



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

RAIPUR BRANCH OF CIRC OF ICAI

**E-NEWSLETTER
AUGUST 2021**

 icairaipur.org/blog.php

TABLE OF CONTENTS

Explained - Alternative Tax
Regime in Income Tax

Poem - In Search of Peace

Article - Recent
amendments in LLP

NEWS AND UPDATES





THE CHAIRMAN'S MESSAGE

CA SURESH KUMAR AGRAWAL

I congratulate all of you on this 75th independence day.

This year, Government of India has taken an initiative to celebrate 75 years of independence of our great nation.

Showcasing the glorious history of our people, Prime Minister Shri Narendra Modi inaugurated the azadi ka Amrit Mahotsav by flagging of Dandi March from Sabarmati ashram Ahmedabad on 12th March 2021. The celebration started 75 weeks before our 75th anniversary of independence and will end on August 15th 2022.

We, the committee members of Raipur Branch were invited and honoured by memento by principal commissioner of Central GST Shri B B Mohapatra at this mahotsav celebrations on 15th August 2021, along with our two brotherly CA branches of Bilaspur and Bhilai. We were also invited by principal commissioner of Income Tax. Both of the above two events were memorable for us.

Our past prime minister Dr Manmohan Singh said – "Our vision is not just of economic growth but also of a growth which would improve the life of the common man.

This independence day let us all take one step ahead towards the growth of not only the economy, but also towards growth of life of the common man. Since the day of implementation of GST, it has proven itself to be a great idea for decreasing the pollution of corruption and unnecessary black marketing. Taxes are the largest revenue source for the Government and tax collected is used by the government with aim of nation building and its development.

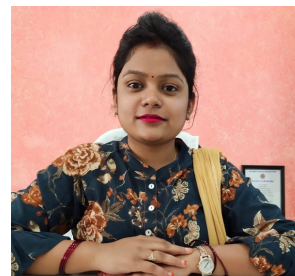
Our past president Abdul Kalam rightly said that we CAs are partners in nation building.

I convey my best wishes to members of Raipur branch for a great success on the publication of this newsletter and specially to CA Prakhar Jain for his great initiative taken in this regard.

"START BY DOING WHAT IS NECESSARY THEN WHAT IS POSSIBLE AND SUDDENLY YOU ARE DOING THE IMPOSSIBLE"

ALTERNATIVE TAX REGIME: TAX SAVER OR NOT

BY CA ANKITA AGRAWAL (M.NO.- 443707)



Read this Article on the website



Since Budget 2020 was out with optional Alternative tax regime with lower slab rates. These lower rates were tuned with withdrawal of certain exemptions. To arrive at whether or not this is beneficial to the taxpayers, Let us understand scenario under both the regime.

The New Tax regime is optional and is available only to INDIVIDUAL & HINDU UNDIVIDED FAMILY. Individual may be salaried/retired person having salary income or self employed person having business income or any other person having any other income.

A taxpayer who wants to avail the benefit of new tax regime has to upload FORM 10-IE on or before the due date of filing the Return of Income.

For taxpayer who has income from business & Profession, once opted cannot withdraw from the scheme except cease to have such income. For others this option can be exercised every year.

TAX RATE STRUCTURE UNDER NEW & OLD SCHEME

<u>INCOME</u>	<u>OLD</u>	<u>NEW</u>
Up to Rs. 2,50,000	Nil	Nil
From Rs. 2,50,001 – Rs. 5,00,000	5%	5%
From Rs. 5,00,001 – Rs. 7,50,000	20%	10%
From Rs. 7,50,001- Rs. 10,00,000	20%	15%
From Rs. 10,00,000- Rs. 12,50,000	30%	20%
From Rs. 12,50,000 – Rs. 15,00,000	30%	25%
Above 15,00,000/-	30%	30%

COMPARISION OF EXEMPTION & DEDUCTION

<u>PARTICULAR</u>	<u>OLD</u>	<u>NEW</u>
Basic Exemption Limit -Senior Citizen	3,00,000/-	2,50,000/-
Basic Exemption Limit – Super Senior Citizen	5,00,000/-	2,50,000/-
LTA, HRA, Special Economic zone Allowance, Entertainment allowance, Professional tax deduction	Available	Not Available
Standard deduction	50,000/-	Nil

Interest on housing Loan , Additional Depreciation	Available	Not Available
Deduction u/s 80C to 80U (except 80CCD(2), 80JJA, 80LA(1A))	Available	Not Available
Investment Allowance u/s 32AD, 33AB, 33ABA, 35CCC	Available	Not Available
Capital Expenditure to Specified Business u/s 35AD	Available	Not Available
Family Pension Standard deduction Sec 57(iia)	Available	Not Available
Interest and Maturity Withdrawal from PPF u/s 10 (11) & Sukanya Samriddhi Account us 10(11A)	Available	Available
Exemption u/s: 10(10) – Gratuity 10(10A) - Commutation of Pension 10(10AA) – Leave encashment 10(10B)- Retrenchment Compensation 10(10C)- Retirement compensation 10(10CC)- Non- monetary perquisites 10(10D)- Sum received under LIC 10(12A)/12B)- NPS 10(13) – Approved Superannuation fund 10(14) – (a) Conveyance Allowance/ Transport Allowance used for official purpose (b) Transport Allowance of Rs. 3200/- to specially abled person.	Available	Available
Alternate Minimum Tax us 115JC	Applicable	Not Applicable
Brought Forward losses adjustment	Allowed	Not Allowed

On considering the above, taxpayer can arrive at whether to opt for Alternative tax regime or not.



IN SEARCH OF PEACE

BY CA ANKITA KRIPLANI (M.NO.- 443771)



[Read this Poem on the website](#)



Those intent dreams within me
Took my sleep away from me
Tired was my soul
Still I kept on working upon it with nuts and bolts
Nothing was in ease
Because I was in search of peace

Everyone admired the person within me
Because I am no more the old version of me
People talked the talks behind
I was indulged in building my mind
I exclaimed, stop all this drama please
Because I was in search of peace

Dared alot to accomplish my mission
All I could only see was my vision
Fear of losing myself trapped me within
Overcoming miseries was lone answer to the question
No worries to lease
Because I was in search of peace

Everything has been so damn freaking
In life now everyone is trekking
Goals and standards are too high
Fulfilling self demands became a sigh
Losing oneself through life's tease
Because I was in search of peace

As mounted as my thoughts soar
The believe to achieve them I really adore
Success keeps my desire awake
Yeah! My heart will never break
Smile and grin by saying cheese
Endly I found the peace



LIMITED LIABILITY PARTNERSHIP (AMENDMENT) ACT, 2021 – A BALANCING ACT



BY CS PRATIK JAIN (M NO - A61747)



LIMITED LIABILITY PARTNERSHIP



Change is the only constant, the Laws of the Land are no exception to this rule. As the society changes there comes a need to change Laws, which in the end regulates and standardize the behaviors of the society.

Last Parliament session went under unstoppable uproar on Pegasus issue and protest against Farm Laws. The Rajya Sabha Chair Mr. M Venkiah Naidu broke into tears following an incident inside the House in which some member of the Upper House sat on the tables and even climbed on the tables, he expressed that the sacredness of the house was destroyed. Nevertheless the house functioned amid ruckus.

As many as 17 Bills were passed by the Parliament despite the ruckus by the opposition, amongst them was Limited Liability Partnership (Amendment) Bill, 2021.

In a constant endeavor towards the Ease of Doing Business (EODB) and to decriminalize the LLP Act, 2008 the Central Government proposed the Bill. The objects of the Bill inter-alia include:

- to introduce the concept of 'small LLP' in line with the concept of 'small company' under Companies Act, the new concept will encourage the entrepreneurs to incorporate LLP's as 'small LLP' will be exempted from various provisions of the LLP Act.
- to convert certain offences into civil defaults.
- to insert a new section 34A so as to empower the Central Government to prescribe the 'Accounting Standards' or 'Auditing Standards' for a class or classes of limited liability partnerships
- to insert a new section 67A empowering the Central Government to establish or designate as many 'Special Courts' as may be necessary for the purpose of providing speedy trial of offences under the Act;
- to insert a new section 76A so as to provide that the Central Government may appoint as many officers as Adjudicating Officers as it thinks necessary for the purpose of adjudicating penalties under the Act.

From the above mentioned objects certainly we can derive that the motive of the Central Government in proposing the amendments were EODB and to promote the corporate forms of businesses. But if one go through the amendments carefully it is also very clear that on one side the Government is promoting the business but at the same time also insertion of Section 67A and 76A in the Act is clear signal that although the penal provisions have drastically reduced but at the same time establishments of Special Courts and appointment of Adjudicating Officers the Government is in no mood to spare those who are non-compliant of the LLP Act. The Government is playing a beautiful balancing act to ensure that there exists Ease of Doing Business but at the same time the investment community or the stakeholders are very well protected. The newly inserted Section 34A which empowers the Central Government to prescribe Accounting and Auditing Standards is also a step in this direction.

EXTENSION OF TIME FOR HOLDING OF ANNUAL GENERAL MEETING (AGM) OF FINANCIAL YEAR 2020-21 BY TWO MONTHS BEYOND THE DUE DATE

SOURCE: ICAI.ORG

This is to inform you that the Ministry of Corporate Affairs (Registrar of Companies of various States) vide its Order dated 23.09.2021 has extended the timeline to conduct Annual General Meeting (AGM) of the Companies by two months beyond the due date within which the companies ought to have conducted their AGM for the FY 2020-21 ended on 31.03.2021.

As per first proviso to Section 96(1) of the Companies Act, 2013 a company has to hold in addition to any other meetings, a general meeting (other than the first AGM) within a period of six months from the date of closing of financial year, which can be extended by the Registrar for a further period, in any special circumstance.

Therefore, considering the enormous difficulties and hardships faced by the stakeholders in conduct of AGM due to the second wave of Covid-19 and consequent lockdown etc., the MCA has extended the timeline to hold AGM by two months beyond the due date.

Further, as per Section 129(2) of the Act, the Board of Directors of the company has to lay before the Members the financial statements for the financial year at the AGM. Accordingly, the extension of aforesaid timelines has brought relaxation in finalisation of Books of Accounts for the financial year ended 31.03.2021.

It is also to be noted that the MCA had earlier vide its Circular dated 13.01.2021 has allowed the Companies whose AGMs were due to be held in the year 2020, or become due in the year 2021 to conduct their AGM on or before 31st Dec 2021 through VC or OAVM in accordance with the requirements as provided in paragraphs 3 and 4 of the Circular dated 05.05.2021.

Accordingly, the Companies are allowed to conduct AGM by 30th November, 2021 (30th September, 2021 + 2 months extension) and the same can be conducted through the mode of Video Conferencing (VC) or Other Audio-Visual Means (OAVM) as well.

Further, it has been clarified by the MCA that the extension granted under this order shall also cover the:

- Pending applications filed in form GNL-1 for the extension of AGM for the financial year ended on 31.03.2021, which are yet to be approved.
- Applications filed in form GNL-1 for the extension of AGM for the financial year ended on 31.03.2021, which were rejected.
- Applications filed in form GNL-1 for the extension of AGM for the financial year ended on 31.03.2021, where the extension approved was for a period less than 2 months.

It is also clarified that the extension granted under this order shall not cover the applications filed in form GNL-1 for the extension of AGM for the financial year ended on 31.03.2021, where the extension approved was for a period more than 2 months.

Orders as issued by the ROCs of various states are available at the link-

<https://www.mca.gov.in/content/mca/global/en/data-and-reports/rd-roc-info/extension-agm.html>

Members may take note of the above and plan accordingly.

Sincerely Yours,

Chairman and Vice Chairman
Corporate Laws & Corporate Governance Committee
The Institute of Chartered Accountants of India

ALIGNING THE TIME LIMIT OF GENERATING UDIN FROM 15 DAYS TO 60 DAYS

SOURCE: ICAI.ORG

Standard on Quality Control (SQC 1) on Retention Period for Engagement Documentation (Working Papers) requires firms to establish policies and procedures for the timely completion of the assembly of audit files. It further provides for an appropriate time limit within which the assembly of the final audit file is to be completed, ordinarily in not more than 60 days after the date of auditor's report. Due attention is also drawn to Standard on Auditing (SA)- 230 on Audit Documentation, paragraphs A21 to A24 on assembly of the audit file.

With an aim to align the time limit for generating UDIN with the Standards on Auditing and Standard on Quality Control, the Council at its 405th meeting held on 17th September 2021 has decided that the time limit of generating UDIN would be 60 days from the date of the signing of certificates/reports/document instead of 15 days henceforth.

Further, for the documents where the respective Regulator/(s) or other stakeholders require UDIN immediately on signing or within a specified period, the same shall be provided by the member.

Also, UDIN so generated has to be communicated to "Management" or "Those Charged with Governance" for disseminating it to the stakeholders from their end.

UDIN Directorate

RAIPUR BRANCH OF CIRC OF ICAI						
Reports of Activities carried out by RAIPUR BRANCH						
IN THE MONTH OF AUGUST 2021						
SR.NO	DATE	PROGRAMME	TOPICS	GUEST/FACULTIES	Structured CPE	Attendance
1	01.08.2021	VCM jointly with Bilaspur Branch and Bhilai Branch	Insight & SWOT analysis of Merger, Networking & Multidisciplinary Practices for CA firms	CA Rohit Ruwatia	2	58
2	06.08.2021	"VCM on Taxation" jointly with Bilaspur Branch and Bhilai Branch	Taxation issues in partnerships and also impact of newly inserted/substituted section 9B/45(4).	CA Manoj Gupta- Jodhpur	2	500
3	07.08.2021	COVID Vaccination Camp Organised Raipur Branch				120
4	08.08.2021 To 10.08.2021	Three Days National Virtual Conference on Corporate Laws Organised By :Corporate Laws & Corporate Governance Committee of ICAI Jointly Bhilai,Bilaspur,Muzaffarnagar & Saharanpur Branch of CIRC of ICAI	Recent Amendments in Companies Act 2013, Latest Amendments in Schedule III and Developments in CARO Recent Amendments in CSR under Companies Act 2013 Compliances & Filings under Companies Act,2013 related to CFSS,DPT-3 and New MGT7A Roles and Responsibilities of Directors Valuation - Emerging Opportunity for Professionals	CA Deepa Agrawal ,CA Padama shree Crasto , CS Reema Jain CA Pratik Anand CA Anil Sharma CA Sumit Dhadda	12	
5	08.08.2021	Branch Level of CA Students Quiz Competition,2021 & CA Students Elocution Competition,2021		CA Prakhar Jain,CA Sweta Mittal and Chandani Godheja		34
6	13.08.2021	VCM on "Accounting Standards for Non Company Entities" jointly with Bilaspur and Bhilai Branch	Application of AS & SA in the Audit of MSME (Case study based practical discussion on Important AS & SA)	CA Dheeraj Sharma - Gurgaon	2	394
7	15.08.2021	Flag Hoisting ceremony on the Independence Day				21
8	18.08.2021	CIRC Regional Level CA Students Talent Search 2021 at Deharadun				
9	21.08.2021	Investor Awareness Programme	Investor Awareness on Tax and Its impact on Investment Tax Implications and Investment	Inaugural Session & Keynote Address by Guest of Honour :-CA. Anuj Goyal, CCM ICAI & Chairman CCMIP Chief Guest - Shri Brijmohan Agrawal (MLA Raipur & Ex. Cabinet Minister, Government of Chhattisgarh) Guest of Honour - Shri S K Bansal (IRS Joint Commissioner CGST,Raipur) CA Mohit Golchha and CA Vinod Rawal	2	26
10	23.08.2021	COVID Vaccination Camp Organised Raipur Branch				
11	25.08.2021 To 26.08.2021	Two Days VCM on Analytical Procedures Using Forensic Models Digital Accounting and Assurance Board Jointly with Raipur,Varanasi,Bhilai,Ranchi and Bilaspur Branch of CIRC of ICAI		Speakers: CA.M.S Meha CA.Manu Agrawal CA.Durgesh Pandey Mr. Sachin Dedhia Prof.Triveni Singh Dr.Vinay Saini		
12	30.08.2021	Visit of CIRC Chairman-CA Nilesh Gupta in Raipur Branch				
13	30.08.2021	Meeting with CM of Chhattisgarh State Shri Bhupesh Baghel ji.	Interaction regarding investors summit at Chhattisgarh State And MOU of ICAI and CG Govt for MSME unit establishment and promotion. CA Nilesh Gupta, CIRC Chairman especially joined us	CM of Chhattisgarh State Shri Bhupesh Baghel ji. CA Nilesh Gupta, CIRC Chairman, CA Shashikant Chandraker -CIRC Secretary		
14	31.08.2021	Seminar on GST (Under Kardata Jagrukta Drive) jointly with CIRC of ICAI, and Chhattisgarh Chamber of Commerce & Industries	Emerging issues under GST (Specific to CG State) 1. Way of dealing with GSTR 2A v.3B notices and 2. Fake invoicing - Way forward	Special Invitee :- CA Madhukar N Hiregange, Bangalore (On Digital) CA Nilesh Gupta, Chairman CIRC of ICAI, CA Shashikant Chandraker, Secretary CIRC of ICAI		35
15	31.08.2021	Newsletter Publish July of Raipur Branch of CIRC of ICAI				

THANK YOU



INVITATION FOR CONTRIBUTING ARTICLES AND OTHER CONTENT

Articles are invited for inclusion in the E-Newsletter for the month of September 2021.

Other writings such as Poems/ short stories/ any other professional or non-professional writeup also invited.

If you want to share your artwork, you can send us a good quality Pic of it and we will share with our CA community!

Email - Raipur@icai.org, prakhrajain2244@gmail.com

Kindly send along with a Passport size photo, Name and Membership number