

# KSCAA

Karnataka State Chartered Accountants Association ®

## NEWS BULLETIN

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Chartered Accountants Association



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## New Registration Regime for Charitable Organisations



■ Cost Optimization in GST

■ RERA

■ IPR in India

■ SMP and Technologies

■ Yoga and Sleep

■ Financial Reporting &  
Assurance



Dear Professional Friends,

**C** OVID Wave 2.0!! In this era of technology, we have seen mobile phones, software, etc upgrade to a newer version. Little did we anticipate this virus will follow the trend. Even before we could assess the extent of the damage caused due to the onslaught of an invisible, unknown and brutal virus, news reports now emerge that we should be gear up for Wave 3.0, 4.0. Helpless health infrastructure had added fuel to fire. Access to extremely basic human needs has become a challenge; no beds, no oxygen, no mobility.

Dear readers, given that Wave 2 is at our doorstep, life has once again forced us to reinvent for those who have not learned from Wave 1. New ways of operation are the new normal. Conventional companies/industries that didn't prepare for the digital world have collapsed like a deck of cards. A common factor in undertakings that have not only managed to survive, but to flourish during the pandemic, is the fact that they embraced technology, like nobody else. In these tough times, the name of the game is technology.

### Updates

#### News Roundup

#### Direct Tax

The second wave of pandemic has unleashed its fury across the country causing unprecedented damage to the health infrastructure and bringing the economic activity to a standstill in states wherein lockdown is imposed. As a response, the immediate need of the hour was for the CBDT to take immediate action to protect the interest of the taxpayers/revenue. An overview of the developments;

- The CBDT vide Notification dated 27 April extended the due dates for passing of assessment order u/s.153 or 153B, orders consequent to DRP directions, notices u/s.148, intimations u/s.168 of Finance Act 2016 and payment of taxes under VsV scheme, from 30 April to 30 June 2021; The SC also extended the period of limitation for filing appeals before courts or tribunals by litigants until further orders.
- Extension of timelines for filing of appeal/ objections before CIT(A)/DRP, ITR in response to notice under S. 148, filing of belated and revised tax return for AY 2020-21, TDS u/s 194IA, IB and 194M and filing of Form 61 to 31 May 2021;
- Notifying Rule 44DA and Form 34BB for withdrawal applications for pending cases before the Settlement Commission and the format, procedure and guidelines for submission of SFT for depository and mutual fund transactions by Registrar and Share Transfer Agent;
- Relaxation of threshold and filing requirement with respect to Master File and Country by Country Report;
- Constitution of approving panel and secretariat for GAAR references u/s 144BA;
- Clarification by the CBDT to the effect that the faceless appeal scheme shall apply only for the Income Tax Act and not any other laws.
- Notification of threshold under computing Significant Economic Presence.

#### Indirect Tax

GST is breaking its own records Month on Month; April recorded the highest ever GST Collections of 1.4 lakh crores. This was possible only because of better compliances and who better to help assessee with this than our own CA Brethren, let us follow the same and ensure that all our clients are tax compliant much before the due dates arrive, ensure their yearly Professional taxes are paid before 30th May, GST Compliance due dates have been

extended for the months of March and April but let us ensure that wherever possible the same are completed much before the due dates. It is mandatory to update HSN Summary in the GST Returns from this month onwards, kindly educate the clients for the same. GST Assessments may also commence soon and ensure all your clients are well prepared to handle the notices. Let's ensure this pandemic does not derail our compliance calendars and appropriate measures for the same are taken.

#### Corporate Law

In view of the difficulties arising due to resurgence of COVID-19 pandemic, The Ministry of Corporate Affairs (MCA) vide its circular dated 03rd May 2021 has provided additional time up to 31st July 2021 for Companies/LLPs to file such forms (other than CHG-1, CHG-4 and CHG-9) which were/ would be due for filing from 01st April 2021 to 31st May 2021, without payment of any additional fees.

Further the MCA has also relaxed the requirement of Section 173(1) of the Companies Act, 2013. The requirement of holding Board Meetings of the companies within the interval of 120 days as provided in section 173(1) of the Act shall stand extended by 60 days for first two quarters of the Financial Year 2021-22. Accordingly, the gap between two consecutive meetings of the Board may extend to 180 days during the quarter-April to June 2021 and quarter July to September 2021, instead of 120 days as required in the Companies Act, 2013.

In continuation of MCA circular dated March 23, 2020 wherein it was clarified that spending of CSR funds for COVID-19 is an eligible CSR activity, MCA vide its circulars dated April 22, 2021 and May 05, 2021 further clarified that spending funds for 'setting up makeshift hospitals and temporary COVID Care facilities', 'creating health infrastructure for COVID care', 'establishment of medical oxygen generation and storage plants', 'manufacturing and supply of Oxygen concentrators, ventilators, cylinders and other medical equipment for countering COVID-19' or such similar activities are eligible CSR activities.

#### A Humble Appeal

You all know that we are struggling and sailing through some of the bad times known to human history. With a severe shortage of medical and other items, it has been an agonising experience.

KSCAA and Bangalore branch of SIRC of ICAI has jointly decided to help by donating oxygen concentrators to those in distress.

Together we can make difference - Let's join hands, by making a generous contribution in fighting this pandemic.

To contribute, visit- <https://wp.me/pazEKQ-3oM>

#### Concluding Remarks

When the only thing that is constant is change, why hold on a 60-year-old law, a law that is riddled with constant changes and uncertainty, a practice that adds no value to the business community. Lockdown has presented us with one more opportunity to listen carefully, take a pause, think thoroughly, interpret the developments happening around and proceed in the new/right direction. So to conclude, I rest my case on Jimmy Dean' quote *'I can't change the direction of the wind, but I can adjust my sails to always reach my destination.'*

I would like to wish you all a Happy lockdown. I know many of you would be shocked, but life is full of challenges and it all depends on how we react. If we can control something, why worry? If we cannot control something, why worry!!!!

#### Happy Introspecting and Reading!

Yours' faithfully,

**CA. Kumar S Jigajinni**

President

# KSCAA

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## KARNATAKA STATE CHARTERED ACCOUNTANTS ASSOCIATION®

### VISION

- KSCAA shall be the trusted and value based knowledge organisation providing leadership and timely influence to support the functional breadth and technical depth of every member of CA profession;
- KSCAA shall be the nucleus of activity, amity and unity among members aimed at enhancing the CA profession's social relevance, attractiveness and pre-eminence;
- KSCAA shall in the public interest, be a proactive catalyst, offering a reliable and respected source of public statement and comments to induce effective laws and good governance;
- KSCAA shall be the source of empowerment for leadership and excellence; disseminating knowledge to members, public and students; building a framework for new opportunities and partnerships that enhance life in the community and beyond; encouraging highest ethical standards and professional integrity, in realization of India global leadership vision.

### MISSION

- The KSCAA serves the interests of the members of CA profession by providing new generation skills, amity, unity, networking and leadership to strengthen the professional capabilities, integrity, objectivity, social relevance, standards and pre-eminence of India's Chartered Accountants nationally and internationally through; becoming gateway of knowledge for Chartered Accountants, students and public; helping members add value to their customers/employers by enhancing their professional excellence and services; offering a reliable and respected source of public policy advice and comments to bring about more effective laws and policies and transparent administration and governance.

### MOTTO: KNOWLEDGE IS STRENGTH

KSCAA welcomes articles & views from members for publication in the news bulletin / website.

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# COST OPTIMIZATION IN GST & UPDATES



■ CA. Madhukar N Hiregange & CA. Akshay M Hiregange

*Volatile markets, frequent government, self-imposed lockdowns, trade restrictions, and fluctuating needs / demands of the consumer have wreaked havoc on the Indian businessmen. In this article from the view point of GST we have tried to throw light on cost optimisation and also provided some pertinent GST updates.*

## Relevant Indirect Tax updates – April 2021:

1. Finance Bill receives President's assent in March 2021, although notifications under GST remain pending.
2. Mandatory HSN codes - 4 digits for < Rs. 5 crore turnover; 6 digits > Rs. 5 crore turnover from 1<sup>st</sup> April onwards
3. E-invoicing now applicable for entities with turnover more than Rs. 50 crore on B2B & Export invoices from 1<sup>st</sup> April onwards. HSN details available in e-invoice Government portal under master codes.
4. QRMP scheme for < Rs. 5 crore turnover in effect. New Invoice Furnishing Facility (IFF) resolves the issue of quarterly return filers, where B2B invoices can be uploaded on a monthly basis.
5. IEC holders to update their details electronically every year between the April-June period. If not done so, IEC would be deactivated.
6. Filing of LUT for FY 2021-22 for zero-rated supplies without payment of integrated tax if not done, suggested to do so.
7. Dynamic QR code for B2C transactions (500 Cr+) deferred from 1st April 2021 to 1st July 2021.
8. Companies using software for books of accounts – to have edit log of every transaction and change without option to disable audit trail. Deferred from 1<sup>st</sup> April 2021 to 1<sup>st</sup> April 2022. (MCA). This impacts Indirect Taxes indirectly!

## Relevant legal decision:

2021-TIOL-1025- Madras High Court – Service Tax - TV Sundram Iyengar And Sons Pvt Ltd Vs CCGST & CE

Trade discounts received by dealerships from OEMs (Original Equipment Manufacturers), by way of credit note, was considered by the ST department as liable under service tax. It was held that:

- Relationship is on a principal to principal basis.
- Dealership agreement to be read as a whole and individual clauses must not be read separately.
- Various Tribunal Decisions in the favour of the assessee were disregarded.
- Although Revenue has appealed in the Hon'ble Supreme Court on some of the decisions, as no order granted, Tribunal decisions would be binding on adjudicating authority.
- Order for tax, interest and penalty stands invalid

Take away for Trade Industry and professionals:

1. Ambiguity on service tax on trade discounts received in the name of incentive, commissions, etc. can be explored now. Proper nomenclature would avoid disputes.
2. Legally accounting of such discounts as reduction from expenses or as income would hold little water in the proceedings.
3. Adverse / divergent Advance Rulings under GST on discounts / incentives / commissions maybe appealed against.

4. Similar issues under GST could be covered as essence of the levy and transactions remain the same.

M/S Deepak Print Vs Union of India 2021 (3) TMI 494 – Gujarat High Court

Petition allowed for rectification of Form GSTR-3B for May 2019 where incorrect values were offset and submitted but not filed. As values were high, adjustment based on Circular 26/2017-GST did not seem practical. Late fees for delay in filing GST return till date also stand waived for the assessee.

This latest addition of the judgement in allowing manual filing of revised GST return will help assesses facing the dark side of litigation and the ability to dispute returns correction after the September month time limit.

Government of Kerala v. Mother Superior Adoration Convent – Supreme Court Civil Appeal No. 202 OF 2012 (March 2021)

The Supreme Court on Monday held that residential accommodation for nuns and students' hostels attached to educational institutions are eligible for exemption from building tax under Section 3(1)(b) of Kerala Building Tax Act, 1975. This landmark decision enlightens us of the following:

- **Exemptions need not be read strictly** – The purpose and essence of what the Government is exempting must be upheld, and a narrow and strict interpretation of exemptions need not be taken contrary to long standing landmark decision *Dilip Kumar*.
- **Burden of proof** – Although, it is the assesses burden to prove applicability of exemption, when there are two views, the view favourable to the taxpayer must be taken.
- **Way forward** – Where exemptions have not been claimed on grounds of ambiguity, non-applicability, taxpayer could verify whether intention of the exemption is being upheld and claim the same with prior intimation to their jurisdictional GST officers.

**Cost Optimization for Clients:**

An entity going through this pandemic, would more

often that do not face cashflow issues. Where there is ambiguity on sales/outward supply, the businessmen may need to introspect and identify means of cost control/cost reduction.

► **Cost Control-**

- Monitor & evaluate need for the expense
- Trim expenditure [ex: capital goods]
- Optimise ITC claim. Identify percentage of ITC to sales

► **Cost Reduction-**

- Reduce cost of product through Production, Logistics, Marketing, Tax rate] – this would require continuous effort
- Efficiency of process – identify bottlenecks increasing costs
- Fixed costs such as rent, admin expenses – reduces during pandemic period

Now that we have identified the requirements, some methods to successfully reduce costs / implement cost controls have been listed below:

- Avoiding common errors – correct early
- Putting detective, preventive, corrective controls – System Study, create & implement Standard Operating Procedures (SOP) - Review by professionals
- Cost benefit analysis on In-house Vs Outsourcing tax compliance. Ensure choice of consultant, enforce accountability.
- Adopt Information Technology for all routine actions. Reduce dependency on human intervention and avoid human errors.
- Upfront discount, cash discounts to realise debtors faster
- Debit note to customers as agreed at later point in time
- Sale on approval basis - deferring supply and thereby deferring tax payable
- Study impact and applicability of Composite supply Vs Mixed supply Vs Non composite

- ▶ Quick availment & Full ITC – No break in chain
- ▶ Revision of payment terms to vendors – tax portion maybe held back until GSTR 1 upload.
- ▶ Claiming of ambiguous credits-
  - ▶ Gifts/samples – business promotion?
  - ▶ DDP Imports received on FOC basis
  - ▶ TR-6 Challan credits
- ▶ Re-credit at earliest point on ITC reversals as per Rule 42.
- ▶ Quicker Refunds – responses to deficiency memos, contact Commissioner in case of harassment
- ▶ FTP benefits – MEIS, SEIS, RoDTEP. (ICEGATE ledger creation, declaration in shipping bill important)
- ▶ Examination of MOOWR scheme for delay in payment of Customs
- ▶ Claim of Interest on delayed refunds (generally missed out)
- ▶ Payment under protest – doubtful levy of GST/ ineligible ITC
- ▶ Interest payment delay – Once tax element is paid, interest applicable freezes.
- ▶ A special management consultancy assignment to identify areas of cost optimisation/ tax planning – based on success-based fee. (Ex: If benefit earned in 1 crore + – fee is 10 lakh, if benefit earned is < 1 crore – fee is 3 lakh)
- ▶ Expert GST Review for early correction + benefits
- ▶ Suggest initial disclosure letter (similar to excise) – reduces implication u/s 74 of longer period for SCN and higher penalty.
- ▶ Job work – high value consumables purchased by job worker, can be purchased by principal directly and shipped to job worker for easier cash flow and quicker ITC.
- ▶ Verify applicability of intermediary service. Place of supply may impact tax incidence.
- ▶ Classification possibilities by structuring
- ▶ Take advantage of Court decisions, for example–

- ▶ Inverted duty structure refund – must include services and not only for goods
- ▶ Interest not payable where balance in ITC ledger is available – refund can be applied for excess payments
- ▶ Credit eligibility on missed out Transitional credits (vested right/accrued right)

## Conclusion

During these tough times, reduction in costs and availing the hidden benefits under GST could prove useful. The GST updates and legal decisions shed light on the ability of the Judiciary to remedy the mischief created by the bureaucracy and poor implementation.

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# 4 YEARS OF RERA – TRANSFORMATION IN REAL ESTATE INDUSTRY



■ **CA. Vinay Thyagaraj**

The Real Estate (Regulation & Development) Act 2016 was enacted fully w.e.f., 1<sup>st</sup> May 2017 and presently it is effective and has been implemented in most of the States and Union Territories.

Jammu & Kashmir is the latest state / UT to notify Rules in August 2020 and announced that it will appoint the RERA Authority for effective implementation of the Act in Jammu & Kashmir.

With the implementation of The Real Estate (Regulation & Development) Act 2016 by the states and setting up of the Adjudication mechanism including the Appellate Tribunals to hear the matters relating to violation of the provisions of the Act by the Promoters and Allottees, has resulted in speedy disposal of the matters thereby resulting in giving relief to both Allottees and Promoters. Approximately, about 75,000 projects have been registered and as many as 70,000 complaints have been disposed by the Real Estate Regulatory Authorities.

On 1<sup>st</sup> May 2021, 4 years completed and stepping into 5<sup>th</sup> year of implementation of the RERA. RERA Authorities have implemented the processes of Registration of the Project, Agent Registration, Extension, modification, Complaint filing, redressal mechanism etc in effective and efficient manner. Various efforts were made by the Authorities to educate various stakeholders in the Industry, their roles and responsibilities in order to achieve the objectives of the Act.

Every stakeholder plays a vital and important role under the Act. Viz., RERA Authorities, Promoters, Landowners, Allottees, Real Estate Agents, Bankers, Financial institutions, vendors, investors, lenders, government agencies, department, professionals like Engineer, Architect and a Chartered Accountant. I presume that each stakeholder understands the importance of RERA and its objective. Efforts were made in complying with the various provisions under the Act, Rules and Regulations.

The Real Estate (Regulation & Development) Act 2016

is a transformation statute for the Real Estate Business. The truest implementation of the statute will bring unbelievable results in the Industry and to the Country.

Over the last 4 years of implementation, RERA Authorities have focused and spent their energy in exercising the regulatory provisions of the Act / Statute. Act has an inbuilt provision wherein the States and RERA Authorities have an obligation to implement the development aspects. These development aspects include strengthening various practices, ease the procedures, recommendations for improvement in policy matters.

During these 4 years, the RERA Authorities have operationalised the website, wherein the promoters have published all the relevant details of the project. In a click of a button, the stakeholders can access to these data and ensure themselves about the correctness of the project and its details.

With the implementation of the website, much more benefits to the buyers of the real estate project. Buyers can verify the details before they take the decision of buying the units in the project.

Over last four years, the Authorities have exercised powers vested under the Act, Rules and levied the penalty on the project for non-compliance of various provisions under the Act.

Even though four years are completed, still long way to go. Few challenges before the RERA Authorities are –

1. Bringing all unregistered projects under its purview
2. Enforcing compliance for the orders passed by the Authority, Adjudicating officer, especially in relation to Allottees complaint and orders thereon
3. Enforcing compliance of all applicable provisions under the Act
4. Continuous monitoring of the progress of development of the project and timely delivery of units to the buyers.



5. Bringing all allied laws in line with RERA Act and Rules
6. Making RERA as the ultimate statute to govern the Real Estate projects
7. Bringing development aspects and implementation of the same, helping industry in Ease of Doing business

Section 32 of the Act gives the power to the Authority to facilitate the growth and promotion of a healthy, transparent, efficient and competitive real estate sector make recommendations to the appropriate Government of the competent authority, as the case may be, on -

- (a) protection of interest of the allottees, promoter and real estate agent
- (b) creation of a single window system for ensuring time bound project approvals and clearances for timely completion of the project
- (c) creation of a transparent and robust grievance redressal mechanism against acts of omission and commission of competent authorities and their officials
- (d) measures to encourage investment in the real estate sector including measures to increase financial assistance to affordable housing segment
- (e) measures to encourage construction of environmentally sustainable and affordable housing, promoting standardization and use of appropriate construction materials, fixtures, fittings and construction techniques
- (f) measures to encourage grading of projects on various parameters of development including grading of promoters
- (g) measures to facilitate amicable conciliation of disputes between the promoters and the allottees through dispute settlement forums set up by the consumer or promoter associations
- (h) measures to facilitate digitization of land records and system towards conclusive property titles with title guarantee
- (i) to render advice to the appropriate Government in matters relating to the development of real estate sector

- (j) any other issue that the Authority may think necessary for the promotion of the real estate sector

Let us understand the changes / transformation in real estate business and practices – Post RERA -

Sl. No.	Post RERA Practices
1.	<b>Prior Registration of Real Estate projects is mandatory</b> – every project required to obtain the registration from RERA Authority before marketing, advertising, collection of advances, inviting people etc
2.	Authority either grants or rejects the application for registration within 30 days – further as per the Act, <b>deemed registration</b> if the Authority fail to issue the registration within 30 days of the application
3.	Details of registration granted by RERA for the project available on RERA portal
4.	Details of the Project including Number/ types of apartments or plots booked, approvals granted, NOC's, the status of the project etc are published by the Authority on RERA Portal
5.	Sanctioned plan, layout plan, stage-wise schedule of completion of the project including the provisions for civic infrastructures like water, sanitation and electricity are available on RERA portal
6.	RERA Registration Number shall be displayed on Project Site
7.	All advertising or marketing collaterals shall carry RERA Registration Number, RERA Website address - Print, hoarding, social media handle, SMS, Television etc
8.	RERA Registration number shall be displayed prominently on advertising or marketing collaterals.
9.	Promoter is responsible for obtaining leasehold certificate, commencement and completion / occupancy certificate / completion certificates for all projects



Sl. No.	Post RERA Practices
10.	Shall provide Estimated Cost of the Project while application for registration. Means the promoters of the project shall prepare the comprehensive plan considering the various aspects / situation / risks in the life cycle of development of project.
11.	Landowner and Developer both are responsible under the Act as Promoter and liable to deliver to the allottees in terms of the agreement entered.
12.	Financial management under the Act is mandatory since inception to completion - collection, deposit and withdrawal of money
13.	70% of the amount realised from the allottees shall be deposited into RERA Designated Project Bank Account
14.	Amount shall be withdrawn based on percentage of completion of development work
15.	Withdrawal of money from RERA Designated Project Bank Account shall be supported by Architect, Engineer and CA certificates certifying the percentage of completion of development work
16.	RERA Annual Audit Due date is 30th Sep of every year (6 months from the end of financial year) – Applicable to all projects since inception to completion.
17.	RERA Audit report shall be uploaded along with quarterly updates (Sep quarter)
18.	Quarterly Updates due date - 15 days from the end of the quarter (K RERA)
19.	Any modification in the sanctioned plan shall require Section 14 Compliance – there cannot be unilateral decision of the promoter. Promoter shall obtain the consent from the allottees for any modification in plan.
20.	Change of promoter / transfer of rights requires Section 15 compliance
21.	2/3 <sup>rd</sup> consent of allottees required for modification of plan or change of promoter

Sl. No.	Post RERA Practices
22.	Extension application for End Date (renewal) for project is mandatory. Means every promoter shall plan and develop the project and deliver with in timelines provided.
23.	File application for extension 3 months before End Date
24.	All Compliances shall be in place (Quarterly updates, Annual Audit etc to seek for extension of end date)
25.	Extension of Registration in accordance with Section 6 of the Act
26.	Revocation of Registration of Project by authority as per Section 7 – Suo moto or based on complaint received
27.	Display of defaulter list on the website of the Authority and inform to all other states about such defaulter
28.	Formation of Allottees Association once major bookings are to be done as per Section 11 – it is mandatory for the promoter to enable the formation of Association of Allottees once major booking in the project is done. Such Association shall be in accordance with the local applicable laws.
29.	Responsible for compensation for loss or damage caused due to incorrect/ false statement made in prospectus or notice of advertisement or in relation to the model apartment, plot or building – Section 12
30.	Communication to Allottees from time to time about progress of development works in the project through any medium
31.	Mentioning the schedule of development of the projects part of Agreement for Sale
32.	Mention the Carpet Area in all documents (marketing, offer documents, agreement, sale deed etc) – Carpet Area is the unit of measurement under RERA.

Sl. No.	Post RERA Practices
33.	Car Park allotment only for exclusive use of private residence of the project. Such car parks shall be allotted in terms of sanctioned plan
34.	No escalation in price once the agreement is entered with the allottees except in case of increase in statutory levies. Means promoter shall consider all possible escalation cost during the tenure of development of the project as part of estimate cost of the project.
35.	Defect Liability is for 5 years - consider the cost of attending / rectifying such defects as part of the cost of the project. Such defects shall be attended within 30 days of notice by the allottees in the project.
36.	Title Defect - Lifetime warranty
37.	Appointment of RERA Registered Agent only to promote / market the RERA Registered project
38.	Periodical training of Agents / Channel partners and train them on importance of communication with customers
39.	Filing of completion application on receipt of Completion certificate and completion of developments works and all obligations as per Agreement for sale
40.	Change of RERA Project designated Bank Account with prior approval of the Authority.
41.	Promoter Shall not collect more than 10 % of cost of the unit without entering into Agreement of Sale with the allottees
42.	Agreement for Sale shall be registered
43.	Follow Agreement of Sale (mandatory) format as notified by RERA – Rule 8A
44.	Cash collection is not permitted as per Agreement for Sale
45.	After executing an agreement for sale, not to mortgage or create a charge on the apartment, plot or building

Sl. No.	Post RERA Practices
46.	Cancellation of allotment only in terms of the agreement for sale
47.	Execute a registered conveyance deed of the apartment, plot or building within 3 months from the date of issue of Occupancy Certificate
48.	Providing and maintaining essential services until handover the maintenance to the Association of allottees
49.	Handing over the common areas, project land to the Association of Allottees as per Section 17 of the Act
50.	Penalties for non-compliance are based on percentage of Estimated Cost of the project Section 59 to Section 68 of the Act
51.	Proper clauses in Joint Development Agreement in relation to roles, responsibilities, mandatory deposit of landowner share of realization of money from the allottees into the project designated bank account, restrictions on withdrawal and utilisation for the development of project and all other compliances under RERA shall be deliberated and mentioned.
52.	Construction Insurance and Title Insurance is mandatory for the Project
53.	Same rate of interest as compensation (maximum of SBI MCLR + 2%) in case of delay by promoter for completion or delay of payment of instalment by allottees.
54.	Speedy dispute redressal mechanism and timely disposal of complaints under the Act.
55.	Promoter can forfeit only booking amount in case of cancellation by the Allottee.

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# SMALL AND MEDIUM PRACTITIONER : LEVERAGE TECHNOLOGY



■ **CA. Anand Jangid**

## **I**ntroduction:

Technology delivers best results when backed with robust processes and systems. Small and Medium Practitioners (SMP) Firms could be of various sizes and the value and volume of services they provide could vary. Whatever be the stage of technology deployment in your firm, primary or advanced, this article can be used as useful reference guide to relook at how firms are using technology and then take it to level where you can operate the firm as a virtual office.

IT has become all pervasive and is a key enabler in enterprises of all sizes and this is so even in enterprises providing services. SMPs Firms are impacted by IT in multiple ways:

1. By automation of client's operations resulting in most of the client's data turning digital.
2. Automated regulatory compliances can be performed digitally. Most of the compliances can be performed only by using automation.
3. SMPs Firms are compelled to use IT in their own offices as relevant to provide services of assurance, compliance, or consulting.
4. Exchange of communication and Information has become extensively digital and paperless requiring technology by most of the employees in a SMPs Firms.

Thus, IT by default rather than by design has become critically relevant for SMPs Firms. Technology deployment by design from a strategic perspective by SMPs Firms could act as catalyst of growth and key differentiator to not only provide current service offerings to existing clients but also develop innovative delivery capabilities for new service offerings to existing / new clients. This can empower SMPs Firms to stay ahead of the curve by enhancing capabilities and transform the way services are provided.

## **Developing the Tech Infra:**

In planning for transition towards future, IT has to be

used as a key enabler and it is critical to consider the following key factors:

### **(1) IT Skills and Competencies:**

An analysis should be made of the current level of IT Skills at both the management and staff level. An inventory of current IT resources of the firm and IT environment of all the major clients has to be made to arrive at the typical IT infrastructure and required skill sets. The policies, procedures, and practices of the firm in various areas of operation need to be evaluated against requirements of client and future direction of the firm's services. The challenge will be to identify the required IT Resources and relevant competencies. The skills needed for the future development of the practice of the firm using IT. IT strategic planning has to be in line with the firm's long-term goals and the future strategic requirements. Critical decisions have to be taken on staffing levels, responsibilities and skill requirements.

### **(2) Applications and Data:**

The existing mechanism of delivering services and related procedures need to be evaluated from the perspective of automation. The types of software applications used and processes in the firm have to be reassessed to confirm whether they are in tune with the future IT strategy. Duplication of jobs needs to be identified so that they could be automated. Care must be taken to develop an integrated timetable for change which takes into account the abilities of staff, IT resources available, IT resources required and practices of the firm. A change management process has to be implemented mapped keeping in mind the overall objective of providing best services at optimal cost.

### **(3) Technology Infrastructure:**

Based on the requirement assessment of IT of the firm, it is essential to identify areas of development of IT for ensuring appropriate IT solutions for the future. IT resource planning and related budgets need to be carefully assessed considering the rapid technological changes and importance of serving both the present and

future clients. The required infrastructure solutions need to be put in place and the staff trained to ensure that services offered meet the client requirements.

#### **(4) Delivery of IT Services:**

The way the firm provides services to clients, internal processes adapted and the means of delivery of such services has to be assessed and new methodologies and means of delivery of services must be developed in tune with the capabilities of implemented IT. A thorough review of the practices needs to be undertaken to update them in tune with the IT deployment of the firm. It has to be ensured that IT solutions implemented are in tune with the overall IT strategy and goals of the firm.

#### **(5) User Culture and Training:**

Developing and implementing identified IT solutions and services is not just about acquiring the right technology but more about training people in required processes. At all stages in the process, it will be necessary to consult as appropriate and to be aware of the extent to which managers and staff are themselves going to have to adapt in order to ensure the success of the implemented strategy. Issues concerning culture, working practices, policies and procedures, documentation and training needs must be an integral part of the IT planning process. The overall aim in reviewing each of these areas is to identify the gap between the current knowledge and skill levels based on present environment and that which has been identified as best suited for the firm serving its future needs in the most cost effective way.

Automation without having underlying processes and systems does not deliver results. Hence, it is important to focus on developing and updating processes and systems and standardising and then automating these processes and systems becomes easier and delivers results.

#### **Focus on tools which can be used by the SMPs:**

Technology is disrupting the accounting & auditing sector. However, SMP's should be embracing this change and recognising it as an opportunity. Now, SMP's no longer need to be sat at a desk filing reports and entering data into spreadsheets. New technological advancements within the industry are enabling them to focus on more advisory work, from anywhere and with any device. Being efficient and flexible are becoming essential requirements for all businesses, yet SMP's have generally found it a challenge adapting to more modern ways of working.

Technology can bridge gaps, ensuring the professional

services provided by SMP's are according to the underlying strategy. This leads to improved customer experience, better-integrated teams, and more opportunity to make each client more profitable to the practice.

Here are some tools that will help innovate your practice processes and in turn contribute to business growth in the future.

#### **(1) Basic Office Productivity:**

In order to successfully complete basic office tasks, you need word processing programs and spreadsheets.

##### **(a) Office 365 (formerly Microsoft Office):**

A big staple for SMPs has been Microsoft Office, which has now changed into Office 365. One of the most popular software suites in the world, Microsoft Office is used by 1.5bn people worldwide. Millions of modern businesses rely on the suite's tools to communicate, create documents, and balance their books. But there's a lot more to Office than many users realize, particularly since the release of Office 365.

With many tailored plan options available, companies of all sizes and circumstances can get access to these tools instantly.

##### **(b) Google Workspace (formerly G-Suite):**

G Suite is a collection of business, productivity, collaboration, and education software developed and powered by Google. The primary G Suite tools include Gmail, Drive, Docs, Sheets, Slides, Forms, Calendar, Google+, Sites, Hangouts, and Keep. Being based in Google's data centres, data and information are saved directly and then synchronized to other data centres for backup purposes.

##### **(c) Zoho Workspace:**

Zoho Workspace is a Business Productivity Suite offered by ZohoCorp and they have been a strong contender in this business. Zoho's Workplace contains a suite of productivity apps to help users create, collaborate, and communicate. The apps included in Zoho Workspace are: Zoho Workdrive, Zoho Cliq, Zoho Sheet, Zoho Writer, Zoho Show, Zoho Connect, etc.

##### **(d) Topical Niche Websites:**

SMP's should consider the option of publishing topical niche websites on firm specialties. Such



websites can be an extremely powerful way to prospect for right-fit clients. If any SMP's website, for example, gets read by 450 to 500 small businesses a year. Think about the number of networking events and service organizations one firm would need to participate in to have this impact. And note that with a topical website, firm markets itself seven days a week—even during the busiest part of your year.

## **(2) Collaboration :**

The collaborative economy has grown dramatically over the past few months. As people work from home, connect to their workplaces remotely, and continue to do what they do, the need for a good productivity platform has risen. Productivity can be further divided into multiple categories, such as project management, document sharing, content creation and communication.

Here are some of the top platforms that you can use to change the state of your work:

### **(a) For Document Sharing:**

Cloud-based document sharing platforms, like Google Drive, Dropbox and iCloud, are very common. Since mishandled sensitive information impacts your business no matter what you do, you won't find much agreement among users when it comes to selecting a "best" platform. Some SMP's propose utilizing enterprise-level document management systems, while others swear by Google Drive. Some of the options for the former include solutions by Open Text, Laserfiche, DocuWare, OnBase and ITGlue.

### **(b) For Project Management:**

Project management is an essential function for SMP's. Whether it is completing daily tasks or working on a long-term undertaking, every project needs management. Traditional methods include using desktop software or Excel sheets; however, there are better ways that are faster, nimbler, and more applicable to all needs. Top best project management platforms that SMP's should use are Trello, Base Camp and Asana. All three of these differ from one another in how they help you organize tasks and manage priorities. Asana, for instance, is well suited for project management and also manage is tasks and lists, but it's complex to learn how to use. Trello, on the

other hand, is much easier to work with and is more visual.

### **(c) Workflow Tools:**

For SMP's simpler workflow tools like [www.basecamp.com](http://www.basecamp.com) can do wonders. A web-based project management and to-do list application works great for organizing small workgroups. Especially when SMP's have got lots of small clients and work products that lack cookie-cutter uniformity.

### **(d) For Task List Management:**

On an everyday basis, there are hundreds of tasks SMP's shall probably need to track. One of the best app for tracking and creating lists is Google Keep. This is a very simple, straightforward, and lightweight app, and it even allows you to share your lists with others.

### **(e) For Communication:**

Many people argue that over the past few months, there is an explosion of Zoom calls, leading to Zoom fatigue. In fact, one of my association's executives believes that they had received more calls than they should have and were burnt out.

We now have businesses who are using video conferencing multiple times a day and departments that are solely using video communication instead of in-person meetings.

Some of commonly used video communication tools are Zoom, Google Hangouts and Microsoft Teams.

### **(f) Paperless Document Management:**

We had seen many SMP's resisted going paperless, and maybe they had their reasons. But let's face it. Paperless document management reduces clutter, saves storage time and increases data security. That roughly 600 square foot room we used to use for client files. The one someone could break into with determination, enough time and the right burglary tools? That's all a distant memory.

These days, most of the SMP's firm has their own Fujitsu ScanSnap scanner to digitize everything—and then they store this stuff on an encrypted server using Intuit's product, Lacerte DMS.

## **(3) Business Exposure:**

For individual entrepreneurs and SMP's, the pandemic

has brought about a lot of inconvenience. In many cases, customer traffic has been reduced, impacting the bottom line. Fortunately, there are numerous virtual options available to help SMP's continue to reach current and prospective clients. Here are some ideas that might help.

**(a) Slack:**

As an accounting or auditing expert, SMP's can create a community where their clients can come together, learn new things, interact with each other, and ask questions. All they need to do is set up the app and create a personalized version for their specific community.

**(b) Pay-per-Click Advertising:**

Almost two decades ago, Google revolutionized the web search industry by launching a paid advertising program called as "Google AdSense". If SMP's are not using a pay-per-click strategy, it is time to leverage the power of the Internet and target their prospective customers and clients through this advanced method. They can take help of, an agency specializing in pay-per-click advertising which can set up and manage their SEO.

**(c) Social Media:**

Many SMP's are still not convinced that social media is anything more than a tool to keep up with family and friends. But they should be aware that more than 1.5 billion people are using Facebook as of today, and this not only includes young people and teenagers but also businesses, industry leaders and organizations are utilizing Facebook as a way of communicating to their clients.

In addition to Facebook, other platforms, such as LinkedIn and Twitter, form a significant part of the global social media world that is connecting billions of people with each other. As an accounting and auditing firm, SMP's can clearly and easily communicate their value proposition to their clients through social media in a very mature way, provided they have the right strategy and guidance to do so.

**(d) Dynamic Benchmarking Tools:**

There is one big misconception that big data can't have much to do with small firm management. These dynamic benchmarking tools let SMP's

answer all sorts of practice management questions. What billing rates people charge, what profits peers enjoy, which products or services they probably want to add, and so forth. Ex- Everest Ultimate Edition, Software Sandra, Performance Test, Frap, Fresh diagnose, etc.

**(e) Client Service Blog:**

One final technology investment probably deserves your consideration: - Blogging. Here's why SMP's should blog: You know those questions from clients you get over and over? Like, how to make estimated quarterly tax payments? When to extend tax returns? What to do about a letter from IRS?

Now what SMP's can do is they can store all this standard answers someplace and then copy and paste that information every time a client calls or emails to ask. Been there, done that. But what SMP's ought to do is take those questions and answers and turn them into blog posts. Now SMP's have answers available to all their clients all the time. So, this provides great and super-low-cost client service experiences. Furthermore, SMP's have all the same questions available to people who might want to become clients. So, this turns customer service activities into zero-cost marketing.

The current challenges of covid pandemic are causing unexpected economic and financial hardships to every sector of the economy including enterprises and professionals. This has differentiated enterprises based on their enabling IT Infrastructure and processes. The impact on SMPs Firms has also been based on how much of automated processes the SMPs Firms have implemented. Greater the automation, lesser has been the impact on delivery of services. SMPs Firms which are using IT extensively have been quick to adapt to changing challenges of lockdowns and still deliver services by enabling staff to perform their work remotely. This has clearly proven that SMPs Firms must invest in IT in a structured and strategic way to ensure delivery of services.

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# NEW PROVISIONS RELATING TO RE-REGISTRATION OF CHARITABLE ORGANISATIONS



■ CA. Paras Savla & CA. Prity Dharod

*"No, he doth but mistake the truth totally." So said Sebastian to Antonio in Act II: Scene 1 of William Shakespeare's The Tempest, which means "No, he just gets reality completely wrong."*

## Background

Every year one or another amendment is made by the Finance Minister in respect to the provisions relating to charitable trust or institution. This year is no exception. Seems that C&AG and PAC reports have paved the road for amendment in the last few years. Major amendment proposed is relating to the re-registration of charitable or religious trust or institution for availing exemption and also for availing deduction on account of payment of donation; electronic filing of a statement in respect of donors availing deduction u/s 80G. CBDT vide Notification No. 19/2021 (G.S.R. 212(E).) dated 26.03.2021 notified the new registration procedure for NGOs and Charitable Trusts and other institutions under Section 12AB and Section 10(23C) of the Income Tax Act, 1961 ("Act") through Income-tax (6th Amendment) Rules, 2021. It further notifies the procedure for furnishing the statement of donation received by NGOs / Trusts under Section 80G(5).

## Changes at glance

The list of amendments applicable from 1st April 2021 are:

1. Rule 2C is substituted to provide for online filing and approval u/s 10(23C).
2. Rule 5C is amended to substitute Form 3CF-I/II with a single Form No. 3CF to provide for online approval u/s 35(1)(ii)/(iii).
3. New Rule 5CA inserted to provide for intimation under 5th proviso to Section 35(1) for approval u/s 35(1)(ii)/(iii).
4. Amendment in Rule 5F for approval under Section 35(1)(iia) and substitution of Form 3CF-III with Form 3CF.

5. Rule 11AA is substituted to provide for online approval u/s 80G(5)(vi) to an institution or fund.
6. Rule 17A is substituted to provide for migration to the new registration scheme for an NGO or Trust u/s 12AB
7. New Rule 18AB is inserted to provide for online furnishing of statement of donations received u/s 80G or u/s 35

Further, the following forms have been changed / introduced:

1. New Form 3CF is notified to substitute existing Forms 3CF-I, 3CF-II and 3CF-III
2. New Form 10A is notified to substitute the existing Form No. 10A
3. New Form 10AB, 10AC, 10AD, 10BD, 10BE is notified
4. Existing Form No. 56 is removed

## Registration or Re-Registration of Trust

**Substitution of Rule 17A:** Rule 17A deals with application for registration of charitable or religious trusts, NGOs, etc. under sub- clause (i) or sub-clause(ii) or sub-clause(iii) or sub-clause(iv) or sub-clause(v) or sub-clause(vi) of clause (ac) of sub-section (1) of Section 12A.

Application for registration needs to be given to Principal Commissioner or Commissioner of Income Tax. Clause (ac) overrides the clauses (a), (aa), (ab) of Section 12A. The procedure of applying for registration / re-registration is as follows:

Clauses under Section 12A(1)(ac)	Period within which application to be done	Action by the Principal Commissioner or Commissioner
(i) - When such trust or institution is already registered	Within 3 months from 1 <sup>st</sup> April 2021 in Form 10A	Pass an order in writing within 3 months from the end of the month in which application is made, granting registration in Form 10AC for five years and issue a sixteen-digit alphanumeric Unique Registration Number (URN)
(ii) - When such trust or institution is registered u/s. 12AB and the period of such registration is due to expire	At least six months before the expiry of the said period in Form 10AB	Call for such documents or information from it or make such inquiries as he thinks necessary to satisfy himself about the objects and the genuineness of its activities and the compliance of such requirements of any other law for the time being in force by the trust or institution as is material to achieve its objects; and pass an order in writing in within 6 months from the end of the month in which application is made, Form 10 AD granting approval to it for five years. If he is not so satisfied, pass an order in writing rejecting such application and also cancelling its approval after affording it a reasonable opportunity of being heard
(iii) - When such trust or institution has been provisionally registered u/s. 12AB	At least six months before the expiry of the period of the provisional registration or within six months of commencement of its activities, whichever is earlier, in Form 10AB	
(iv) - Where registration of the trust or institution has become inoperative due to the first proviso to sub-section (7) of Section 11 [trust claiming the benefit of Section 11 and 12 cannot take benefit of Section 10 other than clause (1) and clause (23C)]	At least six months prior to the commencement of the assessment year from which the said registration is sought to be made operative; in Form 10AB	

Clauses under Section 12A(1)(ac)	Period within which application to be done	Action by the Principal Commissioner or Commissioner
(v) Where the trust or institution has adopted or undertaken modifications of the objects which do not conform to the conditions of registration	Within a period of thirty days from the date of the said adoption or modification; in Form 10AB	
(vi) in any other case	At least one month prior to the commencement of the previous year relevant to the assessment year from which the said registration is sought, Form 10A	Pass the order within one month from the end of the month in which application is made, provisionally registering the trust or institution for three years from the assessment year from which the registration is sought. For applications made during previous year beginning on 1st day of April, 2021, the provisional registration shall be effective from the assessment year beginning on 1st day of April, 2022

The list of documents to be submitted along with the application in Form 10A/AB is also specified.

### Electronically Furnishing of Forms

Form Nos. 10A or 10AB, as the case may be, shall be furnished electronically, —

- under digital signature, if the return of income is required to be furnished under digital signature;
- through electronic verification code in any other case

### Signing of Forms

Form Nos. 10A or 10AB, as the case may be, shall be verified by the person who is authorised to verify the return of income under Section 140, as applicable to the applicant.



## Pending applications

All the application that is pending before the Principal Commissioner or Commissioner, on which no order has been passed shall be deemed to be an application made under the amended section. In view of this trust or institution may be required to provide additional information.

## Cancellation of registration

If, at any point of time, it is noticed that Form 10A has not been duly filled in by not providing, fully or partly, or by providing false or incorrect information or documents required to be provided under sub-rule (1) or (2) or by not complying with the requirements of sub- rule (3) or (4), the Principal Commissioner or Commissioner, after giving an opportunity of being heard, may cancel the approval granted in Form No. 10AC and Unique Registration Number (URN), issued under sub-rule (5), and such approval or such Unique Registration Number (URN) shall be deemed to have never been granted or issued.

## Rationale behind amendment:

With a view of not conducting a roving inquiry in the day to day affairs of the new and already registered exempt entities approval or registration or notification for exemption should be for a limited period. This would act as a check to ensure that the conditions based on which approval or registration or notification was granted are followed by the entity. Also with the pace at which technology is growing now a day's change in the registration process is required. Various judicial pronouncement

## Conditions for registration

Section 12AA replaced with Section 12AB. However, the registration procedure and power and scope of verification / examination under the new section remains similar. Given this judicial pronouncement on the old section will apply mutatis mutandis to the new section too.

While the grant of registration, Revenue always insisted that such trust or institution should have commenced its activities. It was held judicially that for the grant of registration commencement of activities is not necessary. Now it has provided for the provisional registration of 3 years for such a new organisation. However, it is not clear that in case

new organisation who have commenced activities would be granted registration of three years or five years.

The registering authority besides satisfying itself about the genuineness of activities is also required to satisfy himself that such trust or institution has complied with the requirements of any other applicable law which are material to achieve its objects.

**Genuineness of activities:** The genuineness of the objects and activities of the trust has to be tested at the time of registration<sup>1</sup>. Examination of the genuineness of the activities would mean to see that the activities are not by way of camouflage or bogus or artificial and whether these are as per the objects of the institution. The scope of such enquiry does not extend beyond that point. The exemption under Section 11 can be availed of by institutions that are genuinely engaged in 'charitable activities. The genuineness of the purpose gets tested by the obligation created to spend the income exclusively or essentially on charity, i.e., its charitable objects. The profit-making, or running the school on business or commercial principles, would not exclude it from being regarded as existing for a charitable purpose<sup>2</sup>.

- The Commissioner has to satisfy himself about the objectives of the trust and the genuineness of its activities. For such purpose, he has the power to call for such documents or information from the trust as he thinks are necessary. However, this does not mean that if the activities of the trust have not commenced, the Commissioner has authority to reject its application for registration on the ground that the Trust failed to convince him about the genuineness of the activities. It is, of course, true that even if the activities of the trust have not commenced, if the Commissioner has sufficient material in his command, he may still conclude that he is not satisfied with the objectives of the Trust or the genuineness of its activities<sup>3</sup>. The provision under the new proposed section does not stipulate such a condition about commencing the activity

<sup>1</sup> CIT v. R.S. Bajaj Society [2014] 42 taxmann.com 573 (All.)

<sup>2</sup> Lord Shiva Educational Welfare Society v. CIT(E) [2018] 97 taxmann.com 501 (Amritsar - Trib.)

<sup>3</sup> CIT v. Kutchi Dasa Oswal Moto Pariwar Ambama Trust [2013] 29 taxmann.com 228 (Gujarat); Hardayal Charitable & Educational Trust v. CIT [2013] 32 taxmann.com 341 (Allahabad)

for grant of registration. To overcome the situation of non-commencement of activities provided for temporary registration has been introduced.

- Section 12AB(1)(b) contemplates the satisfaction of the Commissioner about the objects of the trust and the genuineness of the activities and make such enquiry as may be necessary for grant of registration. Considering the fact that the continuance of registration is further a subject matter of scrutiny by the Commissioner as contemplated under the section, the Revenue would not be justified in refusing the registration at the threshold<sup>4</sup>.
- The object of Section 12AB is to examine the genuineness of the objects of the trust but not the income of the trust for charitable or religious purpose.
- The power of the Commissioner to look into the objects of the Society and the genuineness of the same cannot be doubted when the basis is of non-supply of information<sup>5</sup>.
- The assessee-trust, running children home after getting compulsory registration in Directorate of Social Defence of State of Tamil Nadu under Juvenile Justice (Care and protection of children) Act, 2015, its genuineness could not be doubted<sup>6</sup>.
- 71% of the receipts of the Trust are being spent in accordance with its objects. Therefore, this itself would establish that the Trust is in existence. A partial expenditure that is not authorized by the Trust would not by itself lead to the Trust becoming non-genuine. The consequence would be that the benefit of Section 11 of the Act will not be available to that extent. At the stage of registration, this issue is premature<sup>7</sup>.
- The object of the section is to examine the genuineness of the objects of the Trust and

though while examining genuineness, the income, as well as resources of the Trust, may be taken into consideration but any suspicion as to these facts cannot be the sole criteria for rejecting an application. If a trustee is a life-long member of a Trust, it automatically does not raises an inference that the Trust is not charitable. The fact that a trustee is a life member, maybe relevant but cannot by itself lead to a finding that the Trust is not charitable<sup>8</sup>.

- When a trust is created to carry out CSR activities, the registration cannot be denied. Vide notifications dated 27/02/2014 the ministry of Corporate affairs in the rules framed for CSR has implicitly provided for forming the dedicated trust under sub-rule 2 to rule 4<sup>9</sup>.
- The application cannot be rejected merely on the ground that the Secretary of the Society was getting lease rent for the land given to the Society for running the School or his wife who had requisite qualification was teaching in the school and was being paid the salary<sup>10</sup>.
- The only duty of the Commissioner of Income-tax was to satisfy himself about the genuineness of the activities of the trust or institution and not about the credential, capacity, qualification, etc. of the trustee<sup>11</sup>.

**Requirements of any other applicable law:** Another condition is compliance with the requirement of another law. Let us examine the requirement of the phrase “*the compliance of such requirements of any other law for the time being in force by the trust or institution as are material for the purpose of achieving its objects*”

- Whether trust or institution is required to comply with each every requirement even if it is trivial or procedural, of such identified law or not? The expression is followed by the word ‘material for the purpose of achieving its object’. The material mean

<sup>4</sup> DIT (Exemption) v. Seervi Samaj Tambaram Trust [2014] 362 ITR 199 (Mad.)

<sup>5</sup> CIT v. Sri Guru Gorakh Nath Charitable Educational Society [2015] 60 taxmann.com 56 (Punjab & Haryana)

<sup>6</sup> Hosanna Ministries v ITO(E) [2017] 80 taxmann.com 173 (Madras)

<sup>7</sup> CIT(E) v. Manekji Mota Charitable Trust [2019] 109 taxmann.com 258 (Bombay)

<sup>8</sup> CIT v. Baba Kartar Singh Dukki Educational Trust [2014] 42 taxmann.com 17 (Punjab & Haryana)

<sup>9</sup> Nanak Chand Jain Charitable Trust v. CIT(E) [2018] 91 taxmann.com 197 (Delhi - Trib.)

<sup>10</sup> CIT(E) v. Ambala Public Educational Society [2018] 100 taxmann.com 131 (Punjab & Haryana)

<sup>11</sup> Prayer for India v. ITO [2012] 20 taxmann.com 359 (Chennai)

of such consequences, importance or significance as to be likely to influence the determination of a cause; to alter the character of an instrument, etc<sup>12</sup>. The Hon'ble FM in her budget speech of 2019, when the similar provision was introduced under the existing section, has said that "In order to ensure that trust or institution complies with local laws that are material for the purpose of achieving its objects...". Hence view can be formed that the requirements have to be material and that also for achieving the objects are required to have complied.

- The trust or institution is required to comply with any State or Central Law, Rules under a statute and Notifications issued under a Law e.g. Maharashtra Public Trust Act 1950, Societies Registration Act 1860, Foreign Contribution Regulation Act, 2010 etc. and Rules made under those Acts. The expression "*any other laws*" will not include Income-tax Act 1961.
- In past it was held that compliance of Rights to Education Act<sup>13</sup>, Education institution run without obtaining requisite permission<sup>14</sup>, Society is not registered under a particular State statute<sup>15</sup>, charging excess fees in violation of fee prescribed by the Government<sup>16</sup>, some part of the land on which a university setup was not owned as per certain Government notification<sup>17</sup>, etc. are not relevant while the grant of registration, so long as objects are charitable. But post amendment

registering authority is required to satisfy himself about the compliance with other statutes which are material to achieve its objects.

<sup>12</sup> Legal Glossary 2015 by Govt. of India, page No. 258

<sup>13</sup> CIT(E) v. Kids-R-Kids International Education & Social Welfare Trust [2018] 99 taxmann.com 384 (Punjab & Haryana); Shri Gian Ganga Vocational & Educational Society v. CIT [2013] 35 taxmann.com 17 (Delhi - Trib.)

<sup>14</sup> Shri Krishna Education & Welfare Trust v. CIT [2009] 27 SOT 331 (Delhi - Trib.)

<sup>15</sup> CIT(E) v. Ambala Public Educational Society [2018] 100 taxmann.com 131 (Punjab & Har.)

<sup>16</sup> R. K. Educational Society v. CIT [2015] 56 taxmann.com 154 (Visakhapatnam - Trib.)

<sup>17</sup> Indian Medical Trust v. PCIT [2018] 99 taxmann.com 273 (Jaipur - Trib.)

- Trust or institution may have multiple objects. Some of the objects may not be perused immediately. Non-compliance of certain laws relating to such objects may not be a hindrance to grant of registration. Especially when Registering Authority has been granted with the power to cancel registration when the trust or institution has not complied with the requirement of any other law. If Trust or Institution hasn't started the activity then the requirement should be deemed to be complied with and the registering authority ought to be considered as satisfied with the genuineness of activities<sup>18</sup>.

### Other Applications u/s 10(23C) & 80G

An application under the relevant clause (23C) of Section 10 for the grant of approval of a fund or trust or institution, or university or other educational institution or any hospital or other medical institution or an application for approval under clause (vi) of sub-section (5) of Section 80G shall be made as follows:

Application under Section 10(23C) or Section 80G(5)	Period within which application to be done	Action by the Principal Commissioner or Commissioner
(i) - When such fund or trust or institution or university or other educational institution or hospital or other medical institution is already registered	Within 3 months from 1 <sup>st</sup> April 2021 in <b>Form 10A</b>	Pass an order in writing approving Form 10AC for five years and issue a sixteen-digit alphanumeric Unique Registration Number (URN)

<sup>18</sup> Hardayal Charitable & Educational Trust v. CIT [2013] 32 taxmann.com 341 (All.); DIT v. Foundation of Ophthalmic and Optometry Research Education Centre [2012] 25 taxmann.com 376 (Delhi)

Application under Section 10(23C) or Section 80G(5)	Period within which application to be done	Action by the Principal Commissioner or Commissioner
(ii) - When such fund or trust or institution or university or other educational institution or hospital or other medical institution is approved and the period of such approval is due to expire	At least six months before the expiry of the said period in <b>Form 10AB</b>	Call for such documents or information from it or make such inquiries as he thinks necessary to satisfy himself about the objects and the genuineness of its activities and pass an order in writing in Form 10 AD granting approval to it for five years. If he is not so satisfied, pass an order in writing rejecting such application and also cancelling its approval after affording it a reasonable opportunity of being heard
(iii) - When such fund or trust or institution or university or other educational institution or hospital or other medical institution has been provisionally approved,	At least six months before the expiry of the period of the provisional approval or within six months of commencement of its activities, whichever is earlier in <b>Form 10AB</b>	
(iv) - In any other case	At least one month before the commencement of the previous year relevant to the assessment year from which the said approval is sought in <b>Form 10A</b>	Pass order in writing approving provisionally for three years

The Organisation holding both 10(23C) approval and 12AA registration is required to choose one for revalidation from 1<sup>st</sup> April 2021. If any Organisation applies for both i.e. 10(23C) and 12AA, then registration under Section 12AB if granted shall become inoperative.

In case of an application for registration u/s 80G(5) if, at any point of time, it is noticed that form 10A has not been duly filled in by not providing, fully or partly, or by providing false or incorrect information or documents required to be provided under sub-rule (1) or (2) or by not complying with the requirements of sub-rule (3) or (4), the Principal Commissioner or Commissioner, after giving an opportunity of being heard, may cancel the approval granted in Form No. 10AC and Unique Registration Number (URN), issued under sub-rule (5), and such approval or such Unique Registration Number (URN) shall be deemed to have never been granted or issued

Section 80G(5B) allows for a charitable organisation to have a religious activity not exceeding 5% of the total income in that previous year. The Forms require reporting of expenditure on religious activities which will be considered for eligibility of 80G approval. This requirement will apply to the institution that is going for the re-registration.

#### **Amendment in Rule 5C and introduction of new Rule 5CA:**

Rule 5C of the Income Tax Rules, 1962 is amended which deals with filing of an application for grant of approval for the exemption u/s 35(1)(ia). Form 3CF -I and Form 3CF -II shall be substituted by new Form 3CF which shall be furnished electronically and verified by the person who is authorised to verify the return of income under Section 140.

#### **Insertion of New Rule 18AB: Furnishing of Statement of particulars and certificate under clause (viii) and clause (ix) of sub-section (5) of Section 80G or under sub-section (1A) of Section 35**

Section 80G(5)(viii)/(ix) and Section 35(1A) requires the furnishing of a statement of donation received and the issue of donation certificates to the donors for claiming deduction from the gross total income. This notification has framed the rules for furnishing such statements and certificates of donation to donors. For this purpose, Rule 18AB is inserted.



1. **Online filing of statements:** Such statements are required to be filed electronically from the financial year 2021-2022.
2. **Form 10BD for furnishing statements:** Statement of particulars required to be furnished by any research association, university, college or other institution or company or fund ("reporting person") under clause (viii) of sub-section (5) of Section 80G or under clause (i) to sub-section (1A) of Section 35 shall be furnished in respect of each financial year, beginning with the financial year 2021-2022, in Form No. 10BD and shall be verified in the manner indicated therein.
3. **Reporting of the aggregate amount of donation for each person:** The reporting person shall report the aggregate amount of donation received from each person in the financial year for which the statement is furnished.
4. **Reporting of donation received from more than one person:** Where a donation is received from more than one person, the proportionate amount of each person shall be reported. Where no proportion is specified by the donors, the same shall be proportioned equally.
5. **Online furnishing of Form 10BD:** The statement of donation in Form 10BD is required to be furnished online electronically.
6. **Verification of Form 10BD:** Form No. 10BD shall be verified by the person who is authorised to verify the return of income under Section 140 of the Act with a digital signature (DSC) or EVC.
7. **Issue of Certificate to donors:** The reporting person is required to furnish a certificate of donation (as referred to in clause (ix) of sub-section (5) of Section 80G or in clause (ii) to sub-section (1A) to Section 35), to the donor in Form No. 10 BE specifying the amount of donation received during the financial year from such donor, beginning with the financial year 2021-2022. Form 10BE is required to be generated and downloaded from the income tax portal to be implemented by the Pr. DGIT/DGIT (Systems).
8. **Due Date for issuing Donation Certificate in Form 10BE:** The certificate of donation is required to be furnished to the donor on or before the 31st May, immediately following the financial year in which the donation is received.
9. **Annual filing of a statement of donations received in Form 10BD:** The statement of donations received in a financial year shall be required to be furnished by 31<sup>st</sup> May, immediately following the financial year in which the donation is received.

#### Darpan ID

VOs / NGOs play a major role in the development of the nation by supplementing the efforts of the Government. The Portal, NGOdarpan is maintained by NITI Aayog. The Unique ID is mandatory to apply for grants under various schemes of Ministries / Departments / Governments Bodies. The new rules require to provide Darpan ID.

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**CA. Krishnaswamy**  
Past President, KSCAA

Words may not suffice to express the heartfelt sorrow that we feel for the passing of CA. Krishnaswamy, Past President, KSCAA.

World has lost a great human being, Profession has lost a great professional, The Association has lost a great mentor. Though he was President for the term 2005 - 2006, the Association has been beneficiary of his time, efforts, guidance and support till his last breath, to say the least.

A good heart has stopped beating, but a heart that has touched so many lives can't help but live on in those it loved. Our collective hearts are heavy with sympathy at the loss of great life





# INTELLECTUAL PROPERTY RIGHTS AND PROTECTION IN INDIA

## Ways and Means to Strengthen the Traditional Knowledge as an IPR

(Part-IX of IPR series)

■ **Adv. M G Kodandaram, IRS, Assistant Director (Retd.), NACIN**

### **P**iracy of Traditional Knowledge

In the previous part of this IPR series, Traditional Knowledge (“TK”) as a source of knowledge capable of obtaining IPRs has been discussed. TK’s very nature of existence enables it to be illegally exploited by infringers. This fact has been proved through the various occurrences of abuse narrated in the previous part. It is a true fact that around the world, the traditional wealth is being stolen unabated, for attaining commercial gains by unscrupulous persons and corporate. The TK being for public good and wealth, the ways and means to preserve, to protect and to strengthen the same are deliberated in this part.

TK is the time-tested and proven community wisdom evolved as a remedy or solution for many problems faced by the individuals, their community and their surrounding environments. It has taken care of the needs and demands of the society and therefore the credit as well as the ownership rights as a property in respect of such TK should belong to them. The benefits derived from such wisdom should reach such original indigenous and local communities.

### **Varieties of TK**

Traditional knowledge refers to the regional, indigenous, or local communities’ long-standing traditions and practices. In most cases, traditional wisdom has been passed on from person to person and from generations to generations, orally for centuries. The TK could be found in variety of concepts such as calculation of time, geographical events, Vedic mathematics, maxims of happy living, principles of justice system, food articles, plant properties, use of spices, medical procedures,

yoga, environmental protection measures, agricultural methods, species raring and preserving techniques, wisdom on community and family care, cultural expressions, epic, historical and moral imparting stories to preserve ethical and moral behaviors (sociological) etc. TK also includes all the beliefs, values, and practices, information about the use of medical care, agriculture of organic and other materials, manufacturing methods, designs, literature, music, rituals, and other techniques and arts. Many types of cultural knowledge express themselves through myths, legends, folklore, practices, songs, and even rules. This voluminous group includes both the subjective knowledge like practical and aesthetic nature that can be used in agriculture or manufacturing, and abstract like culture, faith. TK is not static and keeps on changing due the nature of human beings, like adjustments which further evolves to create new information and knowledge.

### **Need for protecting of the TK**

The most essential factor of TK is that it has ancient roots and is often oral. It was preserved and passed on to generations mostly by word of mouth and it has become the identity of such community or geographical location. Need to protect the TK has increased with the changing time especially in order curtail unauthorized and commercial misuse of the same. It is vital to protect the indigenous people from such exploitation and resulting loss, and also assist and promote them to preserve such ancient practices. Protection to TK shall also promote its wider and efficient use. The way its continuity happened in the public sphere is a cause of worry as it is now manipulated by fraudsters to illegally own and exercise monopoly on these public assets.

Reasons for protecting and preserving TK are built on matters of social justice and the rights to retain, maintain, and regulate one's cultural heritage for persons belonging to such community and society people who are the first users. There is also the right to get a fair return on what those communities have developed. Some of the reasons for such abuse are listed in the following part so as to find out the ways and means to protect the same so as to make the TK remain as public rights.

### Ways to Protect TK

Ways to be adopted to protect the TK from pirates and abusers are crucial as it is collective wisdom and pre-existing knowledge, but not documented in a secured way to enable it to seek legal protection from illegal exploiters. In such a situation, protection can be maximized with invocation of penal provisions in legislations. While this is theoretically fine but in reality, the truth is just the opposite and is disastrous.

Point in case are the environmental laws around the globe and the deterioration of living conditions of human beings due to pollution which has gone unabated despite the curbs and punishments imposed through legislations and numerous international multilateral environmental agreements. There are no dearth of national statutes and international agreements for protection of environment, but the truth is the problem has aggravated despite the existence of multitude of laws. The proven truth is that the damage the human beings caused to the earth is directly proportional to legislative protection they created in order to protect them. The legislative route has failed as the people are not ethical towards protection of environmental order. Therefore, it is myth to hold that law is the panacea for solving any problems. It is for the people who have to embrace voluntarily the best ethical and moral practices in the interest of preserving the society and mankind.

Similarly in protection of TK, the making of legislation could be one of the methods open, but unless we educate the traditional masses who own it about the requirement of preserving and documenting for use for future and for obtaining economic benefits, the mere act of making of law does not yield any positive results. The owners of TK should be made aware of their rights and this can only be achieved by active participation by the governmental and non-governmental authorities and public opinion

influences. It is proven fact that the Infringers will not take much time to find out a dubious method to circumvent the law to defeat the objective of the law.

### Restoration of confidence in TK

It is always the people in the society who need to be groomed first rather than expect the law to do magic of reforms on the Society. In this regard, the first step, according to my understanding and experience, should be to aim at the Traditional Knowledge holders and their resources are not diluted. In certain instances, the very survival of the knowledge is at stake as the cultural survival of such communities are under threat from the social and environmental pressures, migration, the encroachment of modern lifestyles and the disruption of traditional ways of life. This can debilitate the process of maintaining or passing the TK on to the future generations. There are risks of losing the very basis and language that gave the media to the knowledge and tradition. Through such inevitable diffusions many traditional practices and the associated beliefs and knowledge have been irretrievably lost or in the process of being lost. Therefore, there exists a dire need is to preserve the knowledge that is held by elders and communities throughout the world in its originality intact. It is said that when an elder dies, a library is burnt, as we have not taken any precaution to preserve the wisdom of the person. When such people leave the earthly abode, without passing on the wisdom to future generation, the TK gets lost forever.

Another difficulty facing TK holders is the lack of respect and appreciation for such knowledge by the public in general. To cite an example, when a traditional healer provides a mixture of herbs to cure a sickness, the healer may not have the ability to isolate and narrate certain chemical compounds and describe their effect on the body in the terms of modern chemistry. On the other hand, such a healer has, in effect, based this medical treatment upon generations of clinical trials undertaken by healers in the past, and on a solid understanding of the interaction between the herbs and human physiology. It is a fact that such traditional herbal products and practices have shown a way to survive through the COVID- 19 situation by improving the natural immunity of the Individual as the surest way to withstand the ill-effects of the pandemic. Often, the true understanding of the value of TK maybe overlooked if its scientific and technical

qualities are considered from a narrow perspective which is a negative approach. Instead, the society should encourage such Traditional practices evincing confidence and faith in such medical practices. All the users should come out from such inferiority complex and should firm with the grandmother's time tested solutions with pride. With the gradual recognition of the value of TK and an exponential growth in the use of TK products it is possible to restore the confidence of practicing people as well as the users. One more example of this could be the current advancement of yogic practices as the right way of life around the globe. Unfortunately, a decade ago, the time-tested way of life had lost it sheen due to false propaganda by commercial agencies to popularise the modern medical practices. But only the timely intervention by all users of yoga has withstood such an onslaught. The recognition of the UN to celebrate universal yoga day has brought back the confidence of the people back into traditional practices. The yogic pranayama practitioners have withstood the impact of the pandemic better than others, is the truthful indicator of the effect of yoga on human body and mind. Therefore, the first task that needs to be taken up on priority by all concerned is to restore our faith in the ancient wisdom and TK, by suitable and truthful projection of the benefits. By doing so, not only the TK survives, but also the people involved in serving the people through the use of this knowledge.

### Document the TK

The Article 8(j) of the Convention on Biological Diversity records that the TK refers to the awareness, inventions, and traditions of local and indigenous cultures worldwide and as there are no proper documentation it will be an onerous task to protect the same at the hands of the looters of this knowledge. The positive inclination and desired enthusiasm to protect TK is the need of the hour and should be promoted.

Under IP laws, if the information is available in the public domain, the same becomes an impediment for fraudster to falsely declare the same as their own original creations. Towards this the work initiated by the Government of India through the creation of TKDL digital library is one such effort. The TK digital library, although comprising of voluminous documents and work of Indian TK, has its own limitations like translation issues and no record of oral traditional knowledge. Further disclosure of TK

as prior art may act as dis-advantageous step in certain aspects as it leads to public disclosure of entire TK which simultaneously aids the fishing expeditions of the bio-pirates. In this regard much more needs to be done in a form of movement to restore the TK, by all concerned persons including the academicians, industrialists and whosoever come in contact of such TK. It should be taken up as a bounden duty to record the TK that has been noticed with the native population in the form of authentic written, audio or video forms. This will help as a tool in creation of a library that could preserve and protect the ancient wisdom for the coming generations. In this regard, academies around the world should initiate activities through their faculty and students to search for such wisdom in the remote localities and to bring them onto public domain through timely publications. Such dedicated effort from all may bring some protection and much desired relief for the TK from the illegitimate ventures of the pirates.

### Wrongful Acquisitions of TK as IP

One of the mechanisms to prevent Illegal acquisitions of TK as IP includes steps to be taken to prevent acquisition of intellectual property rights. By suitable recording of the TK available in public domain, a number of problems can be solved. The protection of IPRs generally provide for disclosure of the criteria defining relevant prior art, which should be extended to include the traditional knowledge. Further, a proper mechanism must be put in place to ensure that the traditional knowledge constituting prior art is accessible to all search authorities. If the source is from TK the benefit that accrue should also to be directed to be passed on to the owners of the TK so that there is 'mutual benefit sharing' possible. Non-citing of the source should result in revoking of IP rights absolutely. Protection to TK can be possible only if the above indicated measures are legislated in all connected IPR laws and implemented in a comprehensive and stringent manner.

### Profit sharing

Profit sharing is the need of the hour to initiate actions to be protecting the TK from loss and misappropriation. The CBD and the 2010 Nagoya Protocol introduced the recognition and protection of TK at international level and the Article 8(j) of the CBD, requires parties are required to respect and maintain knowledge held by indigenous



communities, and promote broader application of TK based on fair and equitable benefit-sharing. Article 16 recognizes TK as a 'key technology' for effective practices of conservation and sustainable use of biodiversity, with procedural requirements established in Article 15 for access to genetic resources, including those based on prior informed consent and mutually agreed terms. The Nagoya Protocol broadens the CBD provisions as regards to access and benefit-sharing. Therefore, some form of protection can cause local communities to share their TK and genetic resources. And if information owners are paid, they will be encouraged to make their TK easy to access. They may also be encouraged to maintain it and to ensure future use and access. The government should also consider encouraging the use of TK.

### Later go for a Sui Generis

After creation of the stated conducive atmosphere, protecting TK by means of laws, rules and regulations, access and benefit sharing provisions, royalties etc., may help in creating a positive environment towards benefitting the original creators together with legal utility of such wisdom. Protection of traditional

knowledge is rooted in the problem of Bio-piracy. Bio-piracy occurs when there is commercial utilization of traditional knowledge without proper authorization of the indigenous or local people associated with such knowledge. This should be curbed by making an exclusive legislation for protection of TK. There is a need of a 'Sui Generis' system of Protection for traditional knowledge since the other IP protection has their own downside and loopholes. The legal instrument shall provide legal framework of protection of TK, enforcement of right of indigenous communities, prevent misuse and control of TK, provisions of ABS (access and benefit sharing) system etc. in one place for variety of possible IPRs.

As the value of the TK is expanding around the globe, the challenge would be to ensure that the intellectual and cultural contribution of traditional communities is appropriately recognized. In the coming part how Indian MSME sector can use the ancient wisdom for the prosperity of India will be deliberated.

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### ADVERTISEMENT TARIFF

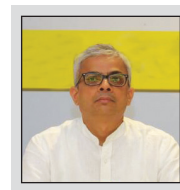
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Inside Colour	₹ 16,000/-*
Inside Black & White	
Full page	₹ 12,000/-*
Half page	₹ 6,000/-*
Quarter page	₹ 4,000/-*

\* Plus 5% GST

### KSCAA Welcomes New Members April 2021

Sl.No.	Name	Place
1	B A Sapthagiri	Bengaluru
2	Pramod N	Bengaluru
3	Puneeth BS	Bengaluru
4	Sneha Amarnath	Bengaluru
5	Karnam Naga Udaya Bhasker	Ballari
6	Archana K A	Shivamogga
7	Divyesh Kirtikumar Chhatbar	Bengaluru
8	Praneeth Narahari	Bengaluru
9	Mukku Nagarjuna Reddy	Bengaluru
10	Nikhil Kumar	Lucknow

# FINANCIAL REPORTING AND ASSURANCE - REFERENCER



■ CA. Vinayak Pai V

## 1. UPDATES: Monthly Roundup<sup>1</sup>

AS/Ind AS	<ul style="list-style-type: none"> <li>Exposure Draft <ul style="list-style-type: none"> <li>Amendment to Ind AS 116, <i>Leases: Covid-19 Related Rent Concessions beyond June 30<sup>th</sup>, 2021.</i></li> </ul> </li> </ul>
Assurance	<ul style="list-style-type: none"> <li>ICAI Announcement: <ul style="list-style-type: none"> <li>Clarification with regard to applicability of the provisions of Section 139 of the Companies Act, 2013 read with Rule 5 and 6 of the Companies (Audit and Auditors) Rules, 2014.</li> </ul> </li> </ul>
Company Law/SEBI	<ul style="list-style-type: none"> <li>Clarification on Spending of CSR Funds. [MCA General Circular No.05/2021 dated 22<sup>nd</sup> April, 2021.]</li> <li>Relaxation from compliaince with certain provisions of SEBI (LODR) Regulations, 2015 due to COVID-19 Pandemic. <ul style="list-style-type: none"> <li>Extended deadlines for Q/HY/YE 31<sup>st</sup> March, 2021 – Including Regulation 33(3) – Quarterly financial results/annual audited financial results. [SEBI Circular No. SEBI/HO/CFD/CMD1/P/CIR/2021/556 dated 29<sup>th</sup> April, 2021.]</li> </ul> </li> </ul>
RBI	<ul style="list-style-type: none"> <li>RBI Notification <ul style="list-style-type: none"> <li>ECB Policy – Relaxation in the period of parking of unutilized ECB proceeds in Term Deposits.</li> <li>Asset Classification and Income Recognition following the expiry of Covid-19 Regulatory Package.</li> <li>Declaration of Dividends by Banks.</li> <li>Corporate Governance in Banks – Appointment of Directors and Constitution of Committees of the Board.</li> <li>Guidelines for Appointment of Statutory Central Auditors/Statutory Auditors of Commercial Banks (excluding RRBs), UCBs and NBFCs (including HFCs).</li> </ul> </li> </ul>
IFRS	<ul style="list-style-type: none"> <li>IASB Exposure Draft [ED/2021/4] <ul style="list-style-type: none"> <li>Lack of Exchangeability - Proposed Amendments to IAS 21, The Effects of Changes in Foreign Exchange Rates.</li> </ul> </li> <li>IFRS Interpretations Committee Publication <ul style="list-style-type: none"> <li>Compilation of Agenda Decisions - Volume 4.</li> </ul> </li> </ul>

<sup>1</sup>Updates for the month of April 2021.

## 2. Revenue Recognition: Food Delivery [Platform] Companies

### 2.1 Introduction

**Ind AS 115, Revenue from Contracts with Customers** guides revenue recognition for companies that apply the Indian Accounting Standards (Ind AS) Framework.

In this section, the **revenue model structure of food delivery (platform) companies** is discussed along with a high level overview of the **related revenue recognition aspects** under Ind AS. In general, companies in this sector derive revenues principally from commission fees paid by restaurant partners, for use of their platform (that connects restaurants to end consumers or diners) albeit the revenue streams comprise plurality (e.g. commission fee, sign-up fees, subscription charges, placement charges etc.). These companies, in general, do not have the presence of any significant financing component in customer contracts.

### 2.2 Ind AS 115, Revenue From Contracts With Customers

The core principle of the applicable Ind AS 115 standard is that an entity recognises revenue to depict the transfer of promised goods/services to customers in an amount that reflects the consideration to which it expects to be entitled in exchange for those goods/services.

The **revenue recognition process** entails a **five-step approach** viz: 1) Identifying the contract with customer; 2) Identifying the separate performance obligations (which is the unit of account for revenue recognition) in the contract; 3) Determining the transaction price; 4) Allocating the transaction price (determined in Step 3) to the separate performance obligations (that are identified in Step 2); and 5) Recognizing revenue when the entity satisfies a performance obligation; revenue recognition occurs when a performance obligation is satisfied (by transfer of good/service to the customer) which could occur when the same is satisfied over time or at a point in time.

In the present discussion, it is pertinent to discuss **Appendix B to Ind AS 115 that provides Application Guidance** to assess **Principal Versus Agent Considerations**, the salient aspects of which are summarized herein below:

When another party is involved in providing goods/services to customer, the entity shall determine whether its performance obligation is that of providing the goods/services itself (in which case the entity is acting as a principal) or to arrange for those goods/services to be provided by the other party (in which case the entity is an agent).

An important assessment that needs to be carried out is that of assessing whether the reporting entity controls the goods/services before it is transferred to the customer.

When an entity that is an agent satisfies a performance obligation, the entity recognises revenue in the amount of any fee or commission to which it expects to be entitled in exchange for arranging for the specified goods/services to be provided by the other party. An entity's fee or commission might be the net amount of consideration that the entity retains after paying the other party the consideration received in exchange for the goods/services to be provided by that party.

### 2.3 Revenue Streams and Revenue Recognition

Herein below are discussed certain key revenue streams and related revenue recognition aspects.

#### Commission Fee

Commission revenue arises from commission fees charged for order facilitation services by the reporting company where the performance obligation (in contracts with customer viz. restaurant) is to connect restaurants with consumers. There could be the presence of an additional performance obligation to provide delivery services depending on the business model of reporting entity. Such revenue is earned from restaurants on a per order basis

as a percentage of the gross merchandise value. These are paid by the end consumer typically along with the placement of an order or following the completion of the transaction.

For order facilitation services, the reporting entity acts in its capacity of that of an agent and therefore recognizes revenue on a net basis. Revenue is recognized at the point at which no transactional obligation remains which is typically when the order is delivered.

### **Sign-up Fees**

Some companies mandate a sign-up amount from restaurant partners and delivery partners at the time of initial registration while the business model of certain other companies involves no such sign-up fees. Such sign-up fees are recognised over time per the terms of the related agreement.

### **Delivery /Delivery Facilitation Services**

A company may undertake responsibility for providing delivery service for orders from restaurants that do not deliver themselves or it could merely act as a platform provider for delivery partners to render delivery services (itself not undertaking delivery responsibility). In the former instance, customer delivery fee revenue is earned and therefore recognized when the order is delivered being the point at which no transactional obligations remain. Here, the reporting entity acts as a principal and revenue recognized on a gross basis with the associated delivery costs charged to the Statement of Profit and Loss ('order fulfilment' costs). And in the later instance, the company typically charges a platform fee from delivery partners for its serviced provided to them. Related revenue is recorded on net basis since the gross delivery fee component is collected from the end consumer.

### **Premium subscription program Fees**

Certain companies offer premium subscription plan whereby for a periodic subscription fee, the user obtains (for the subscription period) preferential treatment that may not be limited

to zero delivery fees for qualifying orders from qualifying restaurants. Such subscription fee collected needs to be recognized over time on a rateable basis over the relevant contractual period

### **Vouchers, Discounts and Incentives**

Companies provide various incentives to end consumers (diners) with the objective of promoting transactions on their platform. These incentives could take the form of vouchers, discounts et al. Such offers are generally in the nature of cash credits to be applied against purchases (orders). From the accounting standpoint these are reckoned as payment to customers or non-customers depending upon whether the reporting company is acting as a principal or as an agent. Such incentives are recorded as reduction in revenues, generally on the date the corresponding revenue is recorded where the reporting entity acts as a principal and recorded as expense if that is not the case.

### **Placement charges**

Some companies charge promotion placement fee to restaurants for promotional placement on the platforms for specific duration agreed to contractually. The charges may be based on a 'cost per order model', 'cost per click model' or a 'fixed-fee model'. Revenue under the first two models is recognized when the order is delivered or related 'click' generated on the platform (since the performance obligation is to place the restaurant in a prominent position so as to generate an 'order' or a 'click'). In case of the third model, the related revenue is recognized over time since the performance obligation undertaken partakes the character of a 'stand-ready' obligation.

## **2.4 Conclusion**

Although a reporting company processes and collects the entire amount of the transaction with the diner, it records revenue for transmitting orders to restaurants on a net basis since it acts as an agent for takeout orders that are prepared by the restaurants and it does



not pre-purchase or otherwise control the food prepared by restaurants prior to the takeout order being transferred to the diner.

An important judgement required in the above revenue recognition discussion is determining whether the reporting company is principal or agent in transactions with a) restaurant partners, b) delivery partners and c) users (i.e. end consumer of order placed on platform).

### 3. Extracts from Audit Report : Audit Procedures related to RPTs

Extracted herein below are the audit procedures followed by the auditors of a listed company (as reported in the KAM section of the Auditor's Report) with respect to ensuring the **accuracy and completeness of disclosure of related party transactions** (RPT) and compliance with the provisions of the Companies Act 2013 and SEBI (LODR) Regulations, 2015.

**Audit procedures** performed included the following:

- **Obtained an understanding** of the Company's policies and procedures in respect of the capturing of related party transactions and

how management ensures all transactions and balances with related parties have been disclosed in the Ind AS financial statements.

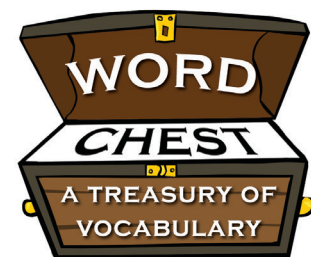
- **Obtained an understanding** of the Company's policies and procedures in respect of **evaluating arms-length pricing and approval process** by the audit committee and the board of directors.
- **Agreed the amounts disclosed with underlying documentation** and read relevant agreements, evaluation of arms-length by management, on a sample basis, as part of the evaluation of the disclosure.
- **Assessed the management evaluation of compliance** with the provisions of Section 177 and Section 188 of the Companies Act 2013 and SEBI (LODR) 2015.
- **Evaluated the disclosures** through reading of statutory information, books and records and other documents obtained during the course of the audit.

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### Solution to Sudoku -8 April 2021

8	3	7	2	5	6	1	4	9
1	9	2	7	3	4	8	5	6
5	4	6	1	8	9	3	2	7
4	6	1	3	9	2	5	7	8
9	7	5	4	1	8	6	3	2
3	2	8	5	6	7	4	9	1
6	8	4	9	7	5	2	1	3
7	5	3	6	2	1	9	8	4
2	1	9	8	4	3	7	6	5

9



Word of the Month:

Alacrity

What is this?

Promptness in response , Cheerful readiness

Use instead of:

Enthusiasm, Eagerness

How can I use it?

- ✓ His **alacrity** and zest for life are inspirational.
- ✓ He invited us all to visit, and we agreed with **alacrity**.

## Photo Gallery

### AMENDMENTS MADE BY FINANCE ACT 2021 FOR CHARITABLE TRUSTS



#### Snapshot of Amendments (AY 2021-22)

Increase in the threshold limit under Section 10(23C) (iiiid) and (iiia) for educational institutions and hospitals.

Change in the provisions relating to the application out of corpus donations.

Change in the provisions relating to the application out of loans & borrowings.

Change in the provisions relating to the Set-off & Carry forward of past deficits.

Change in due date for filing of belated ITR.



*Webinar on New Registration Regime for Charitable & Religious Trusts & Institutions!*  
*Registration renewals- provisions and forms walkthrough by speaker CA. Naveen Khariwal G attended by Chief Guest Shri. D Sudhakara Rao, Principal Commissioner of Income Tax (Exemptions), Bangalore held on 15th April, 2021*



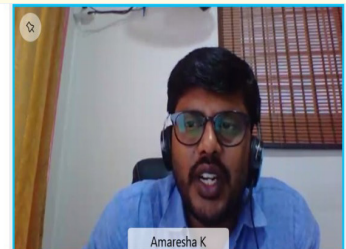
*Webinar on Corporate law amendments and its impact on audit! by speaker CS. Gaurav Pingle, Pune held on 20th April, 2021*



*Webinar on Emerging Professional Opportunities for CAs in the digital world by CA. Supriya Kumar and brief update on recent changes in Income Tax by CA. Babitha held on 29th April, 2021*

#### 51: Sanction

- (1) No notice shall be issued under section 148 by an Assessing Officer, after the expiry of a period of four years from the end of the relevant assessment year, unless the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner is satisfied, on the reasons recorded by the Assessing Officer, that it is a fit case for the issue of such notice.
- (2) In a case other than a case falling under sub-section (1), no notice shall be issued under section 148 by an Assessing Officer, who is below the rank of Joint Commissioner, unless the Joint Commissioner is satisfied, on the reasons recorded by such Assessing Officer, that it is a fit case for the issue of such notice.
- (3) For the purposes of sub-section (1) and sub-section (2), the Principal Chief Commissioner or the Chief Commissioner or the Principal Commissioner or the Commissioner or the Joint Commissioner, as the case may be, being satisfied on the reasons recorded by the Assessing Officer about fitness of a case for the issue of notice under section 148, need not issue such notice himself.



#### Legal overview

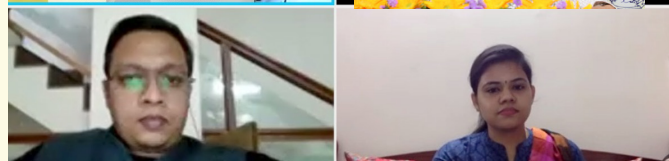
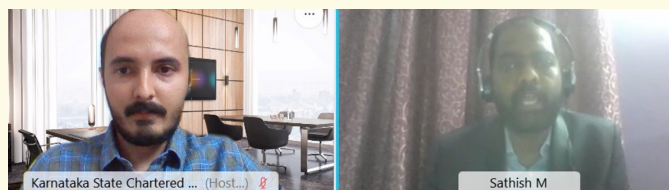
- 147: Income escaping assessment.
- 148: Issue of notice where income has escaped assessment.
- 149: Time limit for notice.
- 150: Provision for cases where assessment is in pursuance of an order on appeal, etc.
- 151: Sanction for issue of notice.
- 151A: Facilitates assessment of income escaping assessment.



*Webinar on Reassessment Proceedings - How to respond to notices, procedure (under the old regime), and wayforward by CA. Deepak Chopra held on 29th April, 2021*



*Webinar on Recent Judicial Pronouncements Under GST by CA. Adv. Avinash Poddar held on 4th May, 2021*



*Webinar on Mental Health Awareness during the pandemic - Practical approach to stress management by Dr. Sumathi Chandrasekaran, Founder - Mind Cafe & Dr. S Suchithra, General Secretary, Yuvathi - Mind Cafe held on 5th May, 2021*



# KARNATAKA STATE CHARTERED ACCOUNTANTS ASSOCIATION (R) **KSCAA'S COVID-19 TASK FORCE**

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but we make a life by what we give’

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## List of Generous Donors towards KSCAA's COVID-19 Social Initiative

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Name	Place	Amount (Rs.)
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Nagesh Methuku	Bengaluru	50,000
N S V M and Associates	Bengaluru	50,000
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Narendra KV	Shivamogga	5,001
Hegde Raj and Ullody	Bengaluru	5,000
Vasudha B	Bengaluru	5,000

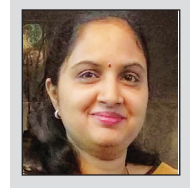
Name	Place	Amount (Rs.)
D R Krishna Prasad	Bengaluru	1,00,000
Dr. D. Suresh Kumar	Bengaluru	54,000
Dhariwal & Sreenivas	Bengaluru	50,000
Suresh Co	Bengaluru	50,000
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Nitin J Shetty	Mangaluru	25,000
Cotha S Srinivas	Bengaluru	25,000
Madhuprasad Kuruvadi	Chitradurga	25,000
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Vinay T	Bengaluru	10,000
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S Pannaraj	Ballari	10,000
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Venugopal Gella	Bengaluru	10,000
Annapurna Srikanth	Mysuru	10,000
S S Rao	Bengaluru	10,000
K Rajasekhar	Ballari	5,678
Bandri Balaji Prasanna	Toranagallu	5,001
Krishna Upadhya	Bengaluru	5,000
Sushma Manjunath	Bengaluru	5,000
Suresh R Bhandiwad	Hubli	5,000
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Name	Place	Amount (Rs.)
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Prakash R Kadur	Hubballi	5,000
Sreemannarayana K	Bengaluru	5,000
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Vijaykumar M Patel	Bengaluru	1,000
Pavan Kumar	Bengaluru	500
Shanmugam Indira	Bengaluru	500
C Lokesh	Bengaluru	500
Others	Others	2,25,702

Name	Place	Amount (Rs.)
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Sujaya Dinesh Alva	Mangaluru	5,000
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Mahesh R B	Bengaluru	5,000
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Guru Charan Hr	Bengaluru	5,000
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G.Ramesh Babu	Bengaluru	2,500
Vaishali Desai	Bengaluru	2,000
Sreenivasa Setty B	Bengaluru	2,000
Bhaskar Kakarla	Bengaluru	1,116
Ramachandra Bhat	Bengaluru	1,001
Shriram S S	Sagar	1,001
Ashok G U	Bengaluru	1,001
Sai Satyanarayana CH	Bengaluru	1,000
Shreerama Shirankallu	Bengaluru	1,000
Mallesha Kumar	Udupi	1,000
Santosh Khode	Bengaluru	1,000
Sandeep Jayanti	Bengaluru	1,000
Herambha Hegde	Bengaluru	1,000
Cheemakurthi Poorna	Bengaluru	511
Chandra Sekhar		
M Soban Babu	Krishnagiri	500
Naveen R	Bengaluru	500
Sanjana .S. Koushik	Bengaluru	500

# GRATITUDE- AN EFFECTIVE ANTIDOTE



■ CA. Archana Sridhar

## The essence of Gratitude

The recent times has been challenging for most of us, both in the professional and personal front. When we are surrounded by 'Not so good' news, it is natural for us to get worried and negative thoughts easily creep into our mind. We have been reading and hearing a lot on how to take care of our physical and mental health. It requires only a bit of an effort in some cases to make these useful practices a habit.

One such practice that we will discuss here is the parent of all virtues- 'Gratitude'. We do know what 'Gratitude' means. In simple terms gratitude is the quality of being thankful; readiness to show appreciation for and to return kindness. It is much more than saying a mechanical 'Thank you' to the greater power or to the people who help us in many ways. As rightly quoted by John F. Kennedy "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." Even in the scriptures the importance of gratitude has been emphasised.

We read and listen a lot about being grateful, but fail to practice it consistently. Our focus starts shifting when negativity creeps in. Sometimes we expect life to be perfect and tend to be unhappy about few things not going the right way. Accepting the reality, making an effort to shift the focus to the positive things in our life, and counting our blessings every day is the true essence of gratitude. When we feel blessed the feeling of kindness and love floods our heart and we are more willing to help the people around us.

## Making Gratitude a way of life

*"When eating the fruit, remember the one who planted the tree."*— Vietnamese Proverb

It is not enough if we just feel grateful once in a while. We can start by developing an attitude of gratitude but we must slowly move towards making it 'A way of life'.

We can start by being grateful for the little but important things in life like the air we breathe, the food we have, the beautiful place we live in, the delivery person who brings the essentials to our door step, to the medical staff and social workers who are doing their duty to protect the people. The pandemic has indeed taught us a lesson for not taking things for granted. Let us take some time to appreciate nature and be thankful for the very many gifts that she is continuing to offer us and take a vow to use the resources more wisely in the future. When we start counting our blessings, we would soon realise the list is endless and the circle of gratitude will start growing day by day.

Apart from the daily prayers which we chant, here are few more practices that can help in making gratitude 'A way of life'

- If you have the habit of writing the everyday events in a diary, mention the few things that you are grateful for during the day. It can be anything like receiving a call from an old friend, bagging a new assignment or getting an opportunity to help someone. You can also start a '**Gratitude Journal**'. Whenever you feel down, read the journal you will realise you have been blessed with so many things in the past.
- Make a list of your achievements in life (personal and professional). Append it with a note "**I see abundance all around me, and I feel so blessed.**" Place this list in your work

space, where you will see it every day. I am sure you will feel truly grateful looking at the list each day. You can keep adding more and you will soon see the list gets bigger and bigger.

- Collage of wonderful memories- Life is filled with wonderful memories with loved ones and friends. Make a photo collage of those favourite moments and have it on your desk. Looking at it will make you feel grateful for the wonderful relationships you have in your life.
- Thank you notes- It feels so nice when you receive a genuine thank you note from a friend or relative whom you have helped. A note of appreciation to a family member or a team member at work once in a while goes a long way in building the relationships.
- Family activity- Every night before going to bed, make it a routine that each member of the family will offer thanks for the one thing that they were grateful for during the day. This practice will also make the younger generation to appreciate the little things in life.
- Affirmations- Affirmations are similar to prayers, they condition the mind to move towards the positivity zone. Here are a few gratitude affirmations that can be a wallpaper or can be recorded and listened to everyday before you start your day
  - a) "I am grateful for all of nature, and I am respectful for every living thing."
  - b) "Today I look at all the positive things in my life, and I am grateful for them."
  - c) "I am sending love, gratitude and healing to every single cell in my body."

(Source credits: Louise Hay)

**Let us move towards the gratitude zone slowly but surely**

***"It only takes a few minutes in the morning to use gratitude to Have A Magical Day by giving thanks for the events in your day ahead of time, but this***

***one practice alone will change the way your entire day unfolds."* - Rhonda Byrne, The Magic**

Once we start making the above practices as part of our daily routine, we will begin to reap its benefits. We would be more satisfied and eventually will move towards the gratitude zone. We become more positive and will then get charged to empower and support the people around us.



There are concrete physiological effects, feelings of gratitude release **positive endorphins** throughout the body, thereby improving our mental health. Practicing gratitude consciously as stated above in a consistent manner may eventually be an effective antidote for the negative thoughts that pollute our mind.

***"Gratitude makes sense of our past, brings peace for today, and creates a vision for tomorrow."* – Melody Beattie**

Some suggested reading on Gratitude and its practices

- a) The Magic- By Rhonda Byrne
- b) Gratitude – A Way of Life – By Louise Hay & friends

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# YOGA & SLEEP



■ CA. Pooja Jain

## The importance of “SLEEP”

“A good laugh and a long sleep are the best cures in the doctor’s book.” — Irish Proverb

Sleep is an essential function that allows the body and mind to recharge, leaving one refreshed and alert. Sleep seems to be such a simple phenomenon, but it is a complex process that affects the entire body. Sleep is as vital as regular exercises and the balanced diet.

When we sleep, we cycle through a series of sleep stages, from light sleep to deep sleep and rapid eye movement sleep. Going through all of these sleep stages multiple times at night, sleep performs its critical function of restoring our body and mind and repairs itself on a cellular level.

When the body doesn’t sleep enough, the brain cannot function properly. Not getting healthy sleep (quality & quantity), can make you feel slow, irritated and low on energy. Not enough sleep can take a serious toll on your daytime energy, productivity, emotional balance, and even your weight.

Unhealthy daytime habits and lifestyle choices can leave you tossing and turning at night and adversely affect your mood and creativity.

There is a difference between sleep quality and sleep quantity. Sleep quantity measures how much sleep you get each night, while sleep quality measures how well you sleep.

Measuring sleep quantity is simple and quick, as you just have to determine amount of sleep per night (usually defined as 7-9 hours for adults). Measuring sleep quality is a little more of an art than a science.

**Generally, good sleep quality is defined by the following characteristics:**

- Falling asleep soon after getting into bed, within 30 minutes or less.

- Sleeping straight through the night, waking up no more than once per night.
- The sleep duration is as recommended for your age group.
- In case you wake up in the middle of your sleep, you fall back asleep within 20 minutes of waking up.
- You feel rested, restored, and energized upon waking up in the morning.

**You have a poor sleep quality if you are experiencing any of these issues:**

- Poor sleep habits like not having a fixed sleep-wake routine & late working hours.
- Stress & Anxiety
- Chronic health conditions
- Having trouble getting up in the morning
- Struggling to focus
- Irritability or anxiety or agitation
- Feeling sleepy during the day or needing to schedule daytime naps
- Sleeping much longer or later on unstructured days

**The cure for sleep difficulties can often be found in your daily routine. Few tips to help you improve your sleep quality.**

- Choose a bed time when you normally feel tired, so that you don’t toss and turn.
- Establish a realistic bedtime and create a good environment and stick to it every night, even on the weekends.
- Maintain comfortable temperature settings and low light levels in your bedroom.
- Have a comfortable sleep environment – including your mattress, pillows, and blanket.
- Consider keeping electronic devices – like



TVs, computers, and smart phones – out of the bedroom.

- Abstain from caffeine, alcohol, and large meals in the hours leading up to bedtime.
- Exercise during the day can help you wind down in the evening and prepare for sleep.
- This also increases the duration you spend in the deep, restorative stage of sleep.

#### Healthy sleeping habits have a lot of benefits.

- Healthy sleeping patterns improve learning, memory, creativity, and mood.
- Sleep also strengthens the immune system, helps the body repair, regenerate, and recover keeping the body healthy and free from diseases.
- Sleep helps you stay energized through the day keeping you in good mood and give clarity in thought.
- Waking up feeling refreshed in the morning

There are many methods and ways to enable you to get good and enough sleep. Yoga is one of them. It is believed that regular practice of yoga is known to help alleviate several ailments, including insomnia and abnormal sleeping habits. Yoga works on the body and the mind. The sleep quality and quantity depends a lot on your mind and body condition and this can be worked on through regular yoga practice.

The yoga poses that can be done before bedtime will encourage the body to relax and sleep.

- Standing forward bend (Uttanasana).
- Reclined butterfly (Supta Baddha Konasana).
- Legs up the wall (Viparita Karani).
- Corpse pose (Savasana).
- Cat Stretch (Marjarasan)
- Restorative Bridge Pose (Setu Bandha Sarvangasana)
- Happy Baby (Ananda Balasana)

Two simple exercises to help you sleep better are explained below.

#### A deep breathing exercise (Abdominal)

Breathing from your belly rather than your chest can activate the relaxation response and lower your heart

rate, blood pressure, and stress levels to help you drift off to sleep easily.

Conscious abdominal breathing exercise can be done just before going to bed to help get a good quality sleep. The duration of such deep breathing could be for 5 to 7 minutes.

#### A body scan exercise (Shavasana)

By focusing your attention on different parts of your body, you can identify where you're holding any stress or tension, and release it.

#### Method:

Lie on your back, legs uncrossed, arms relaxed at your sides, eyes closed. Focus on your breath for a few breath cycles until you feel relaxed.

Turn your focus to the toes of your right foot. Notice any tension while continuing to also focus on your breathing. Imagine each deep breath flowing to your toes. Remain focused on this area for at least three to five seconds.

Move your focus to the sole of your right foot. Tune in to any sensations you feel in that part of your body and imagine each breath flowing from the sole of your foot. Then move your focus to your right ankle, move to your calf, knee, thigh, hip, and then repeat the sequence for your left leg. From there, move up your torso, through your lower back and abdomen, your upper back and chest, and your shoulders. Pay close attention to any area of the body that feels tense.

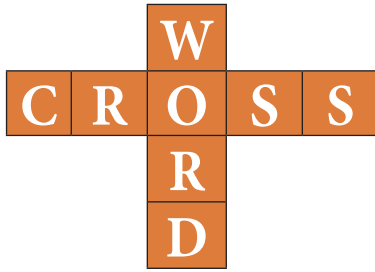
After completing the body scan, relax, noting how your body feels. You should feel so relaxed you can easily fall asleep.

This exercise can also be done seated on the chair in the middle of long working hours to feel refreshed and help perform better at the work.

While we are all looking to grow in our profession let us also give equal time and attention to some basic fundamentals like food, exercise, self-time, family time and live a balanced life.

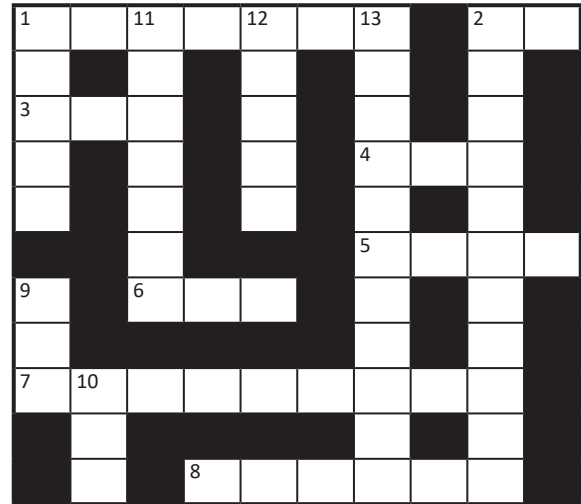
Remember, time and tide wait for none! Let's not lose out on living life while making a living.

*The Author can be reached at :  
arthyogii@gmail.com*



### DOWN

1. A period of sustained increases in the prices of stocks, bonds, or related indexes (5)
2. The process of purchasing goods or services and is usually in reference to business spending (generally on a relatively large scale) (11)
9. A contract through which the parties agree not to disclose information covered by the agreement (3) (abbreviation)
10. A shipment term used to indicate whether the seller or the buyer is liable for goods that are damaged or destroyed during shipping (3) (abbreviation)
11. Refers to the relationship, or ratio, of a company's debt-to-equity (D/E). The ratio shows the extent to which a firm's operations are funded by lenders versus shareholders (7)
12. An energy-trading and utilities company based in Houston, Texas, that perpetrated one of the biggest accounting frauds in history (5)
13. To pledge (property) to another as security without transferring possession or title (11)



### ACROSS

1. The management of regulatory processes within the financial industry through technology. The main functions include regulatory monitoring, reporting, and compliance (7)
2. This refers to capital investment made into companies that are not publicly traded (2) (abbreviation)
3. This allowance permits individuals to claim tax exemption for a trip made within India for the taxpayer and his/her family (3) (abbreviation)
4. Refers to the process of how securities are traded via a broker-dealer network as opposed to on a centralized exchange (3) (abbreviation)
5. In a .... purchase agreement, ownership is not transferred to the purchaser until all payments are made (4)
6. A ... analysis is how an organization examines its current performance with its target performance (3)
7. A company in which a minority stake is held by a larger company. This type of relationships exist in many different types of configurations across all sorts of industries (9)
8. The granting of a property right by a sovereign authority to an inventor (6)

Answers will be published in next month's News Bulletin.

### Answers to "Cross Word 8" (April 2021)

#### Across

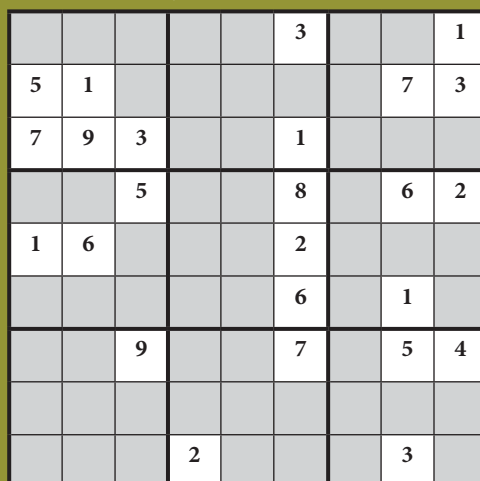
1. Phishing, 2. Recourse, 3. FDI,
4. Integrated, 5. CPI, 6. CAG, 7. KYC

#### Down

1. Portfolio, 8. Spot, 9. IFRS, 10. Stock,
11. Range, 12. Payee, 13. Pareto, 14. HNWI

Credits: CA. Archana Sridhar

## sudoku-9



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