

GURUGRAM BRANCH OF NIRC

The Institute of Chartered Accountants of India

(Set up by an Act of Parliament)



e-Newsletter

MARCH 2019

VOLUME 1

Chartered Accountant



CA. Arun Aggarwal
(Chairman)

It's a matter of proud for me as I pen my first communication as Chairman, Gurugram Branch of NIRC of ICAI. Before I proceed, let me extend my heartfelt thanks to all the members, my colleagues in the Executive Committee and also other stakeholders for reposing their faith in me to lead the forward march of our profession.

LET'S WELCOME THE

NEW FINANCIAL YEAR

2019-2020





It is indeed gratifying and honorable to serve as Chairman of Gurugram Branch of ICAI, the largest branch of Northern Region of ICAI with strong presence from both members in practice as well as industry. I am confident of coming out with flying colors because of abled support of my colleagues at the branch and the members.

On behalf of the Gurugram Branch, I wish to congratulate CA. Prafulla P. Chhajed and CA Atul Gupta, for being elected as President and Vice President of ICAI respectively. We are confident that the profession shall reach greater heights under their abled leadership. I am also delighted to extend warm regards to our new Ex- Officio Members from NIRC, CA Nitin Kanwar and CA Rajinder Arora.

CA Sanjeev Kumar Singhal and CA Hans Raj Chugh have been elected as new Chairman and Co-Chairman of newly constituted Infrastructure Development committee of Gurugram. I am sure under abled leadership of two stalwarts, the pace of development in Branch Building at Manesar (a Dream of CAs in Gurgaon) will come live quickly.

In the words of Our Hon'ble President, CA. Prafulla P. Chhajed "let us celebrate continuity and change - continuity of great fundamentals and legacy and change of professional approach and demeanour in sync with our times for a better and secure future. The spirit to change for better will let us evolve with every passing year, retaining the lustre of our golden tradition". Your new committee is resolved to keep getting positive changes to the branch's outreach and working while ensuring the legacy remain intact.

In the month of March, your branch successfully hosted a number of programs in the month including

- 1)- Seminar on Key aspects in International Taxation, Unregulated Deposits and ROC Compliance for members
- 2)- Seminar on Bank Audit for Members
- 3)- CA Students Seminar on Bank Audit

The month ahead, April, is going to be a hectic one with Bank Branch Audit getting due in the first two weeks of April. Your branch is also geared up for a power packed program list for both members as well students.

Opinion matters, and hence your committee intends to run a number of surveys to understand your opinion on the selection of topics and feedbacks on the working. As a part of that, a small survey was carried out successfully to understand the Certificate Courses which the members would want the branch to host in the coming year. A strong response from your side guided us to schedule a number of certificate course in the months of come. Amongst others, two ISA courses are being planned in April (starting 20th April) and May (starting 25th May) and one certificate course on GST is on the cards in the month of June.

I am sure your love and support shall keep guiding us to work better for the profession and the society. Please do keep coming back with your views and opinion!!

Happy Financial Year 2019-20!!



CA. Arun Aggarwal
(Chairman)

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- Chief Editor

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- CA. Dheeraj Sharma
- CA. Mohit Singhal
- CA. Nitin Kataria
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- Chairman, Taxation Committee
- CA. Nishant Kumar
- Chairman, IT Committee
- CA. Nitin Kanwar
Ex - Officio Member
- CA. Rajender Arora
Ex - Officio Member



Dear Professional Colleagues Greetings,

It's indeed a great pleasure to address all of you as the Immediate Past Chairman of Gurugram Branch of NIRC of ICAI. As new office bearers of the branch have assumed office I wish all of them best of luck for their initiatives which they have kept in mind. After serving as Chairman for previous year (2018-19) and Vice Chairman for 2 years (2016-17 & 2017-18) I am feeling happy and satisfied after successful fulfilment of my duties and responsibilities. I am feeling nostalgic as during his beautiful journey a sense of attachment to this august office has been developed in my mind, body and soul. One year ago when I have taken this great position of the chairman of the largest branch of Northern India Regional Council of The Institute of Chartered Accountants of India, I was a little bit worried as how to perform as per the expectation of the members, students and the society committee and staff. But I took it as a challenge and devoted my full efforts and tried my best to justify this great position. I feel that it's a matter of pride for me to share that with the co-operation of all members of the managing committee including the ex-officio members we have achieved great milestones in last one year.

During the last tenure we have organized CA Day, Diwali Milan, Branch Foundation Day, Residential Refresher Course, Post Qualification courses, Conferences and we have conducted large number of MCS, ITT and Orientation classes for students. For all this I am thankful to all my colleagues in the managing committee of the branch and the branch members at large for your untiring support and cooperation. I must accept that during the past one year I have received equal co-operations from the office bearers as well as the other members of the managing committee and there were no hurdles in the working of the branch even for a single day. The members at large were also responded overwhelmingly for any programs organized by the branch whether it were the seminars or any other family programs.

As new office bearers of this branch have assumed office, to them I wish best of luck and request to complete all remaining tasks which I could not take up despite my best efforts. At the end, I once again thank all of you from the core of my heart for giving me this opportunity to serve you all as the Chairman of this esteemed Gurugram branch of ICAI and assure you all as the best of my services as the member of the managing committee for the next one year and as the proud member of the branch for the whole life.



CA. Rakesh k. Agarwal
(Immediate Past Chairman)

Editorial Board

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Ex - Officio Member



श्रद्धावान् लभते ज्ञानम् तत्परः संयत-इन्द्रियः ।
ज्ञानम् लब्ध्वा पराम् शान्तिम् अचिरेणाधिगच्छति ॥

With the above cited Verse 39 from Chapter 4 of Shrimad Bhagwat Geeta, through this communication I express my sincere gratitude to all the members who has shown their confidence on me to serve as one of the youngest Vice Chairman of the largest branch of NIRC of ICAI. It is indeed an honor to communicate as the Vice-Chairman of Gurugram Branch of NIRC of ICAI. Before moving further with my communication I pay my sincere tribute to them who sacrificed their lives for the mother India. I owe my success to martyrs of Pulwama.

Success is not a destination but a Journey. Lots of efforts are to be done in sequence to achieve the success. To get the desired results, we need to update our skills and move forward with the changing and challenging time. Our mother institute ICAI is the second largest accounting body in the world. We are constantly striving to improve ourselves day by day and we continue to serve beyond our traditional roles. Considering the need to time Gurugram Branch is always keen to provide best of the possible result oriented services to members and students at large by organizing series of quality professional developments programs and relevant activities.

It is not about being the best, it's all about doing better always.

I am confident enough that, in the coming year, the branch will add multiple new feathers in its cap including formation of library, industry specific events, multiple student activities and fast-paced development in the Gurugram branch's upcoming building in Manesar etc.

It is a matter of great pride for us that CA. Prafulla P. Chhajed and CA. Atul Kumar Gupta have been elected as the President and Vice President of ICAI respectively. On behalf all the members of Gurugram branch, I would like to congratulate both of them and wish the success for all their future endeavors.

With due respect and huge regard I would seek your blessings, guidance and support in my entire future endeavor. With my model philosophy of Be **Genuine and Win Hearts**, I end with these lines for all; "Nothing can stop a person having positive attitude and nothing can help a person having negative attitude"



CA. Dheeraj Sharma
(Vice-Chairman)





Respected Professional Colleagues,

First of all I would like to convey my sincere gratitude to the members of Gurugram Branch of NIRC of ICAI who gave their mandate and shown their confidence to elect me as Secretary of this esteemed branch. I would also like to express my gratitude to all the members of the previous committees of the Gurugram branch for their efforts and contribution for the profession.

I would also like to congratulate our newly elected President CA Prafulla P.Chhajed Ji and Vice President CA Atul Gupta Ji for the year 2019-20.

It gives me a pleasure to share my thoughts through this first Newsletter of new managing committee. I consider my new responsibility both as an opportunity and a challenge too. I wish that I will continue to enjoy your love and kind support and I hope that we can reach our collective goals together. It gives me a great satisfaction that your branch is putting dedicated efforts to serve the members and students at large.

For Esteemed Members, the branch is going to conduct two DISA batches from 20th April 2019 and 25th May 2019 respectively. The branch is also going to conduct certificate courses on Goods & Services Tax soon. For continuing education programme the branch has already conducted seminar on Bank Audit and Amendments in Income Tax. The Branch has scheduled seminars on Audit techniques, Direct Taxes and Goods & Service Tax. It shall remain our endeavour to keep the members as well as students update on various fields of knowledge to excel in profession.

As secretary of this esteemed branch, I assure every member and student that they will be provided with the best platform for professional and academic development. Our Institute is a partner in nation building and I am sure that this Branch of the Institute shall be fulfilling and exhibiting its Excellency to prove so. Members of the Branch are requested to generously contribute articles on issue of relevance to the Members in Profession for Newsletter.



CA. Mohit Singhal
(Secretary)





Respected Members of CA Fraternity,

With deep regard I would like to thank the members of Gurugram Branch of NIRC of ICAI for coming out in huge numbers and voting with great zeal and enthusiasm in the recently held Gurugram Branch Elections in February 2019. Thanks for entrusting upon us this responsibility to take the legacy further. I would also like to thank the previous management for the efforts they have put in to bring the Branch at this level today.

I would also like to congratulate our newly elected President CA Prafulla P. Chhajed Ji and Vice President CA Atul Gupta Ji for the year 2019-20.

In the new financial year we are keen to add another layer in the professional life and a new beginning of hopes, aspirations and dreams. I hope this financial year brings new opportunities, ventures, growth & new reforms in our economy.

At Gurugram branch the Managing committee under the guidance of our experienced and dynamic Chairman CA Arun Aggarwal ji, is trying its level best to keep the momentum high. We will be organising seminars, GD's, Workshops and Professional courses to keep you updated with the changing laws.

Members are requested to enroll for the Membership of the Study group at the Branch for the Financial Year 2019-20.

At last I would like to say that 2019 General Elections of the largest democracy of the world is around the corner and I urge all the members to take part in the mega event and exercise your right to vote.

As team Gurugram Branch of NIRC, we are committed to provide better services to the members as well as students. You are requested to kindly forward your views and suggestion for the effective working of the branch and best services.



CA. Nitin Kataria
(Treasurer)





Elected New Office Bearers 2019-20



CA. Arun Aggarwal
Chairman



CA. Dheeraj Sharma
Vice-Chairman



CA. Mohit Singhal
Secretary



CA. Nitin Kataria
Treasurer



CA. Sanjeev Aggarwal
Chairman, NICASA



CA. Lalit Aggarwal
Chairman, Taxation Committee



CA. Nishant Kumar
Chairman, IT Committee

Ex - Officio Members



CA. Nitin Kanwar



CA. Rajender Arora





CA. Garima Nagpal

Introduction

Among the infrastructural developments of last few decades, construction of Chabahar and Gwadar ports seek the greatest attention. Chabahar port is located on the Arabian Sea's Makran coast in Sistan and Baluchistan Province in Iran. Pakistan's Gwadar port also is situated on Pakistan's Baluchistan province's Makran coast, only 72 nautical miles southeast of Chabahar.

Both offer direct access to the Indian Ocean. India is helping to underwrite the development of Iran's Chabahar, while China has been financing Pakistan's Gwadar since 2002 complicating the ports' developments as a subset of Eurasia's new "Great Game".

How Chabahar port affects shipping pattern at Indian Ocean



Chabahar Port

India and Iran have a long standing agreement, signed in 2002, to develop Chabahar into a full deep sea port.

The port is also central to India's efforts to circumvent Pakistan and open up a route to landlocked Afghanistan where it has developed close security ties and economic interests.

India is also eyeing trade with Europe via Chabahar port and the International North-South Transport Corridor (INSTC). For India, the Chabahar port will serve as the Indian Ocean outlet for New Delhi's grand INSTC initiative. With India's overland access to Central Asia blocked by Pakistan's illegal occupation of a part of Kashmir, the Chabahar deep-sea port and the

INSTC running northward through Iran and Afghanistan will provide New Delhi vital access to Central Asian, Russian, and ultimately European markets, enabling India to effectively compete with China.

Compared to the current Indian Ocean-European transport route via the Red Sea, Suez Canal and the Mediterranean, the Chabahar-based INSTC is estimated to be 40% shorter and will reduce the cost of Indian trade by 30%. Recently India also proposed membership for Turkmenistan for NSTC.

Chabahar also opens up the possibility of importing gas from Iran via Mundra Port along with enhanced trade and oil import opportunities. Important here is the South Asia Gas Enterprises Pvt Ltd (SAGE) undersea pipeline to bring gas from Oman and Iran to India. So far, India's gas imports are only from Oman.

The Chabahar port will cut transport costs/time for Indian goods by a third. The port is likely to ramp up trade among India, Afghanistan and Iran in the wake of Pakistan denying transit access to New Delhi for trade with the two countries.

For the protection of its interests in Afghanistan, India requires a viable access to the country, and, at present, Iran provides India the most viable transit. India has also announced its intentions to build a 900 km rail link from the Hajigak iron ore mines in Bamiyan to the Chabahar Port and is also working with Iran to build a 600 km road from Chabahar to the Iranian city of Zahedan. India is also considering investing in the Chabahar-FarajBam railway as the Chabahar port will serve as a cost-effective outlet to bring the iron ore to the market.

Indian agriculture is expected to benefit from Chabahar as it will facilitate Indian agriculture exports to Afghanistan. In fact, the first consignment of wheat was already sent to Afghanistan via Chabahar on October 29, 2017.

It would counter Chinese presence in the Arabian sea



through the support to Pakistan in developing Gwadar port. It can be used to station security vessels for merchant ships off the African coast apart from giving the country a foothold in the western Arabian Sea, which is important as many of its energy imports pass through the route.

Potential for growth of Indian mining sector is also evident from the fact that National Aluminium Company (NALCO) has signed a MoU to locate an aluminium plant in Chabahar. India is also contemplating connecting Chabahar with mineral-rich Hajigak region in Afghanistan.

Last but not the least, direct connection with energy rich Central Asia will go a long way in ensuring the energy security in India.

How Gwadar port affects shipping pattern at Indian Ocean



Gwadar Port

Both China and India are seeking closer relations with Afghanistan and Central Asia. The planned transport and trade routes cut off thousands of kilometers for certain trade routes and will have the obvious effect of building solid ties.

For China, Gwadar port with a substantial head start over Chabahar could be a terminus for pipelines in its oil and gas supply chain from Africa and the Middle East, allowing it to bypass the congested pinch point that is the Strait of Hormuz.

Gwadar also brightens the prospects for a pipeline corridor bringing oil and gas to China from the Middle East as an alternate route to transport oil around the Indian Subcontinent and through the increasingly disputed territorial waters of the South China Sea.

The route will be cheaper, less vulnerable and give Beijing greater freedom of action to pursue its claims to sovereignty over the South China Sea.

Direct access to the India Ocean would give China a strategic post of observation and a key location for its navy and a listening post from where the Chinese may exert surveillance on hyper-strategic sea links as well as military activities of the Indian and American navies in the region, and second, dual-use civilian-military facilities providing a base for Chinese ships and submarines.

For India, many a times India has said that this so called CPEC (China-Pakistan Economic Corridor) passes illegally through India (Kashmir) and India doesn't recognise it. Gwadar port being so close to the Straits of Hormuz has implications for India as it would enable Pakistan to exercise control over energy routes along with challenging Indian assertion over the Indian Ocean.

The problem with Gwadar is that while the port has been built -the supporting infrastructure of railroad link, industrial capacity, and civic structures at Gwadar is almost non-existent and the proposed Gwadar route also goes through more problematic areas of Baluchistan.

Summary

The countries of Central Asia will likely benefit from both Chabahar and Gwadar ports. As for the competition between the two ports, it will not be a "winner take all" outcome but rather one port earning the greater share of trade. And the "winner" in this respect will likely be Chabahar.

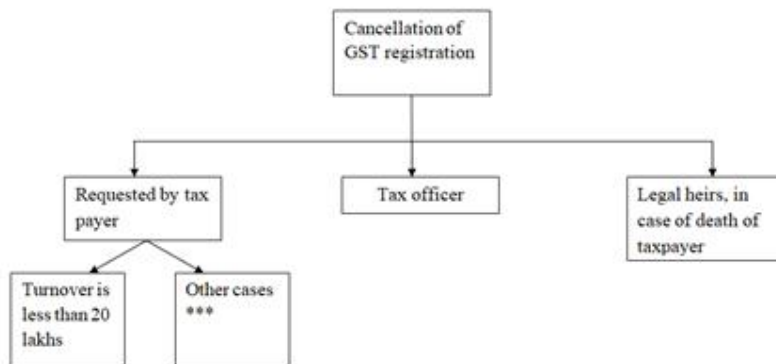
The Chabahar is not just a transit trade port for Central Asia and Afghanistan but a turning point for Indian geopolitical ambitions in the region. Gwadar, has been a particularly useful "pearl" for China. Gwadar is also strategically significant for China given its role as the link between maritime trade (i.e. energy supplies from the Middle East) and the illegal China-Pakistan Economic Corridor is set to improve infrastructure links between Pakistan and China. Thus, both ports serving as bridge for trade through Indian Ocean between countries.



CA. Sanjeev Singhal

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Cancellation of Registration is more important than registration of GST. Reason is simple that all are doing registrations of GST and process is simple but on the other way Cancellation is more complicated because only few have come across this situation and not aware of the steps and form to be filed for cancellation.



** Rs. 20 Lacs or Rs. 40 Lacs .

*** in case of Voluntary Registration made under GST, can be made only after one year of the date of registration.

From the above chart it is clear that cancellation can be initiated by Tax Payer ----- > Tax Officer ----- > Legal heir in case of Death of Taxpayer.



Reason for cancellation:

The registration can be cancelled for the following reasons:

A)- A person registered under any of the existing laws, but who is not liable to be registered under the GST Act;

B)- The business has been discontinued, transferred fully for any reason including death of the proprietor, amalgamated with other legal entity, demerged or otherwise disposed of;

C)- There is any change in the constitution of the business;

D)- The taxable person (other than the person who has voluntarily taken registration under sub-section (3) of section 25 of the CGST Act, 2017) is no longer liable to be registered;

E)- A registered person has contravened such provisions of the Act or the rules made there under;

F)- A person paying tax under Composition levy has not furnished returns for three consecutive tax periods;

G)- Any registered person, other than a person paying tax under Composition levy has not furnished returns for a continuous period of six months; This also called as suo moto cancellation.

H)- Any person who has taken voluntary registration under sub-section (3) of section 25 has not commenced business within six months from the date of registration;

I)- Registration has been obtained by means of fraud, willful misstatement or suppression of facts.

Procedure for cancellation:

i. The cancellation of registration under the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act, as the case may be, shall be deemed to be a cancellation of registration under Central Goods and Services Tax Act.

ii. In the event, the Superintendent of Central Tax has reasons to believe that the registration of a person is





liable to be cancelled, a notice to such person in FORM GST REG-17, requiring him to show cause, within a period of seven working days from the date of the service of such notice, as to why his registration shall not be cancelled; will be issued.

iii. The reply to the show cause notice issued has to be furnished by the registered person in FORM REG-18 within a period of seven working days.

iv. In case the reply to the show cause notice is found to be satisfactory, the Superintendent of Central Tax will drop the proceedings and pass an order in FORM GST REG -20.

v. However, when the person who has submitted an application for cancellation of his registration is no longer liable to be registered or his registration is liable to be cancelled, the Superintendent of Central Tax will issue an order in FORM GST REG-19, within a period of thirty days from the date of application or, as the case may be, the date of the reply to the show cause issued, cancel the registration, with effect from a date to be determined by him and notify the taxable person, directing him to pay arrears of any tax, interest or penalty.

vi. The registered person whose registration is cancelled shall pay an amount, by way of debit in the electronic credit ledger or electronic cash ledger, equivalent to the credit of input tax in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock or capital goods or plant and machinery on the day immediately preceding the date of such cancellation or the output tax payable on such goods, whichever is higher.

vii. In case of capital goods or plant and machinery, the taxable person shall pay an amount equal to the input tax credit taken on the said capital

goods or plant and machinery, reduced by such percentage points as may be prescribed or the tax on the transaction value of such capital goods or plant and machinery under section 15, whichever is higher.

viii. The cancellation of registration shall not affect the liability of the person to pay tax and other dues for any period prior to the date of cancellation whether or not such tax and other dues are determined before or after the date of cancellation.

Final Returns:

When the registration of a registered person other than an Input Service Distributor or a non-resident taxable person or a person paying tax under the composition scheme or TDS/TCS; has been cancelled, the person has to file a final return within three months of the date of cancellation or date of order of cancellation, whichever is later, electronically in FORM GSTR-10 through the common portal either directly or through a Facilitation Centre notified by the Commissioner.

Revocation of Cancellation of GST



Revocation of Cancellation:

i. When the registration has been cancelled by the Proper Officer (Superintendent of Central Tax) on his own motion and not on the basis of an application, then the registered person, whose registration has been cancelled, can submit an application for revocation of cancellation of registration, in FORM GST REG-21, to the Proper Officer (Assistant or Deputy Commissioners of Central Tax), within a period of





thirty days from the date of the service of the order of cancellation of registration at the common portal, either directly or through a Facilitation Centre notified by the Commissioner:

ii. However, if the registration has been cancelled for failure to furnish returns, application for revocation shall be filed, only after such returns are furnished and any amount due as tax, in terms of such returns, has been paid along with any amount payable towards interest, penalty and late fee in respect of the said returns.

iii. On examination of the application if the Proper Officer (Assistant or Deputy Commissioners of Central Tax) is satisfied, for reasons to be recorded in writing, that there are sufficient grounds for revocation of cancellation of registration, then he shall revoke the cancellation of registration by an order in FORM GST REG-22 within a period of thirty days from the date of the receipt of the application and communicate the same to the applicant.

iv. However, if on examination of the application for revocation, if the Proper Officer (Assistant or Deputy Commissioners of Central Tax) is not satisfied then he will issue a notice in FORM GST REG-23 requiring the applicant to show cause as to why the application submitted for revocation should not be rejected and the applicant has to furnish the reply within a period of seven working days from the date of the service of the notice in FORM GST REG-24.

v. Upon receipt of the information or clarification in FORM GST REG-24, the Proper Officer (Assistant or Deputy Commissioners of Central Tax) shall dispose of the application within a period of thirty days from the date of the receipt of such information or clarification from the applicant. In case the information or clarification provided is satisfactory, the Proper Officer (Assistant or Deputy Commissioners of Central Tax) shall dispose the application as per para (iii) above. In case, it is not satisfactory the applicant will be mandatorily given an opportunity of being heard, after which the Proper Officer (Assistant or Deputy Commissioners of Central Tax) after recording the reasons in writing may by an order in FORM GST REG-05, reject the application for revocation of cancellation of registration and communicate the same to the applicant.

vi. The revocation of cancellation of registration under the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act, as the case may be, shall be deemed to be a revocation of cancellation of registration under Central Goods and Services Tax Act .

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CA. Anuj Agrawal

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Often companies which have common set of objectives come together and form a group by contributing their shares to make a separate vehicle and participate in this Vehicle equally.

Such type of Ventures/ Vehicles are being assessed to identify who is having a control over the same as per the definition under Ind-As 110 – Consolidated financial statements. An entity who is having an absolute control over an Investee would become parent of the same however control could be Joint (equally sharing rights) also where all the parties have equal rights in such venture.

Now,

To assess such vehicle whether it is forming Joint Venture requires careful assessment and merely having a 50:50 investment will not lead to a conclusion that it is Joint Venture as per new set of accounting standards.

Let's first refer the relent guidance on the Joint Control and then we will understand the concept by taking some very real time practical examples-

Ind-As -111 – Joint Arrangements

Para -7 -Joint controls is the contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Para 8 -An entity that is a party to an arrangement shall assess whether the contractual arrangement gives all the parties, or a group of the parties, control of the arrangement collectively. All the parties, or a group of the parties, control the arrangement collectively when they must act together to direct the activities that significantly affect the returns of the arrangement (i.e. the relevant activities).

Para 9 -Once it has been determined that all the parties, or a group of the parties, control the arrangement collectively, joint control exists only when decisions about the relevant activities require the unanimous consent of the parties that control the arrangement collectively.

Now,

Let's take an example to discuss this practically further –

Example-

Three groups namely XYZ, PQR & ABC have invested to form a Vehicle called “LION” by a contractual arrangement as per the below scenarios –

1. The XYZ has made 20%, PQR made 40% & ABC made 40% in which article of association states that all the parties to the contract will have voting rights as per their contribution percentages and same ratio would be applied for participation as directors/ decisions and all such decisions would be finalized based on $\frac{3}{4}$ or 75% majority voting.

Suggested approach-

As per the voting rights which would be applied based on the contribution made, it means that PQR & ABC would need to have consent together in all decisions in order to meet the requirement of 75% majority. Even if PQR and ABC would disagree together but either of them is agree with XYZ (being 20% voting right) would not be able to take decisions and hence PQR & ABC will have JOINT CONTROL over LION.

2. The percentage holding remains same as above , however Article of Association (AOA) states that all the THREE parties would require UNANIMOUS





consent for all the decision that are being taken at Management level,

Suggested approach-

Now, Even if the contribution is different in amounts, however AOA states that all three parties would require UNANIMOUS decision, then all three parties would have JOINT CONTROL. However care should be taken while concluding this kind of situation because it would be interesting to find why other parties who had made more contribution would accept equal rights of a party who had invested less. The substance behind the same should be established and all board meeting and decisions / purpose to form such Venture should carefully be analyzed.

3. The percentages are same as above and it needs UNANIMOUS consent also (as per point no.2) , however in case dispute among the three parties while taking unanimous consent then the decision would be based on the majority voting (i.e. 50% or above),

Suggested approach-

Now, note this carefully > In case of deadlock (disagreement) the decision would be based on majority voting which could either be XYZ +ABC or ABC+PQR or PQR+XYZ, in all cases the total voting would come more than 50% which meets the threshold, that means even if it was mentioned to have UNANIMOUS decision by all three parties BUT deadlock would be resolved by majority, then either two parties could achieve this limit (i.e.50% or more), hence NO CONTROL exists by any party.

4. The percentages are same as above and it needs UNANIMOUS consent also (as per point no.2), however in case of dispute among the three parties while taking unanimous consent, there is an ARBITRATION clause which would be applicable to resolve the dispute,

Suggested approach-

Other things remains same as discussed above, where UNANIMOUS consent is mentioned in AOA and in case of deadlock there is a provision to go for ARBITRATION which means that there is an equal opportunity to decide the dispute/ disagreement and hence JOINT CONTROL by all three parties exist.

One can visualize the practical approach to deal in such cases and a careful assessment is essential in order to have correct classification of such Ventures. The purpose and design of the venture is very crucial to understand and objective/ benefits would indicate the control which could be exist. Documentation would indeed be necessary from the point of view of External Auditor and regulators.

Readers will appreciate about the main objective of the standard and an approach which one can follow while keeping in mind the basis of origin of such requirements. There could possibly be some specific situations or circumstances where the interpretation of any standard will be different as we should always keep in mind that IND-AS is principle based standards and lot more areas need management judgment in line with the standards relevant interpretation and best practices.

One has to look into all related facts and patterns before concluding this type of assessment based on this concept. Readers are requested not to take this article as any kind of advice (it is not exhaustive in nature) and should evaluate all relevant factors of each individual cases separately.





Seminar on Key aspects in International Taxation, Unregulated Deposits and ROC Compliance



Topic : Seminar on Key aspects in International Taxation, Unregulated Deposits and ROC Compliance

Audience : Members

Date & Day : 16th March 2019, Saturday

Venue : Fortune Select Excalibur, Main Sohna Road, Sector - 49, Gurugram.



Seminar on “Bank Audit”



Topic : Seminar on “Bank Audit”

Audience : Members

Date & Day : 22nd March 2019, Friday

Speaker : CA. Amarjit Chopra (Past President, ICAI) & CA. Ajay Jain

Venue : Leisure Inn West Gurgaon, Anamika Enclave, Sector 14, Gurugram



CA Students Seminar on “Bank Audit”



Topic : CA Students Seminar on “Bank Audit”

Audience : Members

Date & Day : 23rd March 2019, Friday

Speaker : CA. Ashok Kumar Chhabra

Venue : Leisure Inn West Gurgaon, Anamika Enclave, Sector 14, Gurugram





SAG Infotech Pvt. Ltd. having its registered office at Plot No 495, Above Bank of Baroda, Raja Park Gali No 5, Near AC Market, Raja Park, Jaipur – 302004, Rajasthan, India.

And

Gurugram Branch of NIRC of ICAI having its registered office at 60A, 3rd Floor, Sector-18, Gurugram, 122001, Haryana.

WHEREAS, SAG Infotech Pvt. Ltd. is a reputed IT Company AND WHEREAS, Gurugram Branch of NIRC of ICAI, is an branch of NIRC of Chartered Accountants.

In this Regard. Upon successful implementation of the arrangement, both parties are interested to work together for a mutually beneficial and strategic alliance in respect of the benefit of Chartered Accountants of Gurugram Branch of NIRC of ICAI.

NOW THEREFORE THIS MOU WITNESSETH AS FOLLOW CONDITIONS:

- 1. The objective of this MoU is primarily to establish a fruitful association with Gurugram Branch of NIRC of ICAI and SAG Infotech Pvt. Ltd.**
- 2. SAG Infotech Pvt. Ltd.'s Genius software, primarily used by Chartered Accountants, is used for Taxation purpose and very popular software across India and available at an MRP of 10,000 (Exclusive Taxes).**
- 3. SAG Infotech Pvt. Ltd, is willing to provide this said product with name of Genius to all Chartered Accountants, under Gurugram Branch of NIRC of ICAI, with a discount of 50%. Therefore, all Chartered Accountants, under Gurugram Branch of NIRC of ICAI exclusively get this software with name of Genius at Rs. 5,000 (Exclusive Taxes).**
- 4. Gurugram branch will share this understanding with its members through suitable means.**
- 5. SAG Infotech Pvt. Ltd. will treat each Chartered Accountant, under Gurugram Branch of NIRC of ICAI, as an individual customer of Company and all conditions which are applicable to any other customer will be applicable to them as well. (Separate Document of Customer Guidelines/Conditions is attached).**



Medanta - The Medicity

Medanta – The Medicity with ‘The Institute of Chartered Accountants of India’ for providing medical services to the members & their dependents of ‘The Institute of Chartered Accountants of India’

Following are the agreed terms & conditions:

- 10% discount on OPD services such as Consultation Fees, Investigations (Laboratory & Radiology). Please note that no discount will be given on any package based OPD procedures, drugs, consumables, blood components, implants, devices, day care procedures, CT Angiography, CT Scan, PET CT, MRI & outsourced investigations.
- 10% discount on IPD services (for non – insured employees) such as Room Rent & Investigations (Laboratory & Radiology) except drugs, disposables, consumables, blood components, implant, devices, contents of pre defined packages, outsourced services, CT – Angiography, MRI, OT, Anesthesia Charges & outsourced investigations.
- 10 % discount on Standard Health Checkup packages.
- Personal assistance in admissions & treatment.
- Health Education talks in organization premises.
- Discount on Healthcare services can be availed by the employee by showing the Membership ID Card. In case of dependent family member the Membership ID Card of the member & the Govt. ID Card (like PAN Card, Election ID Card, Passport etc.) of the dependent will be required.
- The validity of the agreement will be one year i.e. from September, 15, 2018 to September, 14, 2019.
- All services are agreed in cash mode. No credit to be extended.



Overview of 'Lite Bite Foods' and Validity

'Lite Bite Foods' is one of the largest & most dynamic Food & Beverage retail company in the country, with over 14 core brands & 6 Franchise brands under its umbrella. We have 95 operational outlets in India, Bangkok, Singapore, Abu Dhabi, Dubai & United States of America & with a plan of opening 31 new outlets company aims to become one of the largest Food & Beverage players in India by 2016. Currently we have a strong presence in Malls, High Streets, Airports, Multiplexes, Office complexes, Hotels and other high footfall locations.

Our awarded hero brands are Punjab Grill, Zambar, Fresco Co, Asia 7, Street Foods By Punjab Grill, Baker Street, Artful Baker, Pino's, Flamez & Roasted, Naashto, American Tandoor, Savour (Outdoor Catering Brand), Clink, Bottoms Up. We also run Franchise stores of Subway, KFC, Pizza Hut, Burger King, and Café Istanbul.

We invite all are members to avail this opportunity at their restaurants.

The Terms and Conditions offered will be as follows:

1. Fine Dining Restaurants & Casual Dining Restaurants will offer 15% discount on food & soft beverage. The restaurant covered under this policy will be:
 - a) Punjab Grill
 - b) Asia Seven
 - c) Zambar- Coastal Kitchen
 - d) Fresco
 - e) Bottoms Up
2. Quick Service Restaurants will offer 10% discount on food. The restaurant covered under this policy will be:
 - a) Baker Street
 - b) Pino's
 - c) Street Foods by Punjab Grill
 - d) Subway
 - e) Asia Seven Express
 - f) Zambar Express

Other applicable Conditions:

- All Discount OFFER(s) are NOT applicable on Festivals and Public Holidays.
- All Discount applicable on Saturdays and Sundays also.
- Discounts are only applicable on showing valid Membership Card/CA logo visiting card at the time on Dining.
- The menu prices at Outlets are subject to change without any prior notice.
- The conditions mentioned on the menu are applicable.





- Taxes and other Govt. levies are applicable.
- No other offers, exemptions or discount schemes can be clubbed with this corporate offer.
- Discounts are not applicable on Hard drinks & MRP products.
- Discount are not applicable at Airport/ railway/ Metro outlets.
- Mode of Payment-Cash / Credit Cards.

S.No	Outlet Name	Location	Outlet Landline No.	Address
1	ASIA 7	Ambience Mall	0124-4665571	Shop No. 318, 3rd Floor, Next to Food Court, Ambience Mall, Gurugram.
2	BAKER STREET	Ambience Mall	0124-4665567	Shop No.16, Food Union, 3rd Floor, Ambience Mall, Gurugram.
3	FRESC CO	Ambience Mall	0124-4665572	Shop No. 317, 3rd Floor, Next to Food Court, Ambience Mall, Gurugram.
4	PINO'S	Ambience Mall	0124-4665495	Shop No. 14, 3rd Floor, Food Union, Ambience Mall, Gurugram.
5	PUNJAB GRILL	Ambience Mall	0124-4665478	Shop No. 319, 3rd Floor, Next to Food Court, Ambience Mall, Gurugram.
6	SF by PG	Ambience Mall	0124-4665513	Shop No. 02, 3rd Floor, Food Union, Ambience Mall, Gurugram.
7	SF by PG	MGF Metropolitan Mall	0124-4222238	Shop No. 05, 3rd Floor, Food Court, MGF Metropolitan Mall, Gurugram.
8	SF by PG (Delivery Only)	Udyog Vihar	0124-4236633	Plot - 317 Udyog Vihar Phase - 4 Gurugram
9	SUBWAY	Ambience Mall	0124-4665515	Shop No. 04, 3rd Floor, Food Union, Ambience Mall, Gurugram.
10	SUBWAY	DT Mega Mall	0124-4015577	3rd Floor, Food Court, DT Mega Mall, Gurugram.
11	SUBWAY	Cyber Green	0124-4016962	Ground Floor, Food Court, Cybergreen Tower, DLF Phase-III, Gurugram.
12	SUBWAY	Fortis Hospital	0124-4039728	Fortis Hospital Sector 44, Gurugram Haryana
13	ZAMBAR	Ambience Mall	0124-4665639	Shop No. 310, 3rd Floor, Next to Food Court, Ambience Mall, Gurugram.
14	ZAMBAR	Cyber Hub	91-8130450438	Ground Floor, Cyber Hub, Cyber City, Gurugram

Gurugram Chartered Accountants, a newsletter owned by Gurugram Branch of NIRC of ICAI is normally published in the first week of every month. Non Receipt of any issue should be notified within one month. Articles in interest of profession and management skills are welcome. Views expressed by contributors are their own and may not be in concurrence with Gurugram Branch of NIRC of ICAI and the branch does not take any responsibility of views expressed by contributors. Gurugram Branch is not responsible in any manner of any result of the action taken on the basis of advertisements published in the newsletter. Rights & copying of articles or write ups is not allowed without permission of Editorial Committee.





Feedback & Suggestions

Gurugram Branch will be happy to receive the feedback from you regarding the seminars/workshops and other activities organized by branch.

You may please send feedback at-

Gurugram Branch of NIRC of ICAI requests the members & students to come forward & share the articles (Professional & other) to be published in the upcoming newsletter. The submissions may be sent to arunaggarwalca@gmail.com with the subject line (Article Newsletter).

Regarding	Email	Subject line
Seminars/Workshops	icaigurgaon@gmail.com	Sub: Seminar_____
Others	icaigurgaon@gmail.com or arunaggarwalca@gmail.com	Feedback_____

Gurugram Branch Managing Committee for the Session 2019-20

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Respected Members,

We are pleased to inform that the Registration for Annual Membership of Gurugram Branch of NIRC of ICAI for year 2019-20 has been started.

The Study group membership entitles members to attend all the CPE events organised by Gurugram Branch during the financial year. CPE programs organised by Gurugram branch are amongst the best managed programs in the region wherein best speakers take session at 4-5 star rated hotel venues.

Below is what you need to know for the membership:-

1. Annual Membership fee is applicable for 1st April 2019 to 31st March 2020;
2. Membership entitles the member to attend most seminars/workshops/conferences and other events hosted by Gurugram Branch at zero cost;
3. Seminars/Workshops/Conferences hosted at the branch are evenly spread through the year keeping in mind the key due dates;
4. Seminars/Workshops/Conferences hosted at the branch cover all major and recent topics that interest professionals in practice as well as Industry;
5. 2019 is the last year in the four year block to complete the CPE hours requirement. Joining the annual membership program is a sure way to be compliant;
6. Seminars/Workshops/Conferences in Gurugram are a good place to network;
7. Gurugram Branch reserves the right to organize Seminars/Conferences/Workshops/Events which can be attended on chargeable bases irrespective of the Membership.

Registration Form can be accessed at this link ([Click Here](#))

Particulars	Fee Per member	GST @ 18%	Total Amount
For Individual Member	Rs.5500/-	Rs.990/-	Rs.6490/-
For five or more declared members from any organization i.e. names of the Members to be declared at the time of payment of fee. (payment will be made with a single cheque only)	Rs.5000/-	Rs.900/-	Rs.5900/-

Payment can be made via different mechanism:-

- a) Offline Mode - Please fill up the form (attached form) and send the cheque to branch along duly filled form.
- b) NEFT/RTGS Mode - RTGS/NEFT at below bank and share the details of payment along duly filled form at icaigurgaon@gmail.com

Bank Account Details:-

A/C Name : Gurgaon Branch of NIRC of ICAI

A/C Number : 910010026661826

IFSC Code : UTIB0000056

(Kindly mention your name and Membership Number in the remarks while making the payment)

- c) Payumoney - Please follow the link and make the payment.

For Individual Member : <https://goo.gl/v7i7XU>

For Five Member : <https://goo.gl/Mn3kuN>

Note:- GST details (in membership form) need to be shared at the time of making the payment. An invoice once issued will not be altered,

Disclaimer :- Request you to please send a mail at icaigurgaon@gmail.com alongwith invoice/GST details (in membership form) within 3 days of making the payment to receive a copy of GST Invoice with your details.

