCTION OF GST LAW IN INDIA:-

In pre-GST era, there were multiple stages of taxes either at Central or States level. There were around 17 indirect type taxes and 23 cess merging or consolidating into one basket. This one basket is called Goods and Services Tax (GST).

Goods and Services Act (GST Law) was introduced in India with effect from 01.07.2017. With this, GST Law has completed 5 years of its journey.

In my opinion, GST is the BIGGEST and TOUGHEST Indirect Tax reform in India, since independence. Its really beyond the tax reform. One may call it business reform. GST is expected to complement the GDP growth of our nation, can add value to the nation development, provided GST law must be implemented in true spirit.

GST being the destination-based consumption tax levied at multiple stages of productions & distribution of goods and services, with GST credit available of taxes paid on inputs & input services, which can be adjusted towards GST to be paid on outward supplies of goods or services.

MAIN OBJECTIVES OR ADVANTAGES BEHIND THE INTRODUCTION OF GST LAW WERE;

1. Creating common national market; (One Nation, One Tax & One Market);
2. Reducing the Cascading effect (i.e. tax on tax);
3. Avoiding the Double Taxation (i.e. multiple levy of taxes on same transaction);
4. Providing flow of SEAMLESS INPUT TAX CREDIT (i.e. flow of input tax credit from the manufacture of goods or provider of services till it is consumed).

Compare to pre-GST era, the GST law has impacted tax structure, tax computation, supply chain systems, credit availment, credit utilization, compliances etc paving the way for Ease of Doing Business (EODB).

“

The government

determined to create the concept of

- ONE NATION,
- ONE TAX; and
- ONE MARKET,
with the Tag-line of GST
is GOOD AND SIMPLE
TAX.”

CS KRISHNE GOWDA C
Practicing Company Secretary
Email ID: cskrishnegowdac@gmail.com



When the GST law was introduced, the government promised there will be flow of seamless input tax credit. But availing Input Tax Credit (ITC) became a nightmare to registered dealers across the nation.

To avail input tax credit, a registered dealer must fulfill ONLY 4 CONDITIONS U/s 16(2) of the CGST Act 2017. Namely;

1. He must be in possession of a Tax Invoice or debit note;
2. He has received the goods or services or both;
3. The supplier must have actually paid the GST tax to the Government, either in cash or through utilisation of ITC;
4. He has furnished the return, regularly.

The GST law provides that once the above conditions are fulfilled by a registered person, he shall have all the rights to avail input tax credit. But the real story did not stop here-only....! When the law was introduced, there was no provision regarding input tax credit must be auto-populated and cross-checked with GSTR2A. The government introduced the 5th condition w.e.f. 01.01.2022 saying input credit needs to be checked with GSTR2A. Ironically, there was no reference of GSTR2A...!

Availing input tax credit under GST Law is really a mind boggling...! There are lot many provisions under the law which have to be cross-checked and verified. To mention, following are few such important provisions;

- Conditions as mentioned above u/s 16(2) shall be fulfilled;
- Blockage of input tax credit U/s 17(5);
- Reversal of input tax credit under Rule 42 & 43; and so on....to stop the genuine tax payers from availing input tax credit.

Why such draconian provisions under GST law? In such a scenario, can anyone say the GST law is Good and Simple Tax?



Source: <https://www.icsi.edu/media>

Lots of requests have been made to the government to ease this availing input credit, as well. The ease is not coming out, and the matters are going upto the Hon'ble Supreme Court. To substantiate the fact, recently we have all witnessed a land mark judgment in the case of Bharti Airtel Limited (SLP(C) NO. 8654 OF 2020) Dt.28-10-2021.

An attempt has been made here to put the facts of this case in a crispy and simple words; for easy understanding;

- Form GSTR2A is a system generated Statement of Inward Supplies for a recipient.
- Form GSTR2A came in October 2018 onwards.
- Bharti Airtel Limited filed its GST Returns for Jul'2017, Aug'2017 to Sep'2017. That time GSTR2A was not available to get the correct picture of Input Tax Credit (ITC) available to them. Bharti Airtel Limited paid Rs.923 Crores as its GST liability for the above said periods.
- Later (i.e. while filing its monthly GSTR3B) the Company realised that they were having enough input tax credit for Jul '17 to Sep'17.
- The Company approached the Hon'ble Delhi High Court and pleaded to allow for the amendment of GSTR2B. Hon'ble Delhi High Court ordered for the refund of Rs.923 Crores. Central Board of Indirect Taxes (CBIC) did not agree with this verdict.
- Matter went upto the Hon'ble Supreme Court.

- In its judgment, the Hon'ble Supreme Court observed that "GST is self assessment of tax. Input Tax Credit could be availed as per Section 16(2). Bharti Airtel Limited need not wait for GSTR2A. Its (i.e. GSTR2A) is only the facilitation to the tax payers and not the condition for availing input tax credit...".

Even after this landmark judgment from Hon'ble Apex Court, the GST Departments (both Central & State) issuing huge number of notices to tax payers for mismatch of input tax credit (ITC).

Does this mean things are not properly going in synchronization with law & judiciary directions?

Form GSTR3B is a consolidated summary return of inward and outward supplies, required to be furnished by the registered person on a monthly basis. Even for clerical mistakes in Filling and Filing GSTR3B, there is no window available for revision of GSTR3B.

Since the introduction of GST law, 1100 PLUS changes have been made to GST Law..! Even after this number of changes, the GST Department not providing proper clarity and certainty. This really needs introspection by the government.

No doubt, the government is trying its best to make the GST law simple. But the effort, dedication & the speed is not sufficient to the reach the goal.

Periods	GST Collections (Rs. In Crores)	Remarks
FY:2017-18 *	7,19,078	* 9 Months
FY:2018-19	11,77,370	Yearly
FY:2019-20	12,22,117	Yearly
FY:2020-21	11,36,803	Yearly
FY:2021-22	15,13,469	Yearly
FY:2022-23 **	2,85,501	** 2 Months

Source: <https://gstcouncil.gov.in/gst-revenue>

POSITIVE SIDES OF THE IMPLEMENTATION OF GST LAW, IN THIS JOURNEY OF 5 YEARS:-

1. Reducing Technical (GST Portal) glitches to a maximum extent.
2. Considerable improvement in E-Way Bill (EWB) generation mechanism and its administration.
3. Administering more than 1.40 Crores of tax payers (i.e. Registered Dealers) across India, in a single interface, is really a challenging task.
4. Administering E-Invoicing system w.e.f. 01.04.2022 is one more admirable task.
5. Revenue (GST) collection is going up.
6. Upcoming advancements like linking E-Way Bills to Fastag while movement of goods.

CHALLENGES BEFORE THE GOVERNMENT FOR SMOOTH IMPLEMENTATION OF GST LAW:-

1. Technical-glitches-free portal needs to be developed/maintained.
2. GST Appellate Tribunal (GSTAT) must be formed immediately. 5 years of journey is completed.
3. GST departments (both Central & State) have taken up lakhs of cases for GST Audit/Scrutiny. What shall the Tax Payers do with Assessment Orders in hand with huge GST liability in hand, in the absence of GSTAT? Big Tax payers like body corporate can afford & hence are approaching the Hon'ble High Courts or Supreme Court on merits basis. What about MSMEs class tax payers?
4. National Advance Authority Ruling (NAAR) must be formed immediately.
5. India is a Federal Structured nation. All the State Governments have their own AAR as provided under the GST Law. Now the major concern is each of these AARs are giving their own decisions. Some decisions are contradicting each other on the SIMILAR nature of transactions. Hence, there is a urgent need for the formation/ setting up of NAAR.
6. Introduction of GSTR2 (as stated in the beginning of the GST law) instead of GSTR2A & GSTR2B.
7. Removing many hurdles in Transitional Credits.
8. Excess of VAT standing as on 30.06.2017 carried forward from VAT Regime to GST Regime.
9. Relevance of GST 2A & 2B in respect of Scrutiny notices.
10. Removing harassment to Registered Dealers on multiple Investigations, Search and Seizure Proceedings by CGST & SGST Depts.
11. Classification & compulsory mentioning of 6 Digit HSN/SAC codes.
12. Power of Arrests vests with GST Authorities or under Cr.PC?
13. Allowing the tax payers to use/utilize the balance standing in Credit Ledger against Late Fees, Interest & Penalties also.

OPPORTUNITIES TO COMPANY SECRETARIES UNDER THE GST LAW:-

Apart from the signing of Balance Sheet of a body corporate, as compliance officer, a company secretary can have good practice in the following areas under GST law;

1. Section 116 of the CGST Act 2017 permits a Company Secretary to represent before all the GST authorities including GST 1st Appeal (i.e. Departmental authorities) and GST 2nd Appeal (i.e. GST Appellate Tribunal - GSTAT).
2. Preparation and filing of various GST Returns/Forms.
3. Drafting of various replies for notices, letters etc.,
4. Getting refund of GST.
5. Valuation of Goods.
6. Advisory Services; an so on.



Source: <https://www.icsi.edu/media>

ROLE & RESPONSIBILITIES OF ICSI IN SUCCESSFUL IMPLEMENTATION OF GST LAW:-

ICSI is extending all its resources, expertise and efforts to the government be it pre-implementation or post-implementation of GST, be it on policy matters or procedural aspects. Besides, ICSI is playing a very crucial role in dissemination of GST knowledge amongst all its members and stakeholders through its Publications & Newsletters

exclusively on GST, conducting GST Seminars, Conferences, Workshops and live Webinars at all National levels also at Regional levels in all its chapters across the nation. ICSI is one of the pioneer institutes in representing the concerns of all the stake holders, to the government. ICSI working hardly, in co-ordination with GST authorities (both Central & States) to make the GST a GOOD AND SIMPLE TAX.

CONCLUSION:

The success of GST law is in the hands of GST Authorities (both Central & State), who are implementing GST law. They must walk the talk in realistic sense, implement GST law in true spirit. More coordination must be established between Central & State GST Authorities. A separate window for quick refund of GST must be made at earliest. Allow the tax payers (especially cash crunched MSME segments) to use/utilize the balance standing in credit ledger for penalties, late fees etc. Avoid spot visit (or “inspection) in the cases of new GST registration processes. Amnesty Scheme for defaulters of GST Returns filing, late fees payments cases, revocation of GST registration cancellation cases. Then only the GST will achieve its tag-line “GOOD AND SIMPLE TAX”.

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2. <https://www.gst.gov.in/>
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IND AS AND ITS APPLICABILITY

Introduction

1. What are AS and IND AS?

'Accounting standards' means the standards of accounting, or any addendum thereto for companies or class of companies as specified in rule 3 of Companies (Accounting Standards) Rules, 2021. The accounting standards as specified in the annexure to Companies (Indian Accounting Standards (IND AS) Rules 2015 to be called the Indian Accounting Standards (IND AS) and shall be the accounting standards applicable to classes of companies specified in rule 4 of IND AS rule, 2015.

2. Need for IND AS

The IFRS convergence has accelerated all over the world and India is no exception. Due to globalization the need for convergence has increased more than ever before. There is a need for a standardized or a common acceptable standard felt all over the world. Due to this need many countries either have adopted fully or have converged IFRS standards with their own standards. The final goal of convergence of IFRS is to have transparency and comparability between financials all over the world leading to efficient analysis of the financials and in turn better analysis of the company as a whole. The Indian Accounting Standards (Ind AS) are formulated in converge with International Financial Reporting Standards (IFRS) and to be suitable to the changing Indian economic and legal environment. Ind AS provides reliability to the financial statements, uniformity in accounting system, reporting of management performance and easy and simply accounting.

3. IND AS notified through the Companies Act,2013

In exercise of the powers conferred under section 133 read with section 469 of the Companies Act, 2013, the Ministry of Corporate Affairs (MCA) in 2015 in consultation with National Advisory Committee on Accounting Standards notified the Companies (Indian Accounting Standards (IND AS) Rules 2015 for adoption and implementation of IND AS in a phased manner beginning from accounting year 2016-17.

Subsequently, MCA modified the rules and made press release clarifying certain issues associated to these accounting standards.

4. Obligation to comply with IND AS

“

-The Indian

Accounting Standards (Ind AS) are formulated in converge with International Financial Reporting Standards (IFRS) and to be suitable to the changing Indian economic and legal environment. Ind AS provides reliability to the financial statements, uniformity in accounting system, reporting of management performance and easy and simply accounting”

Anusha Mantri
CS Final qualified trainee
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Certain class of Indian companies need to prepare standalone financial statements and its consolidated financial statements, if applicable, in accordance with the Indian Accounting Standards (Ind AS) mandatorily if it meets the criteria specified in rule 4 of the Companies (Indian Accounting Standards (IND AS) Rules, 2015 (the Rule).

Any other company may voluntarily opt to comply with IND AS for preparation of its financial statements, however once it is adopted with the IND AS then that company need to consistently prepare the financial statements in IND AS format only and cannot switch to AS.

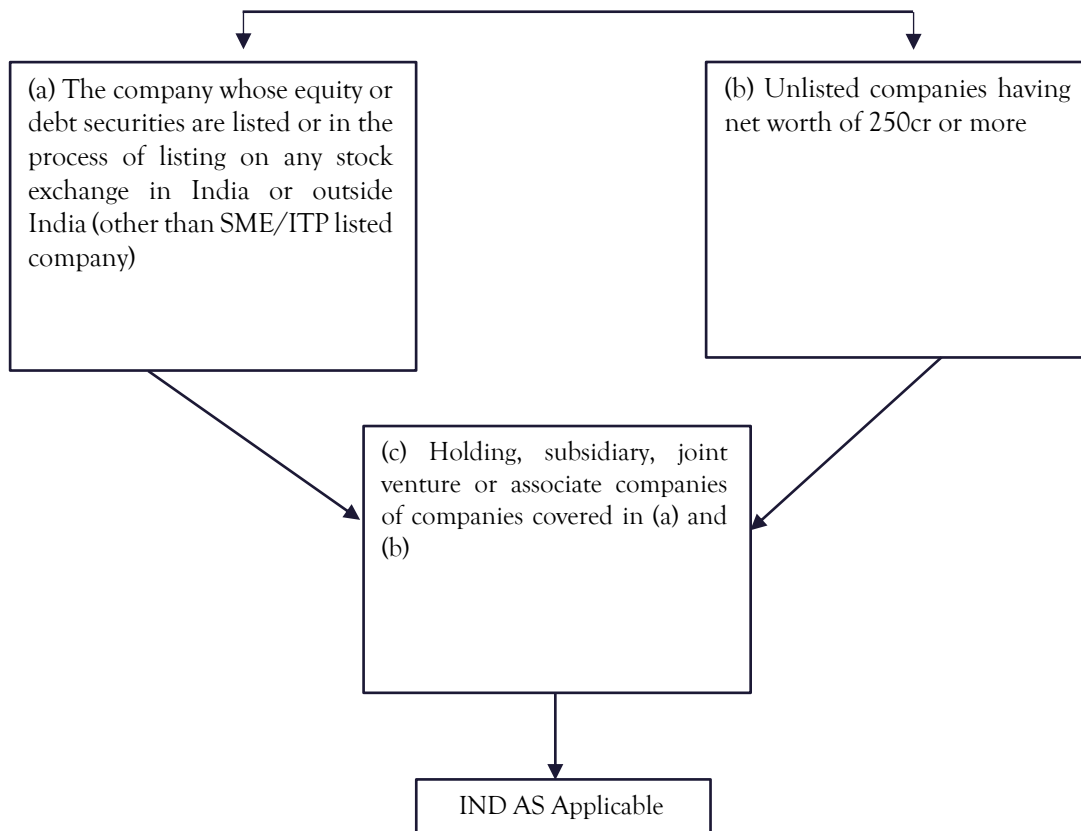
Further in case where IND AS is mandatorily applicable to a company, they need to prepare all subsequent financials in IND AS even if any criteria specified in the rule does not subsequently apply to them.

5. Applicability of IND AS to the companies other than regulated companies.

A Company which once starts following Ind AS mandatorily or voluntarily has to continue to follow Ind AS. As on the current date the following companies are required to comply with Ind As:

- a. Companies whose equity or debt securities are listed or are in the process of being listed on any stock exchange in India or outside India except the companies whose securities are listed or in the process of listing on SME exchange or on Institutional Trading Platform;
- b. Unlisted Companies having net worth of Rs. 250 Crores or more; and

Holding, subsidiary, joint venture or associate companies of companies covered under a) and b).



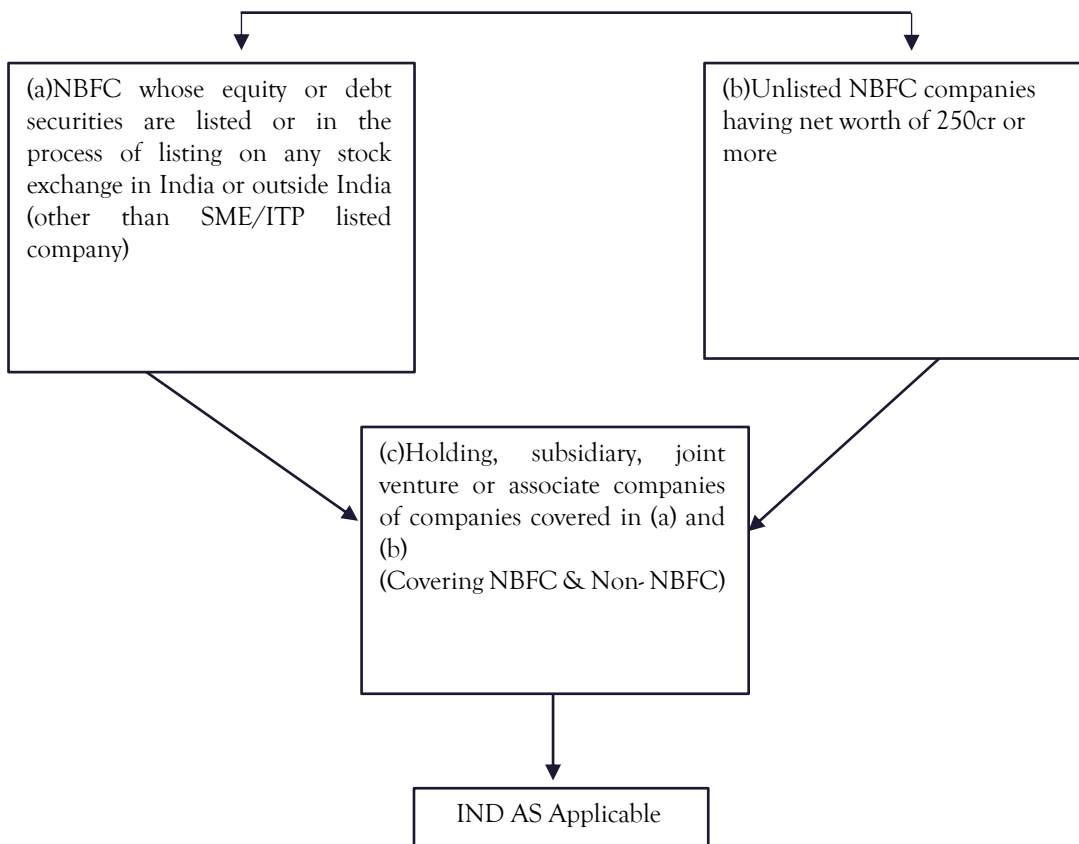
Overseas subsidiary, associate, joint venture and other similar entities of an Indian company may prepare its standalone financial statements in accordance with the requirements of the specific jurisdiction.

However, after obtaining IND AS compliant financial statement data from such overseas entity, such Indian company need to prepare its consolidated financial statements in accordance with the Ind AS either voluntarily or mandatorily if it meets the criteria as specified in rule 4(1).

Indian company which is a subsidiary, associate, joint venture and other similar entities of a foreign company need to prepare its financial statements in accordance with the Ind AS either voluntarily or mandatorily if it meets the criteria as specified in in rule 4(1). E.g., Indian subsidiary company of US company having net-worth of Rs.250 Crores is required to prepared FS as per Ind AS.

6. Applicability of IND AS on NBFC.

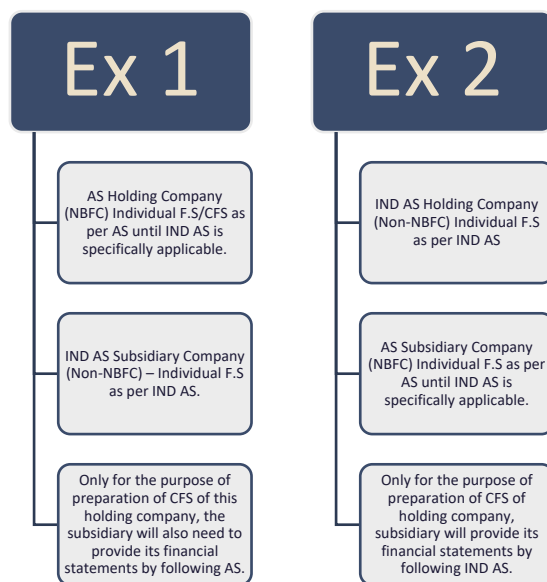
Let us understand through flow chart.



MCA clarified with a press release on 18th January, 2016 that NBFCs cannot voluntarily adopt IND AS and they will need to comply with AS. In other words, other than those NBFCs' mentioned above all other NBFCs' (regardless of them being Holding, Subsidiary, Associate or a Joint venture of a company which complies with IND AS) shall follow AS. They can only provide IND AS compliant financial statement data for purpose of consolidation with parent company.

7. Applicability of IND AS for the purpose of Consolidated Financial Statements (CFS)

In group of companies if some entities are following AS and others apply to IND AS in such cases for the purpose of individual financial statements, they will apply their respective standards applicable to them. For the purpose of CFS, let us understand with following 2 examples.



NBFC cannot adopt voluntarily the IND AS unless it falls into the specified categories. That means the NBFCs' by and large are required to prepare its financials as per the

Ex.1: Holding company being NBFC is under AS. In the chain of subsidiary/associates/Joint Ventures in case any one of the entities is a non-NBFC which is required to comply with IND AS, in addition to the IND AS standalone balance sheet such entity is required to provide the financial statements as per AS for the purpose of CFS to facilitate its AS holding company.

Ex.2: Holding company being non-NBFC is under IND AS. In the chain of subsidiary/associates/Joint Ventures in case any one of the entities is NBFC which is required to comply with AS, in addition to the AS standalone balance sheet such entity is required to provide the financial statements as per IND AS for the purpose of CFS to facilitate its IND AS holding company.

8. Exemption provided to other class of companies

The insurance companies, banking companies and non-banking finance companies are not required to apply Ind AS for preparation of their financial statements either voluntarily or mandatorily as specified in rule 4(1).

9. IND AS and Extensible Business Reporting Language (XBRL)

As per rule 3 of Companies (Filing of documents and forms in extensible business reporting language) rules, 2015 all the companies which are required to prepare their financial statements in accordance with Companies (Indian Accounting Standards) Rules, 2015 need to file e-form AOC-4 XBRL using taxonomy provided in annexure IIA. However, NBFC companies are exempted from this requirement as No IND AS XBRL taxonomy for NBFC has been yet released and they will file AOC-4 NBFC. In case NBFC being holding company it will additionally file AOC-4 CFS NBFC.

TAX DEDUCTION AT SOURCE - TDS IS NOT TEDIOUS

Introduction:

The concept of TDS was introduced in the Income Tax Act with the aim to collect tax from the very source itself. TDS is Income Tax reduced from the money paid at the time of making specified payment such as Salary, Professional Charges etc., by the persons making such payment. As per the concept, the person, deductor who is liable to make payment of specified nature to any person, deductee shall deduct tax at source and remit the same into the account of Central Government. The deductee from whose income tax has been deducted at source would be entitled to get credit of the amount so deducted on the basis of Form 26AS or TDS certificate issued by the deductor.

Direct Tax Reforms in India, came with the recommendations of the Tax Force on Direct and Indirect Taxes under the Chairmanship of Vijay Kelkar in 2002. One of the main recommendations for the Direct tax reforms was widening the scope of Tax Deduction at Source etc.

Information Technology has made life easier. This is the beginning of the Tax Information Network (TIN), established by the National Securities Depository Limited (NSDL). The basic idea was to modernize the collection, processing, monitoring, and accounting of direct taxes using Technology. Further, TIN has three subsystems namely, Electronic Return Acceptance and consolidation System (ERAC), Online Accounting System (OLTAS), and Central PAN Ledger Generation System (CPLGS).

ERACS consists of a system for interface with the taxpayers (TIN Facilitation Centres that is TIN-FC) and an internet-supported system for upload of electronic returns of Tax Deduction at Source (TDS) and Tax Collection at Source (TCS) and Statement of (AIR) to the central system of TIN.

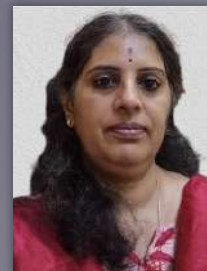
Online Tax Accounting System (OLTAS)

OLTAS is used for uploading to the central system the details of tax deposited in numerous tax collecting branches across the country every day.

“

-The basic idea was to modernize the collection, processing, monitoring, and accounting of direct taxes using Technology. Further, TIN has three subsystems namely, Electronic Return Acceptance and consolidation System (ERAC), Online Accounting System (OLTAS), and Central PAN Ledger Generation System (CPLGS).”

CS Sheela Arvind
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Central PAN Ledger Generation System (CPLGS)

It is the central system that merges the details of TDS/TCS and advance tax into the PAN. The filing of TDS & TCS Returns were mandated to file electronically through the TIN-Facilitation centre for both the Corporates and Government from the FY 2003-04 onwards.

The Concept of TDS is covered under Chapter XVII, covering from Sec. 190-206 of the in the Income Tax Act, 1961.

1. Section 190 - Taxes Deducted / Collected in the Previous Year.

Although regular assessment in respect of any income is to be made in the assessment year, the tax on such income is payable in the previous year itself in the following manner:

- Tax deducted at source (TDS): In case of certain incomes/payments, tax is deducted at source by the payer at the prescribed rate at the time of accrual or payment of such incomes to the payee.
- Tax collected at source (TCS): In certain cases, tax is collected at source by the seller from the buyer or a person from his licensee /lessee, etc. at the time of debiting the amount to the account of the buyer/ licensee /lessee or the receipt of payment whichever is earlier.

2. Section 191 to 195 - Procedure and Scheme of TDS:

The amount of TDS is to be deducted by the payer under sections 192 to 195 as applicable for the respective cases.

3. Section 196 - Interest or dividend or other sums payable to Specified Persons

If any amounts are paid by any person by way of interest or dividend in respect of any securities or shares owned by it or in which it has a full beneficial interest, or any other income accruing or arising to the following, no TDS shall be deducted:

- i. the Government, or
- ii. the Reserve Bank of India, or
- iii. a corporation established by or under a Central Act which is, under any law for the time being in force, exempt from income-tax, or
- iv. a Mutual Fund specified under section 10 (23D).

4. Section 197 - Lower TDS Certificates:

There are also provisions of permitting persons under certain cases to not deduct tax at source or Deduct at a lower rate by prior application made by the payee to the assessing officer in Form No 13 u/s 197of the act.

5. Section 197A No Tax Deduction to be made in certain cases:

- a. In the case of an individual who is Resident [Section 197A(1)]. - No tax will be deducted at source under sections 194, 194EE, in case of an individual who is resident, if such individual furnishes to the payer a declaration in writing in duplicate in Form No. 15G to the effect that tax on his estimated total income (including such income) will be nil.
- b. In the case of a person (not being a company or a firm) [Section 197A(1A)]. - No tax shall be deducted at source under sections 192A, 193, 194A, 194D, 194DA, 194I, or 194K in case of a person (not being a company or firm), if such person furnishes to the payer a declaration in writing in duplicate in new Form No. 15G to the effect that the tax on the estimated income including such income will be nil.

6. Section 198 - TDS is 'Income Received' by the Assessee for computing his Income:

Any tax deducted under the provisions of Chapter XVIIIB under sections 192 to 196D, shall be deemed to be income received by the assessee for the purpose of computing his income. In other words, for the purpose of computation of total income of the payee the amount actually received plus the amount of tax deducted at source will be considered.

7. Section 199 – Credit for Tax Deducted:

The credit for tax deducted at source shall be allowed to the recipient provided the taxes are deposited by the deductor with the Central Government & information about the same is furnished by the deductor in TDS Statements to the Income Tax authority. If tax deducted by the payer is not displayed in the tax passbook, it would mean that the payer has either not paid the taxes to the Central Government or after payment the deductor has not filed the TDS Statement. In both situations, the credit of TDS shall not be allowed to the recipient.

8. Section 200- Time limit to remit the taxes deducted:

Remittance of Tax Deducted should be made as per Rule 30 of Income Tax Rules within such time as prescribed.

- i. Tax deducted (TDS) by an office of the Government:
 - a. on the same day where the tax is paid without production of an income-tax challan; and
 - b. on or before seven days from the end of the month in which the deduction is made, where tax is paid accompanied by an income-tax challan.
- ii. Tax Deducted (TDS) in any other case,
 - a. on or before 30th day of April where the income or amount is credited or paid in the month of March; and
 - b. in any other case, on or before seven days from the end of the month in which the deduction is made.
- iii. Special cases where TDS Payment can be Deposited Quarterly.

If TDS is deducted under Sections 192, 194A, 194 D & 194 H, TDS shall be deposited within such following dates as follows:

- For Q1, Q2 & Q3: Within 7th of the immediately following month of such quarter
 - For Q 4: Within 30th April immediately following such quarter.
- iv. If TDS is deducted u/s 194 IA, 194 IB & 194 M TDS shall be deducted and deposited within 30 days from the last date of the month in which tax has been deducted by submitting forms 26QB, 26QC & 26QD respectively.

Filing of TDS Return (Rule 31A):

TDS returns shall be filed under Rule 31A in such following forms prescribed by the government.

- i. Form 24Q: Returns for TDS deducted under section 192 i.e., for Salary
- ii. Form 26Q: Returns for TDS deducted for Non-Salary cases
- iii. Form 27Q: Returns for TDS deducted for a Non-Resident.

These forms 24Q, 26Q & 27Q are to be filed for every quarter within the end of immediately next month of such quarter.

Also, Summary of e- TDS/ TCS return shall be filed in form 27 A.

9. Section 200A – Processing of Statements of TDS:

There are penal provisions mentioned in the Income Tax Act for any default in Deduction, Deposit of TDS mentioned as follows:

- Late Fees of 200/- per day for the default period u/s 234 E.

10. Section 201(1A) – Interest for Late Deposit of TDS:

Period of Default	Rate of Interest
a) From the date the tax was deductible to the date on which such tax is deducted [Section 201(1A)(i)]	b) 1% p.m. or part of the month on the amount of such tax.
c) From the date on which such tax is deducted to the date on which such tax is actually paid [Section 201(1A)(ii)]	d) 1.5% p.m. or part of the month on the amount of such tax.

11. Section 203 – Certificate for TDS:

- Every person deducting tax in accordance with the provisions of TDS shall within such period as may be prescribed from the time of credit or payment of the sum, furnish to the person to whose account such credit is given or to whom such payment is made, a certificate to the effect that tax has been deducted, the rate at which the tax has been deducted and such other particulars as may be prescribed.

Forms and Time Limit of issue of TDS Certificate [Rule 31]:

The person responsible for deducting the TDS is required to issue a certificate in the prescribed forms to the employee/payee on account of tax deducted at source.

(i) For TDS on salary	Form No. 16. Form No. 12BA (statement of the value of perquisites and profit in lieu of salary).	Annual	By 15th day of June of the financial year immediately following the financial year in which the income was paid and tax deducted										
(ii) For TDS on other income	Form No. 16A	Quarterly	As per the rule 31 the certificate should be issued within the time limit as under: <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 50%;">Quarter ending</td> <td style="width: 50%;">In case all deductors other than covered under Sections 192, 194-IA and 194-IB</td> </tr> <tr> <td>30th June</td> <td>15th August</td> </tr> <tr> <td>30th September</td> <td>15th November</td> </tr> <tr> <td>31st December</td> <td>15th February</td> </tr> <tr> <td>31st March</td> <td>15th June</td> </tr> </tbody> </table>	Quarter ending	In case all deductors other than covered under Sections 192, 194-IA and 194-IB	30th June	15th August	30th September	15th November	31st December	15th February	31st March	15th June
Quarter ending	In case all deductors other than covered under Sections 192, 194-IA and 194-IB												
30th June	15th August												
30th September	15th November												
31st December	15th February												
31st March	15th June												

(iii) For TDS on purchase of immovable property as per section 194-IA	Form No. 16B.	Monthly	Within 15 days from the due date for furnishing the challan-cum-statement in Form No. 26QB after generating and down-loading the same from the web portal specified by the DGIT.
(iv) For TDS under section 194B	Form No. 16C		Within 15 days from the due date for furnishing the challan-cum-statement in Form No. 26QC under rule 31A after generating and downloading the same from the web portal specified by the Principal DGIT (Systems) or the DGIT (Systems).

12. Section 203(A) – Tax Deduction and Collection (TDS/TCS) Account Number:

Every person, deducting tax or collecting tax in accordance with the provisions of this Chapter, who has not been allotted a tax-deduction account number shall within one month of the end of the month in which tax was deducted, apply to the Assessing Officer for the allotment of a "tax-deduction and collection-account number".

However, quoting of TAN is not required if TDS is deducted u/s 194 IA, 194 IB & 194 M.

13. Section 206 AA – Requirement to furnish PAN.

Any Person entitled to receive any sum or income or amount on which tax is deductible under chapter XVIIB shall furnish PAN to the person responsible for deducting tax. If the deductee fails to furnish his PAN tax shall be deducted at the higher of the following rates:

- i. At the rate specified in the relevant provision of this Act or
- ii. At the rate or rates in force or
- iii. At the rate of twenty per cent.

However, for TDS deducted u/s 194O Rate shall be 5 % in (iii) instead of 20 %.

14. Section 206 AB – Special Provision for deduction of Tax at Source for Non-Filers of Income Tax Return: (inserted by Finance Act 2021 with effect from 01-07-2021)

Under section 206 AB, TDS shall be deducted at the HIGHER of the following rates:

- i. At twice the rate specified in the relevant provision of the Act or
- ii. At twice the rate or rates in force or
- iii. At the rate of Five per cent

If a person has not filed the returns of income for both the preceding assessment years relevant to the previous year in which tax is required to be deducted, for which the time limit of filing return of income under section 139(1) has expired; and aggregate of TDS & TCS in his case is 50,000/- or more in each of these previous years.

New Sections of TDS introduced in the Finance Act

1. Section 194O - TDS from payment by e-commerce operator (Inserted by Finance Act, 2020 with effect from 1st October 2020).
2. Section 194 P - TDS from Pension and Interest income of Senior Citizen (Inserted by Finance Act, 2021 with effect from 1st April 2021).
3. Section 194Q - TDS on purchase of goods (inserted by Finance Act, 2021 with effect from 1st July 2021).
4. Section 194R - Deduction of tax on the benefit or perquisite in respect of business or profession (Inserted by Finance Act, 2022 with effect from 1st July 2022).
5. Section 194S - Deduction of tax from the payment of consideration on transfer of Virtual Digital Asset(crypto currency) (Inserted by Finance Act, 2022 with effect from 1st July 2022).

Conclusion:

Fiscal policy is an economic tool that is implemented by the government to ensure stability in an economy and Taxation is one of the main pillars of any Fiscal policy. The possibility of default in payment of taxes becomes more rampant which leads to a loss of revenue for the government.

So, to combat these problems and make every taxpayer who is capable of bearing the tax burden is ensured to pay taxes in the year in which he earns income by these mechanisms of TDS, TCS & Advance Tax provisions. Also, through TDS provisions tracking of transactions becomes easier to government so that the frauds in financial transactions can be reduced to a larger extent.

TDS provisions have been in existence for decades and typically apply on service or absolute income transactions. The Government's intent behind these provisions is to ensure that the tax is withheld right at the source from where the income is generated. The Finance Bill, 2022 (in the process of enactment) has introduced new TDS provisions wherein purchase of goods transactions shall now be subjected to TDS with effect from 1 July 2022. There appears to be a shift in the Government's intent from withholding tax to increasing the focus on collection of transaction level data to support the Government's agenda of widening and deepening the tax net and ensuring greater transparency.

A stack of books is visible in the background, including titles like 'THINK & GROW RICH' by Napoleon Hill, 'THE SECRET' by Rhonda Byrne, and 'The Power of Joy' by Dr. Josephine. In the foreground, a notebook with a grid pattern has the handwritten quote 'The World belongs to those who read' by Rick Holland. A purple pen and a yellow highlighter are also present.

Help Yourself

Food for Thought

Tuesdays with Morrie

- by Mitch Albom

Disclaimer: This article does not endorse any book and is not sponsored by any author or publication. Content shared here is for knowledge and learning purposes only.

I chose to write about this lovely memoir- 'Tuesdays with Morrie' for this month's article. If you're reading this column regularly, you would be surprised at this deviation in the genre of books discussed here. But by the end of this article, I hope you'll know why I picked this up.

If you are here for the first time, this column is to impart bite sized knowledge from self-help books, biographies, autobiographies and other related genres, relevant specifically to corporate professionals and aspiring professionals. Not every learning that a book enshrines can be fit in here, so writing a summary or a book review is not the aim of this column. The intent is to give you a touch of acquaintance to a new book, in every issue of this e-magazine, hoping that it will make you want to grab it and read for yourself.

As professionals and aspirants, we are focused on our professional goals and sometimes we may prioritize our family life, our me-time may have taken a back seat. If you ever felt that way, pick up and read this book which is just about two hundred pages.

Instead of choosing between personal or professional categories to categorize this book, I'd like to simply call it 'human.' This book may not be directly helpful in your professional life but I believe it may definitely have some very good impact on your professional life too, in the long run.

This book is definitely relevant to those just starting off their career. As a 90's born person, I have seen the stark difference between people just a few years older to me and those just a few years younger, in terms of their philosophy and perspective of life. Technology, social media and the like are definitely big players in this.

In other words, I feel people older to me are more social and are a part of at least a few social groups while those younger to me are "social" only on social media and I find them often talking about living alone, having only a few friends and they hate being social in real life. There definitely are exceptions to this but what I opine is not strange to you. It's not about imposing such an opinion on the younger generation but at large, this is the observation.

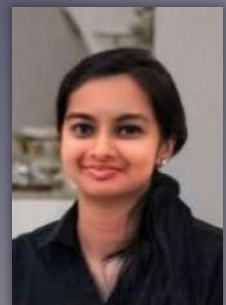
One of the many takeaways in this book is about being a giver to the community we come from or live in because 'giving is living.' This book talks to the unspoiled part of us, makes us want to be kind to the people around us and ultimately give back to society.

This book is based on a true story- of the author and his professor. I love to call this book a warm hug. It's incredible to learn how the professor is a giver even on his deathbed, in his last days and his student, the author, learns life's greatest lessons from him which has been beautifully written in this memoir.

You will find this story very relatable if you have ever lost touch with a friend, teacher or a mentor unintentionally and you think it is too late to catch up. There are many more essential realisations waiting to be yours in this book. Listen to it in the words of the young man and his beloved professor. Dive into this book and help yourself with food for thought.

Columnist:

Aparna U
Executive Student
Email ID: aparnakumar14@gmail.com





REGULATIONS

Regulatory Updates

Companies Act, 2013

Updates on Notifications

MCA has amended Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016, which shall be known as Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2022.

In the Principal Rule, after sub-rule (3) of rule 4, the following sub-rule shall be inserted:

“(4) (a) Where the Registrar, on examining the application made in Form STK-2, finds that it is necessary to call for further information or finds such application or any document annexed therewith is defective or incomplete in any respect, he shall inform to the applicant to remove the defects and re-submit the complete Form within fifteen days from the date of such information, failing which the Registrar shall treat the Form as invalid in the electronic record, and shall inform the applicant, accordingly.

(b) After the re-submission of the Form or document, if the Registrar finds that the Form or document is defective or incomplete in any respect, he shall give further time of fifteen days to remove such defects or complete the Form, failing which the Registrar shall treat the Form as invalid in the electronic record and shall inform the applicant, accordingly.

(c) Any re-submission of the application in Form STK-2 made prior to the commencement of the Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2022 shall not be counted for the purposes of reckoning the maximum number of re-submissions of such Form.”.

Further, new forms STK-1, STK-5 and STK-5A has been introduced.

G.S.R 436(E)

MCA has amended Companies (Appointment and Qualification of Directors) Rules, 2014, which shall be known as Companies (Appointment and Qualification of Directors) Second Amendment, Rules, 2022.

In the Principal Rule, after sub-rule (4) of rule 6, the following sub-rule shall be inserted:

“(5) Any individual whose name has been removed from the databank under sub-rule (4), may apply for restoration of his name on payment of fees of one thousand rupees and the institute shall allow such restoration subject to the following conditions, namely:

(i) his name shall be shown in a separate restored category for a period of one year from the date of restoration within which, he shall be required to pass the online proficiency self-assessment test and thereafter his name shall be included in the databank, only, if he passes the said online proficiency self-assessment test and, in such case, the fees paid by him at the time of initial registration shall continue to be valid for the period for which the same was initially paid; and

(ii) in case he fails to pass the online proficiency self-assessment test within one year from the date of restoration, his name shall be removed from the data bank and he shall be required to apply afresh under sub-rule (1) for inclusion of his name in the databank.”.

G.S.R 439(E)

MCA has amended National Financial Reporting Authority Rules, 2018, which shall be known as National Financial Reporting Authority Amendment Rules, 2022.

The following shall substitute the Rule 13 of the Principal Rules:

“13. Punishment in case of non-compliance:

Whoever contravenes any of the provisions of these rules, shall be punishable with fine not exceeding five thousand rupees, and where the contravention is a continuing one, with a further fine not exceeding five hundred rupees for every day after the first during which the contravention continues.”.

G.S.R 456(E)

SEBI Act, 1992

Updates on Circulars

Nomination for Mutual Fund Unit Holders

SEBI has decided the following with respect to Nomination in case of eligible Mutual Fund Unit Holders

Investors subscribing to mutual fund units on or after August 1, 2022, shall have the choice of:

- a. Providing nomination in the format specified in fourth schedule of SEBI (Mutual Funds) Regulations, 1996 (or)
- b. Opting out of nomination through a signed Declaration form as provided in Annexure - A of the circular.

Asset Management Companies shall provide an option to the unit holder(s) to submit either the nomination form or the declaration form for opting out of nomination in physical or online as per the choice of the unit holder(s).

All the AMCs are advised to set deadline as March 31, 2023 for nomination / opting out of nomination for all the existing individual unit holder(s) holding mutual fund units either solely or jointly.

SEBI/HO/IMD/IMD-II DOF3/P/CIR/2022/82

Adjustment in Derivative contracts for dividend announcements

Further to previous circulars and based on the various representations received:

Based on the recommendations of SMAC, it has been decided that the adjustment in derivative contracts shall be carried out in cases where dividends declared are at or above 2% of the market value of underlying stock.

The provisions of this circular shall come into effect from June 29, 2022.

SEBI circulars dated June 21, 2001, December 18, 2002 and July 05, 2018 shall, accordingly, be modified to the above extent. All other provisions of the said SEBI circulars shall continue to remain applicable.

SEBI/HO/MRD2/MRD2_DCAP/P/CIR/2022/90

Investor Grievance Redressal Mechanism and Amendment to SEBI Circular no. SEBI/HO/DMS/CIR/P /2017/15 dated February 23, 2017

Online Web Based Complaints Redressal System:

SEBI has implemented an online platform (SCORES) designed to help investors to lodge their complaints, pertaining to securities market, against listed companies and SEBI registered intermediaries.

In Continuation of the above discussed initiative, to enable investors to lodge and follow up their complaints and track the status of redressal of such complaints from anywhere, all Recognized Stock Exchanges including Commodity Derivatives Exchanges / Depositories are advised to design and implement an online web-based complaints redressal system of their own.

The system is intended to expedite redressal / disposal of investors' complaints as it would also obviate the need for physical movement of complaints. Further, the possibility of loss, damage or misdirection of the physical complaints would be avoided. It would also facilitate easy retrieval and tracking of complaints at any time.

SEBI/HO/MRD1/ICC1/CIR/P/2022/94

Compiled by:

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Professional Student
Email ID: mathruka30@gmail.com



Science Stalk

A robot which got the citizen ship...!

Hi everyone, Hope everyone is safe and sound.

Whether Admit it or not we all got amazed by robots in movies and we desired to have one. A machine which is capable of independent thought and action, capable of feeling human-like emotions.



Well scientists have created a similar robot, which can think on its own, which can understand and recognise the facial expressions of humans, which can understand the jokes, Idioms, contexts and many more, which can show the emotions like humans as well. Through “Frubber”, a patented material which is a nano-tech skin that mimics real human musculature and skin, which allows Sophia to stimulate human like facial features and expressions, making this robot to look like more of a human than a machine.

This robot is named as “Sophia”. Sophia was created by Hanson Robotics, A Hong Kong based humanoid robotics company, which officially introduced Sophia to the world on 14th February 2016. Sophia robot have undergone many updates from then on, and many more to come.

This robot can speak 9 Indian regional languages, 38 foreign Languages, apart from this, Sophia is also capable of Imitating human gestures.

Sophia uses Speech recognition technology which is from Alphabet Inc. which is the parent company of Google. Sophia is programmed to get better over a period of time. The more it transacts with humans, the better it gets at it.

Sophia’s skills are constrained by humans, due to ethical and social regulations. Due to these uniqueness this Robot got the Citizenship of Saudi Arabia in the year 2017. Sophia is the 1st robot to get the citizenship just like any other human beings.

Now the concern may arise , are we near to the apocalypse due to this advancement in the field of AI..?

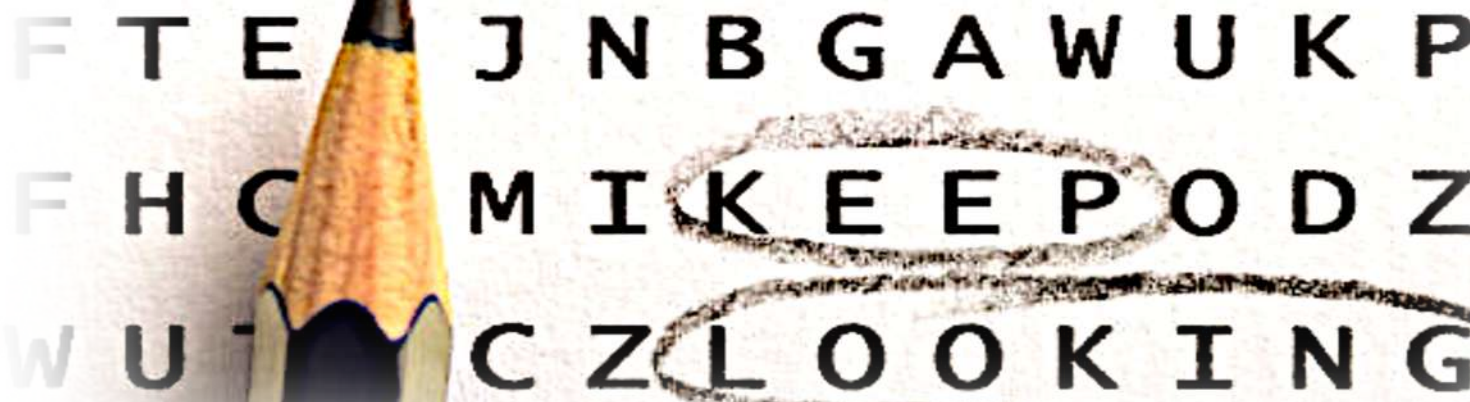
Author:

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Executive Student

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Word Search

Based on Companies Act, 2013

I	N	M	C	F	G	D	F	Y	U	I	O	M	K	N	Q
N	N	P	O	I	U	T	Y	S	R	E	Q	E	O	B	N
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E	R	A	N	B	H	U	I	F	G	U	P	P	O	I	O
Y	L	E	R	T	Y	U	Q	V	G	Y	T	A	P	O	J
U	N	W	E	T	I	V	X	B	N	D	F	G	N	P	E
I	K	M	U	D	F	I	F	T	E	E	N	S	D	Y	C
C	O	N	T	R	I	B	U	T	O	R	Y	B	R	Q	T

Questions

Based on Companies Act, 2013

S.NO	WORD SEARCH CLUES
1	Person liable to contribute towards the assets of the Company in the event of its being wound up (12).
2	Instrument of a company evidencing a debt, whether constituting a charge on the assets of the company or not (9).
3	Company Secretary is one of the _____ personnel of the Company (3,10)
4	Every person holding shares of the company and whose name is entered as a beneficial owner in the records of a depository (6).
5	Number of members required to be personally present at the AGM, to constitute a quorum, if the total number of members as on the date of meeting is more than one thousand and up to five thousand (7).
6	Under the CSR Rules, a multi-year project undertaken by a Company in fulfilment of its CSR Obligation having timelines not exceeding three years, excluding the FY in which it commenced. (7,7).
7	For removal of Auditor, before the expiry of his term, company shall hold a general meeting within ____ days of receipt of Central Government approval for passing a special resolution (5).
8	A company which has not been carrying on any business or operation, or has not made any significant accounting transaction during the last two financial years, or has not filed financial statements and annual returns during the last two financial years (8,7).
9	With respect to the private placement rules, in case of offer of any securities to _____, it shall be sufficient if company passes a previous special resolution only in a year, for all the allotments to such buyers during the year (4).
10	_____ refers to a process of settling disputes by independent and impartial third party who assists the parties to reach a common outcome (9).

Note : Figures in the bracket indicate number of alphabets in the answer word

Answer in Page 36

Prepared by:

CS Hema Gaitonde
Practising Company Secretary
Email Id: hemagaitonde.cs@gmail.com



As a part of Student Month Celebrations - July 2022, ICSI Mysuru Chapter organized Blood donation camp in association with Lions Blood Centre Jeevadhara on 14th July, 2022. Around 15 Students and Members of Mysuru Chapter participated in the Camp & donated the blood. CS Harsha A., Chairperson & CS Phani Datta D N, Vice Chairman also participated in the camp & motivated the students. 15 units of blood has been donated in the camp.



WORD SEARCH

(Based on Environment Protection and Law)

CS Hema Gaitonde, PCS Mumbai
 Email ID: hemagaitonde.cs@gmail.com

⁸ I	N	M	C	F	G	D	F	Y	U	I	O	M	³ K	N	Q
N	N	P	O	I	U	T	Y	⁷ S	R	E	Q	E	O	B	N
K	L	A	Z	X	V	B	I	M	I	U	Y	I	M	H	⁶ O
² D	J	T	C	Q	W	X	H	T	R	M	T	Z	N	J	N
E	K	Y	Z	T	T	K	J	E	A	A	B	⁴ M	B	K	G
B	Y	M	A	Y	I	P	G	N	I	D	S	E	V	S	O
E	T	N	S	M	O	V	A	D	O	F	R	M	C	E	I
N	U	K	Q	N	I	G	E	Y	U	I	P	B	G	R	N
T	I	L	W	B	E	⁰ M	Q	C	T	Y	P	E	H	T	G
U	P	F	E	R	D	S	W	H	O	I	O	R	J	Y	P
R	E	R	I	X	⁹ Q	I	B	S	U	M	G	K	L	U	R
E	R	A	N	B	H	U	I	F	G	U	P	P	O	I	O
Y	L	E	R	T	Y	U	Q	V	G	Y	T	A	P	O	J
U	N	W	E	T	I	V	X	B	N	D	F	G	N	P	E
I	K	M	U	D	⁵ F	I	F	T	E	E	N	S	D	Y	C
¹ C	O	N	T	R	I	B	U	T	O	R	Y	B	R	Q	T

Vision
"To be a global leader in
promoting good
corporate governance"

सत्यं वर। धर्मं चर।

Motto
इच्छते तेन त्वातेः श्रेयते इयं तेन त्वा

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50th
National Convention
of Company Secretaries

Avail
Super Early
Bird Offer till
9th August, 2022

SEPTEMBER 1-3, 2022 KOLKATA

Dear Professional Colleague,

The Institute is organising **50th National Convention of Company Secretaries** to be held during September 1-3, 2022 at Kolkata, West Bengal on the theme **CS: A Vishwaguru in Governance and Sustainability**.

We solicit your support to make this Golden Jubilee National Convention a grand event and request you to register for the same. Your spouse, children and other guests are also welcome to the Convention, sight-seeing, cultural programme and other attractions.

Delegate Registration Fee* (Non-residential)

Delegate Category	Super Early Bird Offer (from 13 th July, 2022 to 9 th August, 2022)	Early Bird Offer (from 10 th August, 2022 to 24 th August, 2022)	Delegate Fee (on or after 25 th August, 2022 including on the spot registration)
Member of ICSI/ICAI/ICMAI	Rs. 7,000	Rs. 8,500	Rs. 9,500
Accompanying Spouse/ Child (5 years and above)/ Sr. Member (60 years and above)	Rs. 6,000	Rs. 7,500	Rs. 8,500
Student of ICSI	Rs. 5,000	Rs. 6,500	Rs. 7,500
Non-Member/Guest	Rs. 7,500	Rs. 9,000	Rs. 10,000
Foreign Delegate	USD 160	USD 210	USD 260

*Exclusive of GST @18% on non-residential basis. GST is not applicable for foreign delegates.

- The above fee includes Lunch (3), Dinner (2), Morning / Evening Tea, Coffee, Conference Kit and Souvenir. The Delegate Fee is payable in advance and is non-refundable.
- Registration for the Convention shall be through Online Mode only. Please note that payments will not be accepted through demand draft, cheque, cash, etc.

Registration Link : <https://tinyurl.com/50NC-ICSI>

CS Devendra V. Deshpande President The ICSI
CS Manish Gupta Vice President The ICSI
CS Sandip Kumar Kejriwal Council Member, The ICSI & Chairman, Convention Organising Sub-Committee
CS Anish Mohan Secretary The ICSI
CS Anil Kumar Dubey Chairman EIRC of ICSI

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भारतीय कम्पनी सचिव संस्थान
IN PURSUIT OF PROFESSIONAL EXCELLENCE
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(under the jurisdiction of Ministry of Corporate Affairs)

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REGIONAL
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"To be a global leader in promoting
good corporate governance"

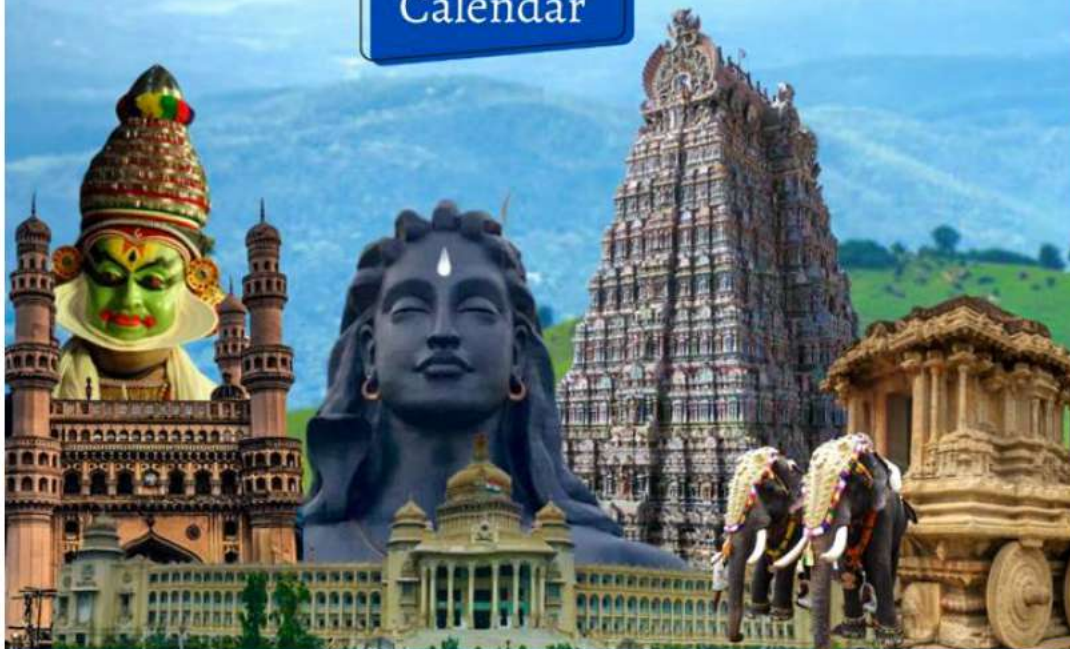
Motto
सत्यं वद। धर्मं चर। *Speak the truth; abide by the law.*

Mission
"To develop high calibre professionals
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**SOUTHERN INDIA REGIONAL CONFERENCE OF
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on 30th & 31st July, 2022
at Bengaluru

Hosted by
ICSI - Bengaluru Chapter

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Calendar



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Chairman
ICSI - SIRC

CS RAJAVOLU VENKATA RAMANA
Secretary
ICSI - SIRC

CS NAMAN.G. JOSHI
Chairman
ICSI - Bengaluru Chapter

CS PAVAN KUMAR G
Secretary
ICSI - Bengaluru Chapter



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corporate governance"

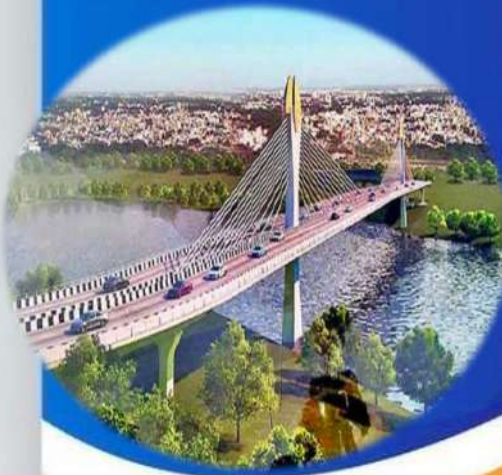
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ICSI Motto

Speak the truth; abide by the law

MISSION

"To develop high calibre
professionals facilitating
good corporate governance"



46th
**Southern India Regional
Conference of Company
Secretaries**
13th & 14th August 2022
HYDERABAD

Welcome to Pearl City of India



Hosted by Hyderabad Chapter

Block Your Dates

Team - SIRC

For details Contact : ICSI SIRO, Chennai; Ph.044 28268685 / 2828222212 email : siro@icsi.edu

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CSBF

**COMPANY SECRETARIES
BENEVOLENT FUND**



Safeguarding and
caring for your well being

COMPANY SECRETARIES BENEVOLENT FUND

Saathi Haath Badhana
साथी हाथ बढ़ाना

What exactly is CSBF?

The Company Secretaries Benevolent Fund (CSBF) is a Society registered under the Societies Registration Act, 1860 and is recognized under Section 12A of the Income Tax Act, 1961.

The CSBF was established in the year 1976 by the ICSI, for creating a security umbrella for the Company Secretaries and/or their dependent family members in distress.

The amount of ₹ 7,50,000 (in the case of death of a member under the age of 60 years) has been increased to ₹ 10,00,000

The subscription amount is being increased from ₹ 10,000 to ₹ 12,500 soon

Is it the right time to enrol in CSBF?

CSBF is the protection you and your family need to survive the many ups and downs in life, be it a serious illness or a road accident which derails your plans for the future.

Is it a requirement?

Yes, as your dependents need the protection. Your dependents be it your parents, your spouse, or your children will have to bear the brunt of paying off your home/education personal loans and even for managing day-to-day expenses without your contribution.

If you do not want to leave behind such a situation in your absence, enrol in CSBF today.

Advantages of enrolling into CSBF

1

To ensure that your immediate family has some financial support in the event of your unfortunate demise

2

To finance your children's education and other needs

3

To ensure that you have extra resource during serious illness or accident

4

Subscription/Contribution to CSBF qualifies for deduction under Section 80G of the Income Tax Act, 1961

Become a proud Member of CSBF by making a one-time online subscription of ₹ 10,000/- (to be changed soon) through Institute's web portal (www.icsi.edu) along with Form 'A' available at link <https://www.icsi.edu/csbf/home> duly filled and signed.

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