



ERNAKULAM BRANCH
OF SOUTHERN INDIA REGIONAL COUNCIL (SIRC) OF
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA (ICAI)
E-NEWSLETTER

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HAPPY
Diwali



Chairman's Message



Esteemed Colleague,

The happiest people I know are those who lose themselves in the service of others.

— Gordon B. Hinckley, U.S. author

It is with great happiness that I present to you the E-Newsletter for the month of November, 2021. The last nine months have been tremendous and involving in the process of serving my fraternity. It is truly gratifying to witness and experience the amazing support and wishes you have extended so far. It is this positive vibe that drives me to work in your interest and that is where my real happiness lies.

October, 2021 was yet another month filled with academic and non-academic events. It was undoubtedly with great support from CCM that we did three academic events organised by the Central Committees of ICAI and hosted by Ernakulam Branch. Financial Literacy Drive is an innovative initiative of our Hon'ble President, CA. Nihar N. Jambusariya where ICAI looks to reach out to the smallest of forums or communities to enable and empower them

on their financial awareness. As part of this noble initiative, Ernakulam branch jointly with Amrita Viswa Vidyapeetam, Kochi organised a programme to this tune, ranging to varied topics on GST, Investments, Income Tax, etc for the students of the college.

Now that the Covid restrictions have subsided and been relaxed, we look forward to planning some physical events this month. As we know, the SIRC Regional Conference is to be held in Coimbatore on the 19th and 20th of November. I seek your wholehearted support to Hon'ble Chairman SIRC, CA. K. Jalapathi for making this conference a grand success. I request all our members to kindly register for the physical or virtual mode of the conference. We have also planned for the Sub Regional Conference on 27th November, 2021 at Hotel Marriot, Edapally. We look forward to fielding some great speakers and also have requested the presence of Hon'ble Finance Minister as our Chief Guest for the event.

I am sure all of us are well aware of the fact that our Triennial elections for the Central and Regional Council are on the 3rd and 4th of December, 2021. You might have received calls and communications from various candidates by now. I request you to kindly exercise your right and privilege to ensure the best of our candidates represent us and work for us at their respective councils of the Institute of Chartered Accountants of India.

Before I conclude, let me wholeheartedly wish each one of you a very happy and safe Diwali ensuring the safety of yourself and your family. Stay happy and blessed always!

Kindest regards

CA. Renjith R. Warriar
Chairman

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Meetings/Seminars / Refresher Course

A Virtual Refresher Course on Auditing Standards organized by the Auditing and Assurance Standard Board of ICAI and hosted by the branch on 4th October to 6th October 2021. 73 Members attended. CA. Abhijit Sanzgiri, Mumbai, CA. R.S. Balaji, Chennai, and CA. Khushroo B Panthaky, Mumbai were the speakers on the topics "SQC 1, Quality control for firms that perform audit and reviews of historical financial information, and other Assurance and Related Services Engagements", "SA 220, Quality control for on Audit of Financial Statements", "SA 230, Audit Documentation", "SA 315, Identifying and Assessing the Risks of Material Misstatement through understanding the Entity and its Environment", "SA 330, The Auditor's responses to Assessed Risks", "SA 240, The Auditor's responsibilities relating to fraud in an Audit of Financial Statements", "Reporting on Fraud under Section 143 (12) of the Company Act, 2013", "SA 500, Audit Evidence", "SA 505, External Confirmations" and "SA 530, Audit Sampling".



CA. Abhijit Sanzgiri



CA. R.S. Balaji



CA. Khushroo B Panthaky

A Virtual CPE Seminar was conducted by the branch on 23rd October 2021. The topics on "Concept of Virtual CFO and its opportunities for Members" and "Revised networking guidelines and its way forward" was taken by CA. Ramya C, Bengaluru and CA. Tanya Gupta, New Delhi. 34 members attended the programme.



CA. Ramya C



CA. Tanya Gupta

A Virtual Study Circle meeting on "Automation of work using power query" organized on 20th October 2021. CA. Dibin Divya Kumar was the speaker for the meeting. 27 members attended.

Branch hosted another Virtual Refresher Course on Accounting Standards organized by the Accounting Standards Board of ICAI from 11th October to 13th October 2021. CA. Srivats Gopalakrishnan, New Delhi, CA. Vinod Balachandran, Kochi and CA. Raghuram Iyer, Mumbai were deliberated on the topics "AS 9 – Revenue recognition", "AS 10 – Property, Plant and Equipment", "AS 16 – Borrowing Costs", "AS 18 – Related Party Disclosure s", "AS 19 – Leases", "AS 22 – Accounting for taxes on Income", "AS 11 – The effects of changes in foreign exchange rates", "AS 12 – Accounting for government grants" and "AS 15 – Employee benefits". 114 members attended.



CA. Srivats Gopalakrishnan



CA. Vinod Balachandran



CA. Raghuram Iyer

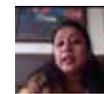
Branch hosted Three Days Virtual Investor Awareness programme organized by the Committee on Capital Market and Investors Protection of ICAI from 27th October to 29th October 2021. CA. Vinit Deo, CA. Prajakta Shetye Deo, Pune, CA. Rudramurthy, Bengaluru and Dr. Deena Venu, Mumbai were the speakers on the topics "Introduction to investments in Start Ups", "Equity investing for wealth creation and investment advisory to clients" and "Real Estate Investment Trust and Infrastructure Investment Trust – Untapped potential". 92 members participated the awareness programme.



CA. Vinit Deo



CA. Rudramurthy



Dr. Deena Venu

Other Activities – Members

Interactive meeting on development projects of Kochi Corporation:

An interactive meeting of the heads of various key stakeholders of Ernakulam District was organized on 2nd October, 2021 by the Kochi Corporation to discuss on the development projects of the city. The meeting was chaired by Shri P. Rajeev, Hon'ble Minister for Industries, Law and Coir, Government of Kerala. Minister pointed out that a panel of experts will be formed comprising Chartered Accountants, Company Secretaries for urban development projects. Shri Hibi Eden MP, Shri K Babu MLA, Shri M. Anilkumar, Mayor, Cochin Corporation, Shri S P Kamath, Cochin Chamber of Commerce, CA. Renjith Warriar Chairman of the branch, Ar. B.R. Ajith spoke on the occasion.

Swachh Bharat Abhayan Programme: "Swachh Bharath Abhayan" was organised on 2nd October, 2021 along with a unique idea of removing and clearing the outdated political posters from the ICAI branch premises. The posters were removed from Diwans road along with other plastic waste. The drive was attended by representations from Political parties. Sri John Lukose (CPI), Sri. Rajagopal (BJP) and Sri K.V Krishnakumar (Congress) attended and inaugurated the drive. Thereafter saplings were also planted in the new premise of the branch.

Public Programme : Lecture Series on Tax – An Overview to GST was organized by St. Albert's college (Autonomous) Ernakulam, Department of Commerce and conducted by Ernakulam Branch of ICAI on 7th and 8th October, 2021. The topics on "Input Tax Credit and Registration Process" and "Chargeability, Time and Place of Supply" were taken by CA. Soman N L, Partner, M/s Rajasekharan & Mathew, Ernakulam and CA. Cyrjoe V J, Ernakulam. 120 students participated.

CSR – Vaccination Programme :

"Back to College" - free vaccination program for students was organized in Ernakulam on 6th October, 2021. Actor Jayasurya inaugurated the first camp held at St. Teresa's College, Ernakulam.

The project was being implemented in collaboration with IMA Kochi and Soukhyam Charitable Trust. Kochi Municipal Corporation Mayor Adv. M Anilkumar, CA. Renjith Warriar, Chairman of the branch and Trustee of Saukhyam Charitable Trust, Sister Vineetha, Manager, St. Teresa's College, Dr. Lizzie Mathew, Principal St. Teresa's college and others spoke on the occasion.

Pre-Budget Memorandum 2022 : The branch submitted the pre-budget memorandum 2022 on 20th October, 2021 to the Direct and Indirect Taxes Committee of ICAI.

Faculty meeting organized at the branch :

An Interactive meeting of the faculty of the branch was held at ICAI Bhanwan on 22nd October, 2021. CA. K.V. Jose Vice Chairman and Academic Affairs Committee Chairman welcome the gathering. CA. Renjith Warriar gave the opening remarks. The discussion covered on matters relating to ongoing batches, mode of operation of upcoming batches, feedback of Classmate software platform, student's feedback on the session, how to get more admission for coaching class, feedback from the faculty on the administrative aspect of the coaching classes. Mrs. Lizzy Babitha, Course Co-ordinator proposed vote of thanks. 25 faculty members attended the meeting.

Financial Literacy Drive : Financial Literacy Drive was held on 21st, 23rd, 25th, 26th, 27th, 28th and 30th October, 2021, organised jointly with Amrita School of Arts and Science, Kochi Campus and Ernakulam branch of SIRC of ICAI. The topics on "Introduction to Income Tax", "Recent Reforms in Capital Markets and Financial Derivatives", "Provisions of Assessment, Penalty and Prosecution under Income Tax Act", "Career Prospects for Commerce Students (Emphasis on Professional Courses)", "Introduction to GST" and "How to Start a Trading & Demat Account with Demo of Online Trading Screen" were delivered by CA. P.J. Johney, Past Chairman, Ernakulam Branch of ICAI, CA. P. Shreekumar Menon, Former Chairman, Cochin Stock Brokers Ltd, CA. Ravinath R Pai, Ernakulam, CA. Rajiv Rabindran, Ernakulam and CA. Pramod Prabhu S H, Ernakulam. 250 students attended the programme.

Career Counselling Programme at Amrita Viswa Vidyapeet : As part of the Financial Literacy drive, Career Counselling was given to the students of Amrita Viswa Vidyapeet on 27th October, 2021 by CA. Pramod Prabhu. Chairman CA. Renjith R. Warriar also interacted with students and cleared their doubts and queries pertaining to CA curriculum. The session was attended by around 250 students.

Interactive meeting with Principal Chief Commissioner of Income Tax

An Interactive meeting was arranged on 29th October, 2021 with Sri. B.V. Gopinath, IRS, Principal Chief Commissioner of Income Tax. Various topics concerning Direct Taxes concerning our members were discussed at the meeting.

CA. Babu Abraham Kallivayalil, Chairman, professional Development Committee of ICAI and Central Council Member, CA. Paulson K P, Past Chairman, CA. Suresh T N, Past Chairman, CA. Renjith Warriar, Chairman, CA. K.V. Jose, Vice Chairman and CA. Allen Joseph, Treasurer were present on the occasion.

Career Counselling Programme

Career counselling programme was organized by the Ernakulam Branch of ICAI jointly with Kerala CBSE School Management Association on 31st October, 2021. CA. Roy Varghese, Immediate Past Chairman welcomed the gathering. CA. Abraham Thomas, Treasurer, Kerala CBSE SMA gave the felicitation. Adv. T.P.M Ibrahim Khan, President, Kerala CBSE SMA inaugurated the programme. CA. Razeed Moideen gave the career counselling. CA. Deepa Varghese, Secretary proposed vote of thanks.

50 students attended the programme.

Students Activities

Programme on "BE A BETTER COMMUNICATOR"

Ernakulam Branch of SICASA conducted a Special programme on English "Be A Better Communicator" (Virtual) on 2nd, 9th & 23rd October 2021. The student's speakers of the session were Mr. Govind R, Mr. Rajat Santhosh, Mr. Harish Chandran, Ms. Indira Warriar, Ms. Agishma R, Mr. Harikrishnan R, Ms. Poornendu M Nair, Ms. Sirajunnissa T A, Ms. Shruthi Soman, Ms. Nandita D Menon. The sessions were led by CA. Nagarajan P. A. CA. Salim A, Chairman SICASA, Ernakulam Branch spoke at the Session. The session on 9th was attended by CA. Renjith R Warriar, Chairman Ernakulam Branch, CA. Jose K.V, Vice Chairman, Ernakulam Branch, CA. Deepa Varghese, Secretary, Ernakulam Branch, CA. Salim A, Chairman SICASA, Ernakulam Branch and CA. Sreenivasan P. R, Past Chairman Ernakulam Branch spoke at the Session.

Industrial Visit to Kanan Devan Hill Plantation, Munnar

Ernakulam Branch of SICASA of ICAI conducted an Industrial Visit to Kanan Devan Hill Plantations Factory and Tea Museum, Munnar on 14th October 2021. Kanan Devan Hills Plantations Company was formed, making it the largest employee-owned tea company in the world. Encompassing the Participatory Management System of operations, where the shareholders of the company are mainly its employees. 3 Members and 30 CA Students participated the industrial visit programme.

Study Tour to Attukkad Waterfalls, Eco Point, Munnar

Ernakulam Branch of SICASA of ICAI conducted a Study tour to Munnar – Attukkad Waterfalls and Eco Point on 14th October, 2021. CA. Salim A, Chairman SICASA Ernakulam Branch, CA. Vijo Varghese and CA. Varna and 30 students participated the study Tour programme

CA Students' Talent Search 2021 – Debate Competition

Ernakulam Branch of SICASA conducted CA Students Talent Search - 2021 –Debate competition on 27TH October 2021 at ICAI Bhawan, Ernakulam. CA. Salim A, Chairman SICASA Ernakulam Branch inaugurated the Competition. CA. Vijo Varghese P, Ernakulam, Prof. Anand K (Assistant Professor at Rajagiri college of social sciences) and Mr. Mathew Jacob, Ernakulam (Corporate Soft Skills Trainer) were the judges and the list of winners of the Competitions is given below:

Winner – Ms. Nitina R Jacob (SRO0536102)

Runner up – Mr. Rajat Santhosh (SRO0498926)

Second Runner up - Ms. Indhu Bhavana (SRO0536831)

The Prizes were distributed to the winners by CA. Salim A, Chairman SICASA Ernakulam Branch of SIRC of ICAI

CA Students' Talent Search 2021 – Best Presenter Competition

Ernakulam Branch of SICASA conducted CA Students Talent Search - 2021 –Best Presenter (PPT) competition on 28TH October 2021 at ICAI Bhawan, Ernakulam. CA. Vijo Varghese P, Ernakulam, CA Prashant Mohan, Ernakulam and Mr. R Narayanan (Corporate Soft Skills Trainer) were the judges and winners of the Competitions were as follows:

Winner – Mr. Rajat Santhosh (SRO0498926)

Runner up –Ms. Nitina R Jacob (SRO0536102)

Second Runner up - Ms. Merrin Lukose (SRO0572854)

The Prizes were distributed to the winners by CA. Salim A, Chairman SICASA Ernakulam Branch of SIRC of ICAI

Online classes were arranged for students due to the outbreak of Coronavirus – Covid – 19

In view of the outbreak of Coronavirus – Covid – 19 throughout the country ICAI the branch, we have arranged online classes for the students of Intermediate (Foundation Route), Intermediate Direct Entry students Foundation for May 2021, Intermediate Direct Entry Students November 2021 and Final Coaching classes November 2021 through virtual platform.



Diwali

FESTIVAL OF LIGHTS

Deepavali (deep (lamps) āvali (arranged in a row)) is held in the Hindu month of Kartika, twenty days after the Dussehra.

Festivities begin with Dhan (wealth) and teras (thirteenth day of the dark fortnight of Kartika) by cleaning homes and business premises; decorating them with Rangolis (colourful designs) and placing small earthen oil-filled lamps (Diyas). In the evening pujas are held. Next day is Naraka (hell) Chaturdashi (fourteenth day), also called Chhoti Diwali. Mythological belief is that Lord Krishna defeated the demon Narakasura on this day. People visits each other, exchange sweets and gifts. In some area's Hanuman puja (believed to be blessed by Rama, to be worshipped ahead of him) is also held to symbolise the success of King Rama over Demon King Ravana.

On the third day (the last day of the dark fortnight of Kartika) the main festival is held. The Hindu, Jain and Sikh temples and homes are aglow with lights with diya's placed in rows and set adrift on rivers and streams. In Hindu homes pujas are held to welcome goddess Lakshmi to bring prosperity and happiness for the coming year. The lights and firecrackers are lit up to celebrate the victory over demons and symbolic farewell to the departed ancestral souls. For the Jains the day symbolise final liberation of Mahavira (Mahavira Nirvana Divas and the Sikhs (Bandi Chhor Divas) celebrate the release of Guru Hargobind from the Gwalior Fort prison by the Mughal emperor Jahangir and Guru's arrival at Golden Temple in Amritsar. **In this diversity also there is a common thread of the symbolic victory of light over darkness, knowledge over ignorance, and good over evil.**

On fourth day the artisan Hindu and Sikh community hold the Vishwakarma puja. The tools of trade and workplaces are cleaned, and prayers offered. Trade and merchant families and others also offer prayers to Saraswathi, the

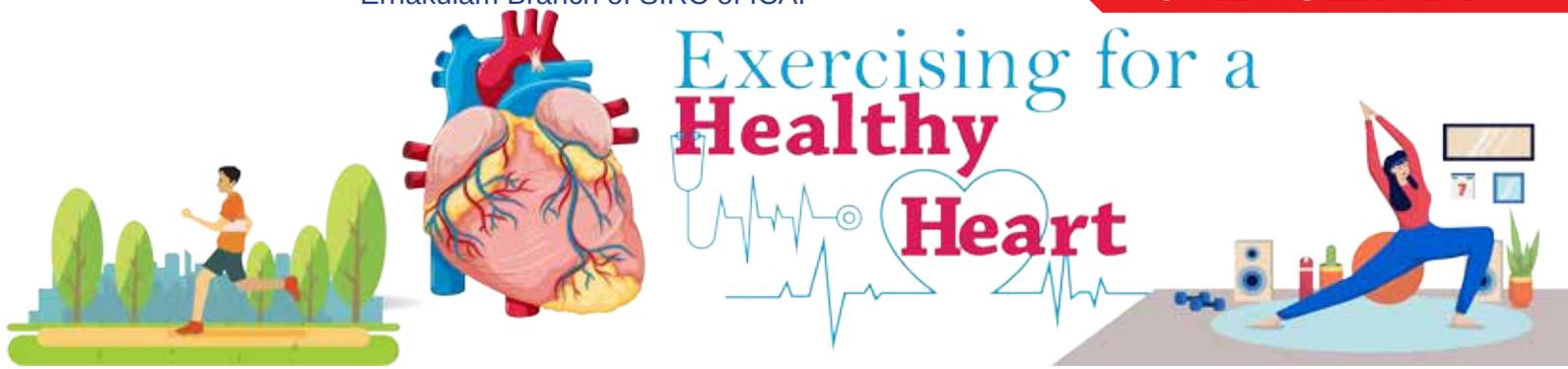
goddess of Vidya and Kubera, symbolising book-keeping, treasury, and wealth management. In western states such as Gujarat, and certain northern Hindu communities Diwali signifies the start of a new year. Govardhan Puja is done in some areas by preparing over one hundred dishes dedicated to Krishna before shared among the community.

The last day of the festival is Bhai Duj or Bhai Tilak to celebrate the sister-brother bonding (like Raksha Bandhan) said to symbolise as Krishna's sister Subhadra, welcoming brothers with a tilak after defeating Narakasura. (Some believe that it is Yama's sister Yamuna welcoming Yama)

Diwali has increasingly attracted cultural exchanges, becoming occasions for States and Religious leaders worldwide for exchange of greetings with India. The main day of the festival of Diwali is an official holiday in Fiji, Guyana, Malaysia, Mauritius, Myanmar, Nepal, Pakistan, Singapore, Sri Lanka, Suriname, and Trinidad and Tobago. The Singapore Government organises many cultural events during Diwali every year. The Catholic Church began sending official greetings and Pope's message to the Hindus on Diwali from the mid-1990s. Since 2009, Diwali has been celebrated every year at 10 Downing Street, the residence of the British Prime Minister. Diwali was first celebrated in the White House by George W. Bush in 2003 and has been continued ever since. During Diwali, Indian forces, and their Pakistani counterparts at the border, exchange traditional sweets and gifts, as a gesture of goodwill.

The Indian festival of lights has become an occasion for celebration worldwide and brings people of various faiths together.





Dr. Jo Joseph MBBS, MD, DM
Consultant Cardiologist, Lisie Hospital, Kochi

With the untimely death of Kannada actor Puneeth Rajkumar (more popularly known as Appu or "Power Star") while exercising, the method, intensity, duration etc for exercise has drawn a lot of interest and heated discussion. This month, we have Dr. Jo Joseph, a leading Cardiologist, and an authority in the field discussing this topic.

Overview

Exercises are good for healthy as well as diseased hearts. Even if you can only do a small amount of exercise, it is better than not doing any exercise at all.

Talk to your doctor before beginning an exercise program. Your doctor may do an electrocardiogram (ECG) and possibly an exercise stress test to assess how much activity your heart can safely handle. After you start exercising, stop your activity immediately if you experience angina symptoms (such as chest pain or pressure), feel faint or lightheaded, or become extremely out of breath. Start an exercise program, such as walking, cycling, or jogging. Try to do moderate activity on most, preferably all, days of the week. Aim for a goal to exercise for at least 2½ hours a week. Exercise can help lower the chance of a heart attack. A complete exercise program consists of aerobic exercise, strength training, and stretching. Set goals you can reach. If you expect too much, you are likely to become discouraged and stop exercising.

How can I get started on an exercise program?

Getting started

Have a thorough physical exam before you begin any exercise program. Your doctor may do an electrocardiogram (ECG) to measure the electrical signals that control the rhythm of your heartbeat, and he or she may do an exercise stress test to assess what level of activity your heart can handle. Before your appointment, make a list of questions to discuss with your doctor.

Make an exercise plan together with your doctor. An exercise program usually consists of stretching, activities that increase your heart rate (aerobic exercise), and strength training (lifting light weights). Join a health club, walking group, running clubs. Learn how to find the right intensity of exercise. To improve your aerobic power, you don't need to submit yourself to strenuous and uncomfortable exercise. In fact, an intensity of exercise called "conversational exercise" (where you can

comfortably have a conversation while you are exercising) can be very beneficial.

Start out slowly. Over time, you will increase your ability to do more. Keep a record of your daily exercise. It is okay to skip a day occasionally or to cut back on your exercise if you are too tired or not feeling well.

How do I measure the intensity of my exercise?

Exercise intensity can be measured in many ways, for example as your:

Rate of perceived exertion (RPE).

Heart rate (HR).

Your doctor can tell you the correct rate of perceived exertion or how fast your pulse (target heart rate) should be when you exercise.

An easy way to check whether you are exercising enough, but not too much, is to note how hard you are breathing:

If you can't talk and exercise at the same time, you are exercising too hard.

If you can talk while you exercise, you are doing fine.

If you can sing while you exercise, you may not be exercising hard enough.

What is my target heart rate?

A target heart rate can guide you to how hard you should exercise so you can get the most aerobic benefit from your workout. Usual target heart rate is 80- 85% of the Age Predicted Maximum Heart Rate (APMHR). APMHR is calculated by the formula $220 - \text{Age}$.

Your target rate may be different from a person who got heart disease. This is especially true if you are taking medicine that affects your heart rate, such as beta-blockers, calcium channel blockers, or digoxin. You can use your target heart rate to know how hard to exercise to gain the most aerobic benefit from your workout. You can exercise within your target heart rate to either stay at or raise your aerobic fitness level. To raise your fitness level, you can work harder while exercising, to raise your heart

rate toward the upper end of your target heart rate range. If you have not been exercising regularly, you may want to start at the lower end of your target heart rate range and gradually exercise harder.

Target heart rate is only a guide. Each person is different, so pay attention to how you feel, how hard you are breathing, how fast your heart is beating, and how much you feel the exertion in your muscles.

How often should I exercise?

How often you should exercise depends on several factors. The American Heart Association and other groups suggest moderate activity for at least 2½ hours a week. One way to do this is to be active 30 minutes a day, at least 5 days a week. It's fine to be active in blocks of 10 minutes or more throughout your day and week. The best number of days for you may depend upon your time availability, your exercise intensity, the duration of each session, and of course, your overall goals. If you exercise at a lower intensity level, you may want to exercise more frequently. If you are trying to lose weight, you may need rigorous exercise patterns.

What about duration of exercise?

How long each exercise session lasts depends on the intensity of the exercise as well as your objectives. Of course, the higher your exercise intensity, the lower your exercise duration may be because of fatigue. You should gradually increase the duration of your exercise as your aerobic power increases. Try to exercise for at least 10 minutes at a time.

Drink plenty of water before, during, and after you are active. This is very important when it's hot out and when you do intense exercise.

Which kind of exercise is best?

As long as you are exercising large muscle groups, choose an activity that you enjoy. For example, gardening and dancing can be excellent forms of aerobic exercise. Enjoying your mode of aerobic exercise will help you stick to your program, which will help you

succeed. Achieving your aerobic goals, losing weight, increasing your energy, or developing a positive outlook will increase your enjoyment of the exercise.

Strength training is an important addition to your aerobic exercise program, because it strengthens and tones your muscles and increases the blood flow to your working muscles. Many daily activities and activities on the job require moving, lifting, or controlling a weight. Maintaining and improving your muscular strength and endurance will help you do these activities with less stress on your muscles. Increasing your strength will also increase your metabolism and energy level.

Working out with a partner is recommended to keep you safe during your strength training. A partner can make sure that you are lifting the appropriate amount of weight for each exercise and can check your form and technique.

What is resistance?

In strength training, resistance is the force that you are pulling against to work your muscles. A common type of resistance is weight. At your gym or fitness center, there are probably many different types of dumbbells and weight machines for you to use. But resistance for increasing muscle strength and endurance can come from other things besides weights and weight machines.

Your own body weight, elastic bands, and wall pulleys can provide effective and progressive strength training. Begin with a weight that you can easily carry through the required range of motion. You should only increase the resistance [gradually, or by 5 lb (2.5 kg) to 10 lb (4.5 kg)] when you can comfortably do the exercises and weights that you've been using for a few weeks. If you feel that you cannot control the resistance, decrease the resistance or lower the weight. Avoid straining, and stop exercising if you feel symptoms such as dizziness, unusual shortness of breath, or any form of pain.

Before beginning to stretch, warm up your muscles by walking or doing other gentle movement for a few minutes. You may injure your muscle or tendon if the muscle is cold and has not been used in a while. You should always stretch in a slow and controlled manner. Each stretching exercise should be repeated 3 to 5 times and held for 10 to 30 seconds each time. You should try to gradually increase your range of motion during each repeated exercise. A feeling of tension is normal, but do not hold a stretch that is painful.

General guidelines for stretching exercises

Stretch before and after exercising.
Stretch to a position of mild discomfort for 10 to 30 seconds for each stretch.
Try each stretch 3 to 5 times.
Be sure to stretch your lower back and your legs.

How can I include exercise in my daily routine?

Remember that even a little exercise is better than none at all. Here are some tips on building exercise into your daily routine:

- Get up 15 minutes early and stretch.
- Jog in place.
- Take a walk at lunchtime or after dinner. Use the stairs instead of the elevator.
- Walk to a coworker's office instead of calling or emailing.
- Get off the bus one or two stops early, and walk the rest of the way.
- Wash and wax your car by hand instead of driving through the car wash.
- When you go shopping, park farther away from the store.
- Take a brisk walk around the mall before you start shopping.
- Lift light arm weights while talking on the phone.
- Ride a bike.
- Wash the windows. Work in your garden or yard. Use a push mower instead of a riding mower.
- Walk the dog.
- Work out to an exercise video.
- Go dancing.
- Try to be active as a family, like playing tag or catch and taking active vacations.

How can I stay on my exercise program?

Staying on a regular exercise schedule requires discipline and motivation. At times, it may seem difficult to keep up with regular exercise and physical activity. But persistence pays off. There are specific steps you can take to make your exercise program more effective and also to help you stay with it:

- Try to make your exercise fun. Do activities you enjoy.
- Set realistic goals. If you expect too much, you are likely to become discouraged and stop exercising.
- Give yourself time. It can take months to get into the habit of exercising. After a few months, you may find that you are looking forward to it.
- Stay with it. It can be hard to stay with an exercise plan. Try exercising with a friend—it is much easier to continue an exercise program if you are exercising with someone else.
- Reward yourself. Build in rewards along the way that help you continue your program.

What measures should I take to stay healthy while exercising?

When starting an exercise program, keep the following precautions in mind:

- Pace yourself by alternating exercises. Rotate light workouts, such as short walks, with more strenuous exercises, such as low-impact aerobics or swimming.
- Avoid exercising outdoors in extreme

temperatures or high humidity or poor air quality. When the weather is bad, try exercising indoors at a gym or walking at a mall.

- Avoid exercises that require or encourage holding your breath, such as push-ups, sit-ups, and isometric exercises. Also avoid heavy lifting.
- If you develop palpitations, angina symptoms, difficulty breathing, or dizziness or lightheadedness, stop exercising and rest. Consult your doctor if these symptoms don't go away.
- Do not take hot or cold showers or sauna baths after exercising. Moderate temperatures are best—very hot or very cold temperatures can be dangerous.
- Ask your doctor about continuing your exercise program if your medicines change. New medicines can affect how you feel when you exercise.
- Take your pulse frequently or wear a heart rate monitor and keep your pulse within the parameters your doctor sets. Watch your pulse when walking up hills or stairs.
- Make sure you adjust your exercise program if it is interrupted for more than just a couple of days. Gradually increase to your regular activity level as tolerated.

Dr. Jo Joseph is presently working as Consultant Cardiologist at Lisie Hospital, Kochi. He did his MBBS at Kottayam Medical College, MD at SCB Medical College, Cuttack, Orissa and DM (Cardiology) at AIIMS, New Delhi. He has various publications to his credit including articles in European Heart Journal and a book, titled "IACTS guidelines for surgical treatment of Heart Failure, Heart and Lung Transplantations". He has recently published a Book named- 'പുനഃജീവനം രോഗികൾ' ഒരു കാർഡിയോളജിസ്റ്റിന്റെ നിറംചേർക്കാത്ത ചിന്തകൾ. He has also presented various Papers during seminars on Cardiology including Asia Pacific Seminar held in Ho Chi Minh city 2015, Frankfurt in 2015 etc. He was the only Indian faculty to be invited for the "Interventions in Heart Failure" Conference held in Paris in 2016. Beyond his Clinical skills, he is an excellent communicator, a great motivator, and an outstanding team player. His planning and organisational skills are exemplary. Happily married to Dr Daya Pascal who is the Consultant Psychiatrist at Govt Mental Health Centre, Thrissur, they have two Daughters Miss Joan Liz Joe and Miss Jianna Bridget Joe who are students at Rajagiri Public School. Outside his Clinical Consulting time, when he is not spending time with his family, he enjoys walking, cycling, and hiking.



Statute: Income Tax Act

Sec.2(29A) – Definition of ‘Manufacture’

Decision in favour of : Assessee

Title : Handy Waterbase India Private Ltd vs DCIT

Citation: 202 ITR Trib 1

Bench: ITAT Chennai

Department having accepted the activities carried on by the assessee, 100% EOU, as manufacture or production of goods and allowed deduction under section 10B in the past several years, claim cannot be denied in later year by virtue of new definition of ‘manufacture’ inserted by the new section in the absence of any change in the activities of the assessee

Statute: Income Tax Act

Sec.2(47), 48 – Taxation of JDA

Decision in favour of : Assessee

Title : N A Harris vs Addl CIT

Citation: 188 ITD 517

Bench: ITAT Bangalore

Where assessee though entered into a Joint Development Agreement (JDA) for development and construction of residential flats and commercial space on his land in assessment year 2005-06, however, received his share of duly developed and constructed area into his possession in assessment year 2012-13, it had rightly been brought to tax by Assessing Officer in assessment year 2012-13. Where assessee entered into a Joint Development Agreement (JDA) with developer for development and construction of residential flats and cost of construction had been agreed upon by parties and such cost of construction being full value of consideration was not refuted by Assessing Officer without assigning any valid reasons, cost of construction to developer ought to be accepted as full value of consideration

Statute: Income Tax Act

Sec.11(2) – Non filing of Form 10

Decision in favour of : Assessee

Title : Trust for reaching the unreachd vs CIT (E)

Citation: 202 DTR Guj 39

Bench: Gujarat HC

Approach of the CIT for non-filing of form 10 should be equitable, balancing and judicious; a charitable trust of past 30 years who substantially satisfied the conditions for availing exemption should not be denied merely on non-filing Form 10 especially when legislature has conferred wide discretionary powers to condone such delay

Statute: Income Tax Act

Sec.32 – Vehicle in the name of director

Decision in favour of : Assessee

Title : DCIT vs Edelweiss Financial Advisors Ltd

Citation: 188 ITD 834

Bench: ITAT Ahmedabad

Since assessee-company incurred cost for purchase of vehicles, paid installments of car loans and wealth tax on said vehicles and also bore running and maintenance expenses, it could not be denied benefit of depreciation

merely on reasoning that it was not legal owner of such vehicles

Statute: Income Tax Act

Sec.36(v)(a) – Amendment only prospective

Decision in favour of : Assessee

Title : Salsgitter Hydraulics Pvt Ltd vs ITO

Citation: 128 taxmann.com 192

Bench: ITAT Hyderabad

In respect of belated payment of employee contribution towards PF etc, since legislature has not only incorporated necessary amendments in section 36(1)(va) as well as 43B vide Finance Act, 2021 to this effect but also CBDT has issued Memorandum of Explanation that same applies w.e.f. 1-4-2021 only, therefore, impugned disallowance for assessment year 2019-20 is not sustainable

Statute: Income Tax Act

Sec.37 – Expenses on buy back of shares

Decision in favour of : Assessee

Title : Principal CIT vs Merck Ltd

Citation: 434 ITR 596

Bench: Mumbai HC

AO disallowed the share buy-back expenditure claimed under section 37. The tribunal held that it was a revenue expenditure incurred for the benefit of existing shareholders in the ordinary course of business and deleted the disallowance. The Tribunal was right in deleting the disallowance

Statute: Income Tax Act

Sec.40(a)(ia) – Only for income from business

Decision in favour of : Assessee

Title : R K Associates vs ITO

Citation: 187 ITD 827

Bench: ITAT Bangalore

Provisions of section 40(a)(ia) could not be invoked to disallow commission paid in connection with sale of property, the income of which was declared under long term capital gains. The provisions of the section are applicable while computing income chargeable under the head ‘income from business or profession’ and the same is not applicable for any other heads of income

Statute: Income Tax Act

Sec.73A, 35AD – Carry forward and set off

Decision in favour of : Assessee

Title : Sarovar Hotels Private Ltd vs DCIT

Citation: 188 ITD 498

Bench: ITAT Mumbai

Loss incurred by assessee in respect of its business unit claiming deduction under section 35AD could be set off against profit from another unit which was not eligible for deduction under the said section

Statute: Income Tax Act

Sec.115BBE – Set off possible up to 16-17

Decision in favour of : Assessee

Title : ACE Infracity Developers Private Ltd vs DCIT
Citation: 188 ITD 589 Bench: ITAT Delhi

Term 'or set-off of any loss' being specifically inserted only vide Finance Act, 2016, with effect from 1-4-2017, an assessee is entitled to claim set-off of loss against income determined under section 115BBE till assessment year 2016-17

Statute: Income Tax Act
Sec.143(2) – More than one notice
Decision in favour of : Revenue

Title : Sumandeeep Vidyapeeth vs ACIT
Citation: 434 ITR 433 Bench: Gujarat HC

AO has power to notice more than one notice under section 143(2) during the course of assessment. Writ to quash second and third notice will not lie. Challenge is maintainable only if jurisdictional fact does not exist

Statute: Income Tax Act
Sec.144B – Faceless assessment
Decision in favour of : Assessee

Title : YCD Industries vs National Faceless Assessment Centre
Citation: 202 DTR 146 Bench: Delhi HC

Section 144B provides for issuance of a show cause notice cum draft assessment order and an opportunity to the assessee to respond the same where the income of the assessee is varied by the Revenue; assessment order passed without show cause notice is liable to be quashed and set aside. Liberty is however, given to the Revenue to pass fresh assessment order as per law

Statute: Income Tax Act
Sec.151 – Sanction irrational
Decision in favour of : Assessee

Title : Synfonia Tradelinks (P) Ltd vs ITO
Citation: 200 DTR 13 Bench: Delhi HC

Sanction order passed by the CIT under section 151 simply contains the endorsement 'approved' which is not valid sanction ; a case is made out for interference at the stage of issue of notice itself and the assessee cannot be

relegated to alternate remedy of filing appeal. Notice of re-opening quashed

Statute: Income Tax Act
Sec.153 C – Notice to deceased person
Decision in favour of : Assessee

Title : Late Bhuperdra Bhikalal Desai vs ITO
Citation: 200 DTR 313 Bench: Gujarat HC

Issuance of notice under section 153C in the name of deceased assessee is not a mere technical defect which can be corrected under section 292B; consequent proceedings pursuant thereto would be without jurisdiction and therefore, null and void

Statute: Income Tax Act
Sec.194N- TDS not attracted when receipt is not income
Decision in favour of : Assessee

Title : Tirunelveli District Central Co-operative Bank Ltd vs JCIT
Citation: 202 DTR Trib 61 Bench: Madras HC

Action under section 201 initiated against the assessee for not having deducted TDS on the withdrawal of cash from savings account by primary co-operative societies maintained with the assessee. The petitioner had acted as a conduit between the Government and the end recipient in distribution of welfare assistance to the ration card holders on the eve of Pongal. Having regard to the overall scheme of the chapter and particularly section 194N along with section 201, one can safely come to the conclusion that if the sum received by the assessee will not be income at his hands, the question of TDS under section 194N will arise

Statute: Income Tax Act
Vivaad Se Viswas Scheme
Decision in favour of : Assessee

Title : Sadruddin Tejani vs ITO
Citation: 434 ITR 474 Bench: Bombay HC

Application for revision under section 264 relating to a tax demand pending would constitute dispute tax and such an assessee is eligible to make a declaration under VSV scheme

PROPOSED PROGRAMMES FOR NOVEMBER 2021

Date	Event	Time	CPE
6th November	Virtual CPE Seminar on Audit Quality Maturity Model (AQMM) and what we normally miss	10 am - 1pm	3 hrs
9th & 10th November	Virtual Two Days Workshop on International Taxation	11 am - 2 pm	6 hrs
13th November	T20 Cricket Match: ICAI Ernakulam Vs. Officials of Income Tax Dept. Kochi	9 am	
17th November	Virtual CPE Meeting on "Prevention of Money Laundering"	4 pm - 6pm	2 hrs
27th November	Sub Regional Conference of SIRC of ICAI at Kochi Marriott Hotel, Edappally	8.30 am - 4.30 pm	6 Hrs
30th November	Virtual CPE Meeting on Transfer Pricing and Networking Guidelines	11 am - 2 pm	3 Hrs

RECENT ADVANCE RULINGS UNDER GOODS AND SERVICES TAX JUDICIAL DECISIONS ON INDIRECT TAXES

Indirect Tax

CA.P.J.Johney FCA

A. RECENT ADVANCE RULINGS UNDER GST

Statute: Goods and Services Tax

Status: Rejected

Title: M/s. Hyglextar Pvt. Ltd.

Ms. Meghna Vaswani, CA

Advance Ruling No:GUJ/GAAR/R/47/2021

Bench/Court: Authority for Advance

Ruling Gujarat

Applicant is a purchaser and not the seller-Section 95(a) CGST Act, -Section 103(1) CGST Act, shall be binding only on the applicant who sought it and the concerned officer/ jurisdictional officer in respect of the applicant-Any GST tax liability, if arises as per law, will be paid by Supplier. By pronouncing a Ruling on the Question before us, it will not bind the Supplier, as per Section 103(1) CGST Act-In pursuance to Section 95(a) CGST Act, We hold that the Question raised by the applicant does not fall under the gamut of said Section 95(a)-Thereby, in pursuance to Section 95(a) and Section 103(1) of CGST Act, we hold that the applicant has no locus stand in to file subject application-The subject application is thereby rejected.

Statute: Goods and Services Tax

Status: Accepted

Title: M/s Willmart Enterprise

Shri Kunal Agrawal, CA

Advance Ruling No :GUJ/GAAR/R/41/2021

Bench/Court : Authority for Advance

Ruling Gujarat

CGST Act and GGST Act are in pari materia and have the same provisions in like matter and differ from each other only on a few specific provisions-Therefore, unless a mention is particularly made to such dissimilar provisions, a reference to the CGST Act would also mean reference to the corresponding similar provisions in the GGST Act-We note that the Revenue maintains that subject application

cannot be admitted-However, we find no deficiency in the said application and find it fit to be admitted-We proceed with our findings-We have carefully considered all the submissions made by the applicant-We find that there is specific entry for 'Ammonium sulphate' at CTH 310221-As per HSN Explanatory Notes, Ammonium Sulphate, whether used as fertiliser or not, is to be classified at CTH 310221-Applicant is a wholesale supplier-Perused the Notification 1/2017- CT(R) and the CBIC Circular dated 9-8-18 as cited by the applicant.

Statute: Goods and Services Tax

Status: Rejected

Title: M/s V. L. Traders

Shri Hemant Desai, Advocate and Shri Ishwar Javani, CA

Advance Ruling No:GUJ/GAAR/R/49/2021

Bench/Court: Authority for Advance

Ruling Gujarat

Applicant suppressed the material facts that DGGI had initiated inquiry with respect to the same Questions raised in the subject Application and that the proceedings initiated by DGGI vide relevant sections of CGST Act was initiated prior to filing of subject Advance Ruling application-The applicant had been issued Summons vide Section 70 CGST Act, prior to the filing of subject Application-Usage of the words "any proceeding" in the proviso to Section 98(2) of the CGST Act will encompass within its fold the following investigation proceedings launched by the DGGI under Section 70 of CGST Act- The applicant has contravened the provision of Section 98(2), CGST Act, in so much that it mis-declared that it had no proceedings pending under any provisions of the Act, with an intention to fraudulently obtain Ruling and frustrate the proceedings initiated by DGGI, for the Question raised in the subject Application dated 5-3-20 and issue for which Investigation was initiated

vide Section 70(1) of CGST Act, 2017 by DGGI are the same-Investigation initiated against the applicant is a proceeding within the ambit of Section 98 (2) of CGST Act.

B. JUDICIAL DECISIONS ON INDIRECT TAXES

Statute: Value Added Tax

Decision in favour of: (Case Remanded)

Title: New Tech Steel and Alloys Pvt.

Ltd. V. State of Assam and Others

SAUMITRA SAIKIA J.

Citation:[2021] 88 GSTR 1 (Gauhati)

Bench/Court: in the Gauhati High Court

Value Added Tax-best judgment assessment-audit assessment-notice calling for production of books-dealer appearing and seeking time to produce eligibility and exemption certificates-assessment made to best of judgment for failure by dealer to produce books-no prejudice to dealer shown for failure to issue notice prior to undertaking best judgment assessment-matter remanded to authority for passing orders after addressing grievances made in representation-assam value added tax act, 2003 (8 of 2005), ss. 36, 37, 83-industrial and investment policy of assam, 2008-assam industries (tax remission) scheme, 2009.

Statute: Value Added Tax

Decision in favour of: Petitioner

Title: Sapphire Enterprises v. State of

Karnataka

ALOK ARADHE AND ASHOK

S.KINAGI JJ.

Citation:[2021] 88 GSTR 18 (Karn)

Bench/Court: In the Karnataka High Court

Value Added Tax-penalty-check-post-evasion of tax branch transfer of notified goods from principal place of business in sheshadripuram to branch at attibele,

by goods vehicle-driver initially took wrong route and came back to regular route without stopping vehicle at exit check-post driver producing relevant documents when intercepted by check-post officer-notice issued by check-post officer proposing to levy penalty solely on ground that goods taken away to state of tamil nadu attempting to evade tax and penalty levied-not justified-contentions raised by appellant inter alia that transaction stock transfer and exempt, transaction reported by petitioner on website before movement of goods and reflected in accounts book and mistake by driver bona fide not considered by authorities below-also levy of penalty not automatic-order by tribunal quashed-matter remitted-Karnataka value added tax act, 2003 (32 of 2004), s. 53(2A), (12)(a)(i).

Statute:Service Tax

Decision in favour of: Petitioner

**Title:Jagadish Advertising v. Designated Committee, Sabka Vishwas (Legacy Dispute Resolution)Scheme, Bangalore and Others
N. S. Sanjay Gowda J.**

Citation:[2021] 88 GSTR 25 (Karn)

Bench/Court: In the Karnataka High Court

Service tax-sabka vishwas (legacy dispute resolution) scheme, 2019-designated committee-jurisdiction only to verify correctness of declaration –no jurisdiction to adjudicate entitlement of assessee-designated committee notifying assessee of estimated liability adding “remarks” in prescribed form disallowing cenvat credit-without jurisdiction-finance (no.2) act (23 of 2019), ss.124, 126- sabka vishwas (legacy dispute resolution) scheme rules, 2019, r. 6.

Statute:Goods and Services Tax

Decision in favour of: Directions

**Title: Rci Industries & Technologies Ltd. and Another V. Union of India and Others
Dr. S. Muralidhar and Avneesh Jhingan JJ.**

Citation:[2021] 88 GSTR 39 (P&H)

Bench/Court: In the Punjab and Haryana High Court

Goods and Services Tax-investigation

by revenue intelligence-search-search without following procedure illegal and panchnama quashed-co-operation of assessee essential for investigation to proceed-direction to assessee to appear and furnish information called for-central goodsand servicestax act (12 of 2017), s. 67.

Statute: Goods and Services Tax

Decision in favour of: Department

Title:RCI Industries and Technologies Ltd. V.Commissioner Dgst, Delhi and Others

Rajiv Sahai Endlaw and Sanjeev Narula JJ.

Citation:[2021] 88 GSTR 43 (Delhi)

Bench/Court: in the delhi High Court

Goods and Services Tax-search-statement of assessee categorically admitting tax liability and undertaking to deposit admitted tax and penalty-statement not retracted nor explanation tendered for failure to deposit-no proof that statement coerced-assessee could not be permitted to challenge search proceedings to withdraw admission-requestfor documentsdoesnotipsofacto mean there was parallel investigation by central and state authorities-no specific provision requiring signatures of witnesses-persons who carried out search named in authorisation, and displaying identity cards-satisfaction forming reason to believe that search was necessary existing court will not judge adequacy and sufficiency of grounds-search valid-Delhi goods and services tax act (3 of 2017), ss. 67, 70-Delhi Goods and Services Tax Rules 2017, r. 139.

Statute: Entry Tax

Decision in favour of:Assessee

Title:Kluber Lubrication (India) Pvt. Ltd. V. Additional Commissioner of Commercial Taxes, Gandhinagar, Bangalore

Alok Aradhe and H. T. Narendra Prasad JJ.

Citation:[2021] 88 GSTR 67 (Karn)

Bench/Court:In the Karnataka High Court

Entry tax-entries in schedule-lubricants-2005-06 to 2007-08-synthetic based lubricating oil not petroleum product entry 67 of schedule i to act

covers only petroleum based lubricating oil-taxable-synthetic based lubricating oil, base oil and grease not mentioned in entry-grease and base oil not similar to tar-not classifiable within expression “tar and others” -not taxable-Karnataka tax on entry of goods into local areas for consumption, use or sale therein act (27 of 1979), sch. I, entry 67.

Construction of taxing statutes-entries in schedule-subject not to be taxed without clear words for that purpose-nothing to be read in, or implied.

Statute: Service Tax

Decision in favour of: Assessee

**Title:Vamsee Overseas Marine Private Limited V. Commissioner of Service Tax,Chennai and Another
Dr.Anita Sumanth J.**

Citation: [2021] 88 GSTR 82 (Mad)

Bench/Court:In the Madras High Court

Service tax-dispute resolution–sums paid by assessee as tax and as interest in course of investigation- credit to be given for entire sum-refusal to give credit for sum paid under head interest-hyper-technical and not sustainable-sabka vishwas (legacy dispute resolution) scheme, 2019-finance (no. 2) act (23 OF 2019), s. 124.

Statute: Value Added Tax

Decision in favour of: Department

**Title:Shankar Vijaya Sawmill V. Deputy Commissioner of Commercial Taxes,(Audit -2) Hubballi and Others
Mrs. S. Sujatha and Ms. Jyoti Mulimani JJ.**

Citation: [2021] 88 GSTR 87 (Karn)

Bench/Court: in the Karnataka High Court-Dharwad bench

Value Added Tax-revision-best judgment assessment-dealer accepting suppression at time of inspection- best judgment made rejecting accounts and return submitted by dealer- appellate authority setting aside addition-conditions for revision satisfied- revision by additional commissioner restoring order of prescribed authority-justified-Karnataka value added tax act, 2003 (32 OF 2004)s. 64(1).

Statute: Value Added Tax**Decision in favour of: Department****Title:Wipro Limited V. State of Karnataka
Alok Aradhe and H. T. Narendra Prasad JJ.**Citation:[2021] 88 GSTR 93 (Karn)
Bench/Court: in the Karnataka High Court

Value Added Tax-assessment-reassessment-power to reassess additional tax payable for any tax period-tax period means calendar month-dealer duty bound to file return for each tax period and deemed assessment applies for each tax period-short-payment of tax in respect of five months- orders of reassessment in respect of months where there had been short-payment of tax-proper-Karnataka value added tax act, 2003 (32 of 2004), ss. 2(33), 35, 38, 39(1)-Karnataka value added tax rules, 2005, r. 37(2).

Statute: Service Tax**Decision in favour of: Assessee****Title:Code Engineers Private Limited
V. Union of India and Others
Ujjal Bhuyan and Abhay Ahuja JJ.**Citation:[2021] 88 GSTR 100 (Bom)
Bench/Court: in the bombay High Court

Service tax-dispute resolution-designated committee-duty to verify correctness of declaration of assessee-verification to be based on particulars furnished by assessee as well as records available with department-designated committee not considering sums paid by assessee for want of verification whether they pertained to period covered by investigation-challans in support of payments, certificate of chartered accountant as to period to which they pertained and affidavit of assessee not considered-order of designated committee set aside and matter remanded for decision on assessee's declaration afresh-finance (no. 2) act (23 of 2019), s. 126-sabka vishwas (legacy dispute resolution) scheme rules, 2019, r. 6(1).

Statute: Service Tax**Decision in favour of: Assessee****Title:Commissioner of CGST and
Central Excise V. Shriram Transport
Finance Company Ltd.**

Ujjal Bhuyan and Milind N. Jadhav JJ.

Citation:[2021] 88 GSTR 113 (Bom)
Bench/Court: in the bombay High Court

Service tax-banking and other financial services-hire purchase and financing lease of commercial vehicles-taxable value-interest on loan-hire purchase is loan-statutory provisions excluding interest on loan from purview of valuation of taxable services-for period prior to march 1, 2006 interest on loan not taxable in absence of mechanism for bifurcation of service-finance act (32 of 1994), s. 65(12)(a)(i).

Statute: Value Added Tax**Decision in favour of: Department****Title:Dynatech Tools and Devices
V. State of Karnataka and Another
Satish Chandra Sharma and V.
Srishananda JJ.**Citation:[2021] 88 GSTR 134 (Karn)
Bench/Court: in the Karnataka High Court

Value Added Tax-input tax credit-capital goods-dealer carrying on business in taxable and exempted goods- dealer using capital goods for manufacturing of taxable goods and for job work- input tax deduction on capital goods to be allowed proportionately not on entire purchases-Karnataka value added tax act, 2003 (32 of 2004), ss. 12, 17-Karnataka value added tax rules, 2005, rr. 131, 133.

Statute: Goods and Services Tax**Decision in favour of: Department****Title: Raj Enterprises V. Assistant
Commissioner of Commercial Taxes
(Enforcement), Challakere
Abhay S. Oka C. J. and Mohammad
Nawaz J.**Citation:[2021] 88 GSTR 141 (Karn)
Bench/Court: in the Karnataka High Court

Goods and Services Tax-detention, seizure and release of goods and conveyances in transit-tax and penalty-notice-goods seized and notice issued under section 129(3) invoking section 129(1)(b) proceeding on footing appellant owner of goods-writ petition-whether appellant to be treated as

owner of goods under circular dated december 31, 2018 and therefore , clause (a) of sub-section (1) of section 129 applicable-involves recording of factual findings-matter remitted to concerned authority-Karnataka goods and services tax act (27 OF 2017).

Statute:Goods and Services Tax**Decision in favour of: Department****Title: Kesar Farm V. Additional Commissioner
of Commercial Taxes (Enforcement), South
Zone, Bengaluru and Another
Mrs. S. Sujatha J.**Citation:[2021] 88 GSTR 145 (Karn)
Bench/Court: in the Karnataka High Court

Goods and Services Tax-writs under constitution-availability of alternative remedy-detention of goods-invoice accompanying goods indicating assessee as consignor-factual aspects not to be adjudicated in writ jurisdiction-appellate authority to consider whether assessee could be treated as owner and whether release of detained goods could be permitted upon assessee paying 100 per cent. Tax-court cannot adjudicate disputed facts-assessee relegated to remedy of appeal-central goods and services tax act (12 of 2017), ss. 2(66), 6, 31(1), 129(1)(b)-constitution of india, art. 226.

Statute: Sales Tax**Decision in favour of: Assessee****Title:Prayas Automation Pvt. Ltd. V.
State of Tripura and Others
Akil Kureshi C. J. and S. G.
Chattopadhyay J.**Citation:[2021] 88 GSTR 150 (Tripura)
Bench/Court: in the Tripura High Court

Sales tax-concessional rate of tax-declaration in form c dealer awarded contract by government corporation and supplying materials from other states-corporation refusing to furnish c form on ground dealer not registered in state corporation not authority to judge taxability of sale-direction to corporation to communicate department's objection relating to figures to dealer and facilitate issue of c forms Tripura value added tax act, 2004 (1 of 2005)-central sales tax act (74 of 1956).