

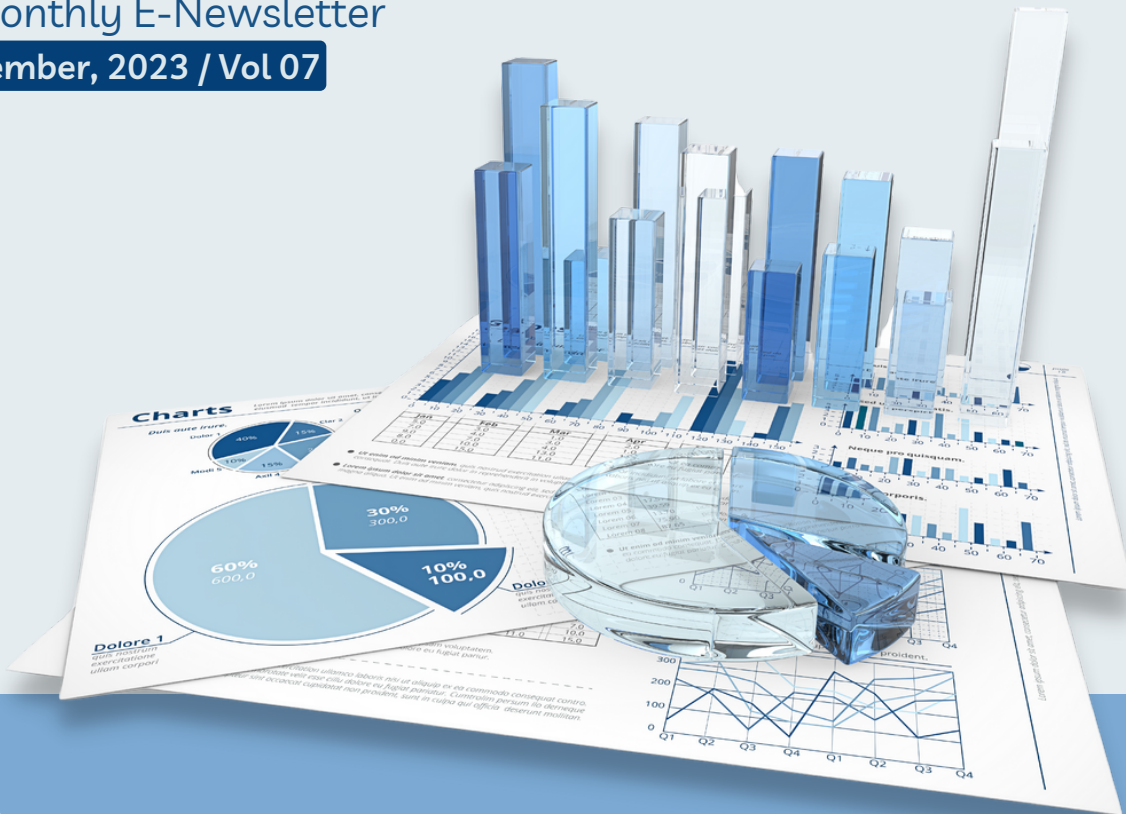
NYCA's

The ReCap

A news to clear your doubts

A Monthly E-Newsletter

November, 2023 / Vol 07




For use by clients and firm personnel only

What's Inside




- 1 Compliance Alert 2
- 2 Direct Tax 3
- 3 Indirect Tax 5
- 4 Corporate & Allied Laws 7
- 5 Policies & Schemes 8
- 6 Professionals Desk 10
- 7 CFO's Eye 12
- 8 Systems & Forensics 13
- 9 Glossary 14
- 10 About us 15

KEY METRICS

Indices

BSE SENSEX	64,113	02.13%	
NSE NIFTY50	19,141	01.95%	
NASDAQ Composite	12,789	03.12%	

Currency

USD/INR	83.25	0.09%	
EURO/INR	88.35	0.67%	
GBP/INR	101.29	0.02%	



Note: The month-on-month movement as on October 31, 2023 is represented in percentages Source: Yahoo Finance, Investing.com

COMPLIANCE ALERT

November, 2023

7th November - TDS/TCS

TCS payment | TDS payment for October, 2023

10th November - GST

GSTR-7 : Summary of TDS and deposited under GST laws | GSTR-8 : Summary of TCS and deposited by e-commerce operators under GST laws for October, 2023

11th November - GST

GSTR-1 : Summary of outward supplies where TO.> Rs.5 crore or have not chosen the QRMP scheme for October, 2023

13th November - GST

GSTR 5 - Summary of outward & tax payable by an NR | GSTR 6 (monthly) - November, 2023 for ISDs providing details for their inward supplies and Input Tax Credit

14th November - TDS/TCS

Issue of TDS Certificate for tax deducted under section 194-IA, 194-IB, 194M, 194S for October, 2023

15th November - ESIC & PF

Provident Fund (PF) payment for October 2023 | ESIC payment for October, 2023

15th November - TDS/TCS

Quarterly TDS Certificate for the Quarter ending September, 2023 (Tax deducted for payment other than Salary)

15th November - Income Tax

Form No. 3BB- Due date for furnishing statement by a stock exchange.

15th November - TDS/TCS

Furnishing of Form 24G by Govt. office where TDS/TCS is paid without Challan

20th November - GST

GSTR 3B - Summary of outward supplies, ITC claimed, and net tax payable for taxpayers with TO. > Rs.5 Cr. last FY or have not chosen the QRMP scheme for the quarter of April-June, 23

29th November - Company Law

The due date of filling MGT-7

30th November - Income Tax

FORM ITR-7 - Return of Income Tax for the AY 2023-24. In the case of Assesse referred to in clause (a) of explanation 2 to section 139(1)

30th November - Income Tax

Report Form -3CEAA by a constituent activity of an international group for the accounting year 2022-23

30th November - TDS/TCS

Due date for furnishing of Challan- Cum statement in respect of tax deducted under section 194IA, 194IB, 194M, 194S for October 2023

30th November - Income Tax

Statement of Income distribution by venture Capital Company or Venture Capital fund in respect of Income Distributed during Previous year 2022-2023

30th November - Income Tax

Report in Form 3CEAA by a constituent entity of an international group for the accounting year 2022-23



Direct Tax

Notifications/Circulars

New Changes in Form ITR-7; CBDT notified the Income Tax (27th amendment) Rules, 2023

The Central Board of Direct Tax issued a notification introducing significant amendments to the Income-tax Rules, 1962. This article delves into the changes made, focusing particularly on Form ITR-7, applicable from the assessment year commencing on April 1, 2023. The amendment introduces alterations to Form ITR-7, affecting both Part B-TI and Part B-TTI sections. In Part B-TI, serial number 16 now addresses specified income chargeable under section 115BBI, taxed at 30%, and serial number 17 calculates the aggregate income to be taxed at normal rates. Part B-TTI, serial number 1a, calculates tax at normal rates based on the modifications in Part B-TI. The amendment brings clarity and streamlines the tax calculation process for the specified assessment year.

Notification No. 94/2023 dated October 31, 2023

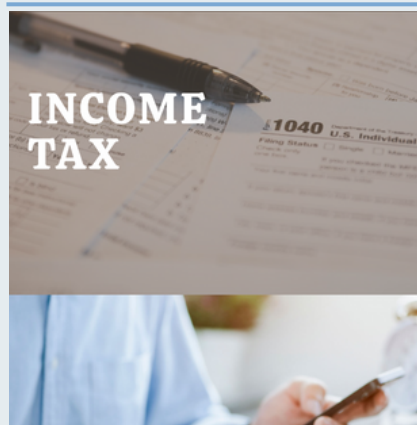
CBDT issues clarification on Audit Report Requirements for 'Substantial Contributors' in AY 2023-24

The CBDT issued Circular No. 17/2023 dated October 09, 2023, clarifies audit report requirements under Section 119 of the Income-tax Act, 1961. It focuses on providing details of 'substantial contributors' in Form No. 10B or 10BB for the assessment year 2023-24.

The circular states that details should include contributors whose yearly contribution exceeds Rs. 50,000, along with information on their relatives and related concerns if available.

Audit report in the case of a fund or trust or institution or any university or other educational institution or any hospital or other medical institution, under clause (b) of the tenth proviso to clause (23C) of section 10, or sub-clause (ii) of clause (b) of sub-section (1) of section 12A of the Income-tax Act, 1961 (the Act), as the case may be, is required to be furnished in Form No. 10B/Form No. 10BB.

CIRCULAR NO. 17/2023 [F. NO. 370142/42/2023-TPL]



CBDT extends due date for filing the report of accountant (Form 56F) u/s 10AA for AY 2023-24 until December 31, 2023

The CBDT issued Circular No. 18 of 2023 dated October 20, 2023, extending the due date for filing the report of accountant (Form 56F) under Section 10AA for Assessment Year 2023-24 until December 31, 2023.

On consideration of difficulties arising to the taxpayers and other stakeholders in timely filing of the report of the accountant required to be filed under clause (8) of section 10AA read with clause (5) of section 10A of the Income-tax Act, 1961 on account of notification of relevant Form 56F on October 19, 2023, and with a view to avoid genuine hardship to such cases, the Central Board of Direct Taxes, in the exercise of its powers under 119(2)(b) of the Income Tax Act, 1961, hereby extends the due date of filing of report of the accountant as required to be filed under clause (8) of section 10AA read with clause (5) of section 10A of the Act, for AY 2023-24 from the specified date under section 44AB to December 31, 2023.

CIRCULAR NO. 18 OF 2023 [F. NO. 370142/40/2023-TPL]

CBDT extends the deadline for processing ITR refund claims

The Central Board of Direct Tax issued order on October 16, 2023, initially directed that all properly filed returns up to Assessment year 2017-18, which included refund claims, could be processed until November 30, 2021.

However, due to ongoing taxpayer grievances concerning refund issues, the CBDT has decided to extend the time frame. As a result, these ITRs can now be processed until January 31, 2024

Order F. No. 225/132/2023-ITA-II, issued on October 16, 2023

Judicial Rulings

Sale of software not containing any element of service not fall under FTS

Even, assuming for arguments' sake that a part of the receipts from sale of software also involves service element, hence, to be treated as FTS, however, the issue, which arises for consideration is whether such receipts can be treated as FTS under Article 12(4)(b) of India-Singapore DTAA in absence of fulfilment of make available condition. On a reading of assessment order, we do not find any material brought on record by the Assessing Officer to establish that during rendition of services, the assessee has made available technical know-how, skill etc. to the service recipient so as to enable him to apply technical knowledge, know-how, skill etc in future independently, without the aid and assistance of the assessee. In fact, in the final assessment orders, the Assessing Officer has not made any discussion, under which limb of article 12(4) of India-Singapore DTAA, he has taxed a part of the receipts. In view of the aforesaid, we hold that the additions made by the Assessing Officer are unsustainable. Accordingly, we direct him to delete them

[ITA No. 1839 & 1840/Del/2022](#)

Penalty u/s 271(1)(c) not leviable in absence of concealment of particulars of income

Hon'ble Supreme Court in the case of CIT V. Reliance Petro Products Pvt. Ltd. has held that merely because the assessee had claimed the expenditure, which claim was not accepted or was

not acceptable to the revenue, that by itself would not, in our opinion, attract the penalty under section 271(1)(c). Held that there is no concealment of particulars of income by the assessee so as to attract penalty u/s 271(1)(c) of the Act. Thus, the Assessing Officer is directed to delete the penalty levied u/s 271(1)(c) of the Act

[I.T.A No. 2412/Del/2023](#)



Revisionary order passed u/s 263 without granting an opportunity of being heard is unsustainable

From the above judgment of Hon'ble Supreme Court in the case of Amitabh Bachchan (supra), it is vivid that what is contemplated by Section 263, is an opportunity of hearing to be afforded to the assessee. Failure to give such an opportunity would render the revisional order legally fragile not on the ground of lack of jurisdiction but on the ground of violation of principles of natural justice. We note that to examine the new issue, namely, the additions to the fixed assets, the

ld PCIT has issued notice to the assessee, under section 263 of the Act dated 29.03.2023. In compliance to the said notice, the assessee has replied on 30.03.2023. However, ld PCIT did not consider the reply of the assessee at all, and ignored the reply of the assessee. Therefore, without giving an opportunity of hearing to the assessee, (in respect of said new issue) the ld PCIT has passed the order, hence order passed by the ld PCIT is not in accordance with the mandatory provisions of section 263 of the Act, therefore we quash the order of ld PCIT.

[ITA No.358/SRT/2023](#)

AO cannot reopen assessment u/s 148 when order u/s 245D is passed by Income Tax Settlement Commission

ITAT Ahmedabad held that the Income Tax Settlement Commission has passed order which is binding on the Revenue Department and the Assessing Officer has no power to reopen the assessment. The ld. CIT(A) has rightly held that claims which are part of the resolution plan stood extinguished as well as once the Income Tax Settlement Commission has decided/settled the tax component between the assessee and the revenue, the revenue authorities do not have any power to reopen such assessment. Held that once order has been passed by Income Tax Settlement Commission u/s. 245D, assessment for the year stands concluded and Assessing Officer has no power to reopen such assessment.

[ITA No. 543, 544 & 545/Ahd/2022](#)

Indirect Tax

Notifications/Circulars

Introduction of Compliance Pertaining to DRC-01C

GSTN has introduced Compliance Pertaining to DRC-01C. The system now compares the ITC available as per GSTR-2B/2BQ with the ITC claimed as per GSTR-3B/3BQ for each return period. If the claimed ITC exceeds the ITC available as per GSTR-2B by predefined limits, as directed by competent authority, the taxpayer shall receive an intimation in the form of Form DRC-01C. Upon receiving the intimation, the taxpayer must file a response using Form DRC-01C Part B. The taxpayer has the option to either provide details of the payment made to settle the difference using Form DRC-03 or provide an explanation for the difference out of the options provided in the form or even choose a combination of both options and file it.

[GSTN advisory dated 06/10/2023](#)

Unveiling a System based automatic 'Status Holder' certificates under Foreign Trade Policy 2023

On October 09, 2023, the Union Minister of Commerce & Industry, Consumer Affairs, Food & Public Distribution and Textiles Shri Piyush Goyal unveiled a significant initiative to issue system based automatic 'Status Holder' certificates under the Foreign Trade Policy (FTP) 2023. Now the exporter will not be required to apply to the office of Directorate General of Foreign Trade (DGFT) for a Status Certificate and the export

recognition will be provided by the IT system based on available Directorate General of Commercial Intelligence and Statistics (DGCIS) merchandise export electronic data and other risk parameters. With the launch of this new system, the Department of Commerce, Ministry of Commerce and



Industry will be recognizing about 20,000 exporters under FTP 2023 as Status Holders which will be a quantum jump from the earlier number of 12,518 exporters. In line with digital India ethos, various e-initiatives have already been implemented where no manual examination or processing is required and various permissions are issued under FTP 2023 based on a risk management and self-declarations of the exporter including 24x7 online issue of Importer Exporter Code number (IEC), issue and renewal of Advance Authorisations..

[GSTN Press release Posted On: 09/10/2023](#)

E-Invoice JSON download functionality is now live on the GST Portal

GSTN is pleased to inform you that the e-Invoice JSON download functionality is now live on the GST Portal. To help you to navigate and make the most of this feature, some key steps are as below.

To download the generated and received e-Invoices in JSON format, please follow these steps:

- Log in on e-Invoice Portal at <https://einvoice.gst.gov.in>
- On the main portal page, find the "Download E-Invoice JSON" section. It has two tabs: "Generated" and "Received".
- Navigate to Download E-invoice JSON Section
- Search for e-Invoice (By Invoice Reference Number)
- View and Download
- Bulk Download (By Period)
- Excel Format e-Invoice List (By Period)
- To get an e-invoice list in Excel format for a specific period
- Downloading History

Additionally, this functionality allows to download all e-invoices reported across all six IRPs (Invoice Registration Portals), i.e. complete data.

Moreover, please note that this functionality is also accessible via GSP (GST Suvidha Providers) through G2B (Government-to-Business) APIs.

[GSTN advisory No. 605 dated 03/10/2023](#)

Judicial Rulings

Where order was passed by revenue dismissing appeal of petitioner/ assessee without granting opportunity of hearing

Show cause notice was issued and order was passed under section 74(9) of GST Act confirming demand against petitioner. Petitioner was not granted an opportunity of hearing before order was passed. Petitioner had sought adjournment in matter, but same was not granted and no date for hearing was fixed - order passed by revenue authority was liable to be quashed.

[[2023] 156 taxmann.com 673 (Allahabad) [18-10-2023]

New Conditions for claiming exemption cannot be introduced via Circular

The CESTAT, Kolkata in Final Order No. 77289-77292/2023 dated October 5, 2023 held as under Noted that if the sale proceeds are not collected, it would lead to a request for Customs duty that was initially waived for the nominated agency.

Final Order No. 77289-77292/2023 dated October 5, 2023)

No Service Tax on construction activities for Mega Sports Complex to be used for non-commercial purposes

The Appellate Authority held that the services provided during the construction of the large sports facility were not subject to service tax. This determination was based on the understanding that the primary purpose of the mega sports complex was not of a commercial nature. The Appellate

Authority held that the services provided during the construction of the large sports Authority clarified that the construction of the Mega Sports Complex by the State government was not subject to service tax under the category of 'Works Contract Service'. No Service Tax liability, when the construction of flat is for the personal use of the service recipient.

[2023] (Service Tax Appeal No. 70693 of 2013 dated 1010,-2023]



Service Tax is not leviable on services provided to Governmental Authority

The Hon'ble Supreme Court in Civil Appeal No. 3991-3992/2023 held as under Observed that, as per Exemption Notification, the exemption was extended only to those entities that fulfil three conditions:

- Have been established with 90% or more participation by way of equity or control by government.
- Carrying out any function entrusted to a municipality under Article 243W of the Constitution of India
- Set up by an Act of Parliament or State Legislature

However, the exemption being restrictive in nature, the Appellant issued a clarification expanding

upon the definition of "Governmental Authority" vide Notification No. 2/2014 dated January 30, 2014 ("Clarification Notification") through which amendment was made in "Governmental Authority" providing an exemption from payment of Service Tax to any authority or board or any other body, set up by an Act of Parliament or State Legislature, thereby widening the exemption base.

Opined that, merely because the statute does not yield the intended or desired result for the Respondent, it would not be a reason to overstep and cross the Lakshman Rekha by employing tools of Interpretation. Tools of Interpretation are intended to make a statute workable, not to achieve a particular outcome.

Held that there is no merit in the Appeal, the Impugned Orders are upheld and the Appeal is dismissed.

Civil Appeal No. 3991-3992/2023 dated October 13, 2023]



Corporate & Allied Laws

Notifications/Circulars

MCA notifies the Companies (Management and Administration) Rules, 2014

The Ministry of Corporate Affairs (MCA) has notified that every company shall appoint a designated person who will be responsible for providing information and Co-Operation to the registrar or and other authorized Officer with respect to beneficial interest of a share holder.

For This Purpose The Designated Person Can Be: Company Secretary, Key Managerial Person, Managing Director.

Notification no. G.S.R. 801(E) dated 27th October, 2023

IRDAI mandates insurance cover for staff travelling in employer's vehicle

The Insurance Regulatory and Development Authority of India (IRDAI) has instructed general insurers to provide mandatory motor insurance coverage to employees traveling in their employer's vehicles, including paid drivers, under the Indian Motor Tariff-29 as an in-built coverage while issuing private car policies for such vehicles. The directive was issued after the Madras High Court's request to make this coverage compulsory.

IRDAI/NL/CIR/MOTOR/178/10/2023-24 dated 18/10/2023

MCA notified the Limited Liability Partnership (Third Amendment) Rules, 2023

As stipulated in Rule 22-A, Limited Liability Partnerships (LLPs) are obligated to maintain

a register of partners in Form 4A, commencing from the date of incorporation. For LLPs established on or after 27-10-2023, the register must be maintained within 30 days of the commencement of these rules.

notification no. GSR 803(E) dated October 27, 2023



Private companies (excluding small companies) must issue dematerialized securities by March 31, 2023, as per a new mandate.

Private companies are required to comply with the Depositories Act, which mandates the issuance of securities in dematerialized form, except for small or government-owned firms. Companies have 18 months from the end of the fiscal year to meet this obligation and must assist with the dematerialization of their securities.

notification no. GSR 802(E) dated October 27, 2023

Limited relaxation from compliance with certain provisions of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015

Regulation 58(1)(b) of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 ("SEBI Listing Regulations") provides that a listed entity shall send a hard copy of the statement containing the salient features of all the documents, as specified in Section 136 of Companies Act, 2013 and rules made thereunder to those holders of non-convertible securities who have not so registered.

MCA vide circular dated September 25, 2023, has, inter alia, extended the relaxation from dispatching of physical copies of the financial statements (including Board's report, Auditor's report or other documents required to be attached therewith) up to September 30, 2024.

It has been decided to relax, up to September 30, 2024, the requirements of regulation 58 (1) (b) of the SEBI Listing Regulations.

Circular No.: SEBI/HO/CFD/CFD-PoD-2/P/CIR/2023/16 dated 07/10/2023



Policies & Schemes

Establishment of Breed Multiplication Farm (BMF) Scheme

It is a new scheme launched under Rashtriya Gokul Mission scheme by Dept. of Animal Husbandry & Dairying, Govt. of India wherein provision of 50% capital subsidy (limited to Rs. 2.00 Crore) has been made for the private individuals / FPOs / Farmer Cooperative Organisations (FCO)/SHGs / JLGs and Section 8 companies for establishing breed multiplication farms through entrepreneurship model to make available disease free pregnant heifers / cows preferably of indigenous breeds of cattle/buffaloes in the country.

The entrepreneur will establish breed multiplication farm (BMF) and produce elite heifers using sexed semen or IVF technology (using sexed embryos). Herd size should be of minimum 200 milch animals. Disease free heifers (free from at least TB, JD & Brucellosis) produced at the BMF will be sold to interested farmers and High Genetic Merit bulls calves born at BMF may be procured by semen stations for semen production, subject to qualifying Minimum Standards for production of frozen semen. Beside this, BMF will also act as the training centre to conduct training for farmers and entrepreneurs.

- To develop private entrepreneurs for undertaking cattle and buffalo breeding.
- To make available disease free pregnant heifers / cows preferably of indigenous breeds of cattle/buffalo.
- To incentivize private individuals Entrepreneurs, FPOs, SHGs, JLGs, and Section 8 companies for establishment of breed multiplication farm.

Conditions for Eligibility

I. The applicant shall be an entrepreneur-aggregator /private individual, SHGs/FPOs/FCOs/JLGs and Section 8 companies and who have their reg. offices in India.

II. In case applicant/Entrepreneur does not have desired experience, he may need to hire Veterinarian to look after the project.

III. At least, having ownership/ lease deed of 5 acres of land. The land should be in one or two pieces but should be in same village.

IV. The applicant will establish new breed multiplication farm of at least 200 milk cows / buffalo (or mixture of cattle and buffaloes) and will use latest breeding technology (sexed semen, IVF technology) for continuously upgrading the stock.



Funding Pattern:

For Construction of cattle shed , purchase of equipment or procurement of elite bulls.

- 50% Capital subsidy (limited up to Rs. 2.00 Crore)
- The balance 50% capital cost shall be arranged by the applicant through loan from Banks/Financial Institutions (FIs).Regional Rural Banks (RRBs)

Provisions Related to Loan Limit:

- First installment of 50% of the subsidy amount will be released after approval of proposal by Department of Animal Husbandry and Dairying, GoI (DAHD) and after release of 1st tranche in to the loan account of the applicant by the bank/Fl. (Note: This amount will be broken in to 4 installments on stage-link basis)
- After the receipt of the report from Implementing Agency (NDDDB) that full infrastructure is in place and animals have been inducted, another 25% of the subsidy amount will be released.
- After receipt of report from Implementing Agency (NDDDB) that births of 10% calves envisaged during first year, have been completed at the farm, the remaining 25% of the subsidy amount will be made available to the entrepreneur.

Documents required:

The Expression of Interest for BMF scheme is to be submitted online through web portal <https://eoi.nddb.coop> .

- Applicant's Expression of Interest as per Format-1.
- Organizational/Individual contact details as per Format – 2
- Experience of the organization/individual as per Format-3.
- Financial strength of the company/Individual as per Format-4

- Additional information as per Format-5.
- Declaration as per Format-6.
- Power of Attorney in favour of Authorized Signatory with long and
- short signatures of Authorized person.

DPR Guidelines:

1. Proposed Breed and number of animals planned to be reared on the farm. Rationale for choosing particular breed.
2. Source of animal procurement
3. Number and type of cattle sheds planned.
4. Expected milk production and number of calves to be produced every year.
5. Availability of water and related arrangements in the area and on the farm

6. Plan for production and procurement of feed and fodder
7. Arrangement for consultancy and veterinary aid
8. Plan for dung management
9. Plan for energy requirement (electricity and hot water supply)
10. Expected expenditure and income on the farm
11. Mode of reproduction to be employed on the farm (IVF ET/Sexed Sorted Semen)
12. Committed number of bull calves produced and heifers (90 in case of cattle and 70 in buffaloes & 20 in case of NER & Hilly states) supplied to farmers from the farm.



Format No.	Documents Required
Registration	<ul style="list-style-type: none"> • Aadhar Number • PAN Number (mandatory for individuals)/GST Number (for organizations if PAN number is not available)
Format 2	<ul style="list-style-type: none"> • Copy of Certificate of Incorporation/copy of Certificate of registration - Notorized - for organizations only • Declaration that the firm/individual is not black listed on non-judiciary stamp paper- Notorized as per Annexure I
Format 3	<ul style="list-style-type: none"> • Certificate of experience – Signed and sealed by Local Government Veterinarian. • Training Certificate if training attended/Details of the farm managed/Details of the experienced manpower available (Training Certificates and size of farm managed) “or” Documentary proof of contracting a veterinarian. Signed by both applicant and concerned veterinarian with seal as per Annexure II.
Format 4	<ul style="list-style-type: none"> • Address proof (Election Commission Photo ID Card, Electricity Bill, Water bill, Telephone bill, Passbook, rent agreement etc.) • Photograph, Caste Certificate (If applicable) • Last Education certificate • The applicant is required to submit proof of Net-Worth (Mandatory) in the form of duly certified Chartered Accountant certificate.
Format 5	<ul style="list-style-type: none"> • Copy of ownership document (Khasara/Khatoni/Other land documents) or Registered long term lease deed of not less than 10 years • Photograph of land with dimensions
Format 6	<ul style="list-style-type: none"> • Detailed Project Report (DPR) • Photograph of the project site • Bank Details for submission of application for obtaining bank loan • Branch Manager Mail ID • Detailed Proper Bank Loan • Sanction Letter (to be uploaded) after receipt of Bank Loan Sanction Letter from the Bank
Format 7	<ul style="list-style-type: none"> • Affidavit as per format - Annexure III of EoI should be on nonjudicial stamp paper with Notary

Professionals Desk

Audit of Renewable Energy Sector in India

Background and Audit Planning

India launched the National Action Plan for Climate Change (NAPCC) in 2008 to mitigate climate change. One of the eight missions under NAPCC was the Jawaharlal Nehru National Solar Mission. It initially aimed to install 20,000 MW solar power capacity by 2022. It also envisaged that Renewable Energy (RE) would constitute 15 per cent of the energy mix of India by 2020. SAI India conducted performance audit of RE sector in India in the year 2014-2015.

Audit Objectives

Objectives of the Performance Audit of Renewable Energy Sector included examination of the progress made in following important areas.

- Increasing the contribution of RE resources in India's energy mix / electricity mix.
- Increasing access to electricity / lighting needs in remote and rural areas; and
- Promoting research, design, development and demonstration.

Audit Criteria

Major audit criteria were drawn from the National Action Plan for Climate Change (NAPCC) adopted by Government and India. The subsector specific guidelines issued by MNRE for various on-grid and off-grid sources of renewable energy and national Electricity Law, Regulations for tariff fixation at national / provincial level, financial rules and regulations, environmental laws, etc. were also considered as important source of audit criteria.

Green Energy Audit

A Green Energy Audit is a systematic analysis of an organization's energy use and energy-related emissions with the goal of reducing energy consumption, reducing carbon emissions, and improving energy efficiency. The purpose of a Green Energy Audit is to identify areas where energy use can be reduced and to recommend strategies for energy conservation, energy efficiency improvements, and the adoption of renewable energy technologies.



The results of a Green Energy Audit can help orgs. reduce their energy consumption, lower their energy costs, and reduce their carbon footprint, ultimately contributing to a more sustainable and environmentally friendly energy system.

The energy auditing process

Successful energy audits follow these four steps:

1. Assess your current energy use.
2. Conduct a site walk round.
3. Develop an action plan.
4. Present your business case.

Conducting an energy audit using this process will help you identify all energy saving opportunities across your organisation. It will also help you to prioritise your opportunities, and where necessary, secure the support and funding you need to make them happen.

Implementation of the Project/ Activity

The Energy Assessment Audit mission is performed with the ultimate goal to understand power consumption practices by staff in the office and propose recommendations in terms of energy efficiency and electricity consumption.

Among the main tasks to be carried out, the assessment includes:

- (i) Installation or review of IoT and energy meters (Power Consumption Measuring and Monitoring devices and Grid Analyzers)
- (ii) Review the electrical wiring system and single line diagram
- (iii) Assess the consumption patterns of electricity appliances (e.g. use of air conditioning units)
- (iv) Analyse collection of Site Survey information for the design of the optimal solar PV system
- (v) Identifying all potential energy efficiency measures;
- (vi) Presenting to Country Office or OMT management, if required, the mission's initial findings.

The Green Energy Audit process generally includes:

- A review of policies, procedures, and practices related to sustainable development.

- An assessment of the actual performance of the company against these policies, procedures, and practices.
- Identification of areas for improvement.
- Recommendations for improvements that will help the company meet its goals more efficiently and effectively.

The results of this Green Energy Audit are then used by management to create an action plan for improving energy efficiency. This plan will include new policies for reducing consumption and waste, along with suggestions for improving internal systems like ventilation or lighting fixtures so that they may use less power overall.

Green Energy audits are important for a variety of reasons. First, they help organizations gain insight into their own sustainability practices and set goals for improvement in the future. Second, they provide an opportunity for employees to participate in the process, which helps increase engagement and improve morale.

It helps them identify any gaps between what they're doing and what the standards require, so they can address those gaps with new policies and procedures that will improve their overall performance.

Types of Energy Audit

- Energy Audit (Mandatory Energy Audits(MEA),M&V Audits, Energy Audits)
- Electrical Safety audit (Electrical & Fire safety Audit)
- Water Audit (Water audit and Water foot Print Assessment)

Problems arises when auditing green energy business

- **Inadequate Review**

Non-calculation errors due to inadequate report review.

Inadequate review was defined as three or more obvious mistakes, other than mistakes in calculation. Examples included sections in a report that were duplicated within the same report; a reference to heat pump thermostat savings in a building that actually has a gas furnace



- **Billing Analysis-** For an audit to be classified as having this problem, it must be missing at least three out of four of the following: monthly summaries of fuel bills (at least one year); a true-up of bills to the energy audit model; projected savings being a reasonable fraction of total annual use; and some form of benchmarking (even if simple).
- **Energy Savings Estimation-** High energy savings estimates can create unreasonable expectations and may lead to poor prioritization

measures. The bar was set high for defining overestimated savings. An audit had to have an improvement with savings more than twice as high as reasonable (or no savings given along with claims of payback in less than one year). Overestimated savings arise from poor modeling, incorrect measurements or assumptions, or not accounting for interactive effects between improvements.

4. Low Or Missing installation cost:

The criterion for this problem

was for a cost estimate to be less than half what might be reasonable for a specific improvement. Underestimating installed costs can be a serious mistake, as the installed cost estimate in an energy audit often serves as the owner's initial budget for implementation. When subsequent bid costs are received by the owner, and are higher than anticipated, we have found that there is a greater risk of the improvement being abandoned before implementation.

CFO's Eye

Supreme Court Rules Telecom Fees As Capital Expenditure

The Supreme Court In Its Recent Judgement Has Passed A rule That Expenditure Incurred By a Telecom Industry For Telecom License Entry Fees And Variable Annual Fees As A Capital Expenditure Rather Than A Partly Capital Expenditure And Revenue Expenditure.

The Case Under Question Had Previously Won , But Supreme Court Reversed. This Will Have A Major Impact On The Profit And Loss Account Of The Telecom Industries As No Earlier Provision Was Made For The Same. The Companies Should Also Keep In Mind That GST Show Cause Notice Has Been Issued To Many Companies Like Dabur And ICICI Lombard. The Report Also Show That DGGI has detected ₹1.36-lakh crore of GST evasion so far in FY 23-24.

Amendment to the Guidelines on Anti-Money Laundering (AML) Standards and Combating the Financing of Terrorism (CFT).

In view of the recent amendments to the Prevention of Money-laundering (Maintenance of Records) Rules, 2005 and to further enhance the effectiveness of the AML/CFT framework, certain provisions of the aforesaid Master Circular shall have these ammends mentioned below :-

If the host country does not permit the proper implementation of AML/CFT measures consistent with the home country requirements, financial groups shall be required to apply appropriate additional measures

to manage the ML/TF risks, and inform SEBI.

Provided that in case of a Trust, the reporting entity shall ensure that trustees disclose their status at the time of commencement of an account based relationship.

Financial groups shall be required to implement group wide programmes for dealing with ML/TF, which shall be applicable, and appropriate to all branches.

Where the client is a trust, the identification of beneficial owner(s) shall include identification of the more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.



SEBI prescribes format of 'Compliance Report on Governance' and 'Annual Secretarial Compliance Report' for InvITs.

In addition to the methods listed under Master circular for InvITs dated July 06, 2023, the following shall be an additional method for privately placed InvITs in order to achieve minimum public unitholding requirements:

Method: Issuance of units through

preferential allotment.

Specific Conditions, if any, applicable:-

only units issued to the public shall be considered for compliance with. minimum unitholding requirement.

Guidelines for Business Continuity Plan (BCP) and Disaster Recovery (DR) of Qualified Registrars and Transfer Agents(QRTAs).

Qualified RTAs are systemically important institutions as they, inter-alia, provide infrastructure necessary for the smooth and uninterrupted functioning of the securities market ..As part of the operational risk management, these QRTAs need to have high level of resiliency to provide essential facilities and perform systemically critical functions uninterruptedly in the securities market.

Cooperative banks must present all unclaimed liabilities in financials under "Contingent Liabilities – Others": RBI

Earlier, the RBI vide master directions, 2021 required commercial banks to present all unclaimed liabilities in their financial statements under 'Schedule 12- Contingent Liabilities', where the amount due had been transferred to the Depositor Education and Awareness (DEA) Fund. Now, the RBI has advised all co-operative banks to present all unclaimed liabilities under "Contingent Liabilities – Others". This aims to ensure consistency in the presentation of financial statements.

Systems & forensics

Designing Ethical Systems By Auditing Ethics

Ensuring ethical considerations in emerging technology implementation is imperative for organizations, respecting diverse cultural perspectives. However, aligning ethics with bottom-line interests poses challenges. Neglecting ethics may expedite innovation but risks negative consequences. Anticipatory technology ethics, analyzing technology, artifact, and application levels, offers a proactive approach. Organizations must integrate ethical values into their development processes and undergo ethics audits. Ethics audits, scrutinizing an organization's behaviors against its code of conduct, present challenges due to varying beliefs and moral frameworks. To address this, audits should focus on the process rather than individual perspectives. Diverse viewpoints, including rights, justice, utilitarianism, common good, virtue, and care ethics lenses, should be considered. Independent auditors post-adoption can enhance objectivity. Ethical process audits should encompass analyzing organizational artifacts, assessing the diversity of the review team, understanding the technology's purpose, documenting the ethical review, monitoring outcomes, and incorporating a feedback loop. This ensures accountability, transparency, and compliance with expected standards. Promoting transparency, establishing standard practices, and involving stakeholders are crucial. Leadership plays a pivotal role in setting the ethical tone. In conclusion, organizations must prioritize ethics in technology development, undergoing regular audits to validate their responsible technology programs. This ensures consistency, aligns with ethical values, and builds public confidence in their ethical approach to emerging technologies.

[ISACA JOURNAL COLUMN](#)

How Effective Is Blockchain in Cybersecurity?

Blockchain technology is lauded for enhancing transactional security, offering a decentralized approach that mitigates the impact of cyberattacks. Distributed Ledger Technology (DLT) in blockchain prevents a single point of failure, ensuring cyber resiliency. Yet, it's not a one-size-fits-all solution, necessitating adherence to other cybersecurity best practices.

DLT's transparency hinders attackers, and advancements like Directed Acyclic Graphs (DAG) reduce vulnerabilities. The integrity of blockchain hinges on network governance and transaction validation methods, with examples like Proof of Stake and Byzantine Fault Tolerance.

However, challenges persist. A major concern is the 51% consensus vulnerability, especially in private blockchains. The South African Reserve Bank's project Khoka using a private blockchain for intrabank transactions is a real-world case.

Communication among nodes is vital for blockchain security. Private blockchains and robust network governance models are essential safeguards. Coding bugs in smart contracts remain a primary vulnerability, demanding experienced developers and thorough project audits.

External data dependency introduces risks, requiring end-to-end security beyond blockchain. Cyber vulnerabilities also arise from software errors, quantum computing threats, and general-purpose operating systems. User interactions pose risks, exemplified by cryptocurrency thefts.

In conclusion, while blockchain offers immutability and transparency, it's not foolproof. Security considerations must extend to the entire application environment, layers, and interactions. Utilizing blockchain doesn't negate the need for existing security protocols.

[ISACA JOURNAL COLUMN](#)



Glossary

AY

Assessment Year

FTS

Fees for Technical Services

BRSR

Business Responsibility and Sustainability Report

CBDT

Central Board of Direct Taxes

CBIC

Central Board of Indirect Taxes

FCO

Farmer Cooperative Organizations

OMT

Organization and Management Theory

JLG

Joint Liability Group

SHG

Self Help Group

FY

Financial year

FPO

Farmer Producer Organization

ICAI

Institute of Chartered Accountants of India

DLT

Distributed Ledger Technology

Ind AS

Indian Accounting Standard

INR

Indian National Rupee

InvITs

Infrastructure Investment Fund

IPO

Initial Public Offering

ISSB

International Sustainability Standard Board

ITAT

Income Tax Appellate Tribunal

ITC

Input Tax Credit

DGGI

Directorate General of Goods and Services Tax Intelligence

ITR

Income Tax Return

BMF

Breed Multiplication Farm

LLP

Limited Liability Partnership

MCA

Ministry of Corporate Affairs

PAN

Personal Account Number

QRMP

Quarterly Returns with Monthly Payments

RCM

Reverse Charge Mechanism

REITs

Real Estate Investment Trust

DTAA

Double Taxation Avoidance Agreement

SEBI

Securities and Exchange board of India

SGST

State Goods and Service Tax

TCS

Tax Collected at Source

USD

United State Dollar

GLOSSARY

are followed by a phonetic
— usually come from
— following rules are taken
— phonetic spelling system.
— syllable) is long;
— that of knee; ri;

4. A st
bi

ABOUT US

A full services firm of corporate strategists, accountants, tax advisory experts and financial analysts.

Services

- Accounting & Business Support
- Business Advisory Services
- Taxation
- Assurance
- Transaction Advisory Services
- Digital Automation and Transformation

"Purpose Fuels the Passion."



6+

Locations

1000+

Clients

3

Foreign Desk



Corporate Office

E-709, Nakul Path,
Lalkothi Scheme, Tonk Road,
Jaipur, Rajasthan, India
302015



Contact Us

✉ info@nyca.in

☎ +91-141-4080999, +91-88759-99988

🌐 www.nyca.in

Jaipur

Delhi

Mumbai

Bikaner