

THE  
BHUBANESWAR BRANCH OF  
EASTERN INDIA REGIONAL COUNCIL OF  
INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

# Newsletter



BHUBANESWAR BRANCH OF EIRC OF ICAI  
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CA. Partha Sarathi Mishra, Vice Chairman  
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CA. Raja Narayan Tripathy, MC Member  
CA. Siddharth Ranjan, MC Member

**Editorial**

Dear Members,

I would like to begin by sharing with you the following quote by Mahatma Gandhi-

***“BE THE CHANGE THAT YOU WISH TO SEE IN THE WORLD”***

And we the members of the Management committee are committed to bring the changes in the functioning of the branch. The initiative to circulate the monthly e-newsletter (March-13) was appreciated and it would be continuous effort to make it a must read newsletter and effort are made to circulate the same in the first week of the month.

The month of April, 13 is beginning of the new Financial year and out fraternity member busy in the Bank audit. We the members of the management committee attended an orientation program for new MC members organized by EIRC at Kolkotta and various issues were discussed. The President CA Subodh Agarwal and Vice-president CA K Raghu of our institute gave us a patient hearing and assured us all the help for the betterment of the functioning of the branch and members at large.

14<sup>th</sup> April, 13- Maha Bishuba Sankranti is also celebrated as the Odiya new year and CA students at the branch came out in a very innovative way to celebrate this and all members who participated in this brief but meaningful event highly appreciated the program and expressed their fond desire to see this happening year after year.

Trying to do something different and to be more responsive to the needs of the students the branch organized a half day program on recent changes in Service Tax and VAT on 18<sup>th</sup> April 2013 and was well attended by student appearing in the May'13 examinations. Eminent speaker CA Sanjay Mundhra, a reputed faculty on taxation from Kolkata made the half day program a memorable evening and was visible as the student stayed till last minute of the program without break. The student appreciated our effort for such seminars and requested for many such events on regular basis.

Education was in focus throughout the month, toward the fag end of the month on 27<sup>th</sup> April 2013 one day workshop on using MS- Excel as an audit tool was organized which was restricted to 30 members and the members who attended the workshop was really updated about many usability of the MS-excel and was very fruitful.

The students of our institute have started on their own a weekly engagement titled “knowledge sharing initiative”. Some of our regular faculties are backing them to the hilt and as it picks up momentum we expect more and more number of academically inclined members would chip in and make these events big successes.

I began with a quote and would like to end with a quote ***“I HAVE LEARNED THAT PEOPLE WILL FORGET WHAT YOU SAID, PEOPLE WILL FORGET WHAT YOU DID, BUT PEOPLE WILL NEVER FORGET HOW YOU MADE THEM FEEL”***

***So please send your views/suggestion on the newsletter and on anything for the betterment of the Branch.***

**CA. Ramesh Chandra Pradhan**  
Chairman

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**CONTENTS**

<i>Subject</i>	<i>Page</i>
Editorial	2
Income Tax Ombudsman	3-5
Last Word.....	6
Board of Studies-Students corner	6
Health Tip	7
On Lighter Side of Life	
Forth coming events	7
Member's Corner	8-9
Glimpses of events	10-12

**Published by**

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Chairman

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**INCOME-TAX OMBUDSMAN  
AS A GRIEVANCE REDRESSAL MECHANISM ???  
( By Dr. Mohan Kumar Nanda, F.C.A., F.C.S., Ph.D.)**

**1. Introduction**

The Govt. of India and the State Governments collect various taxes for the welfare of the people. The Govt. evolves its taxation system depending on the socio-economic compulsions of the country. The people of India participate in the economic development of the nation by paying various taxes and cess.

The citizen of this country has to pay the tax in one form or the other. It is well said that "taxes are the price of civilization". One has to pay that price to buy civilization. But one wonders how the hard earned money of the citizen collected as taxes facilitates the waste and ostentation of the few.

In India few grievance redressal mechanisms, even though they exist, are not known to many people and therefore the public have not benefited out of them. However, of late, the Govt. has introduced many grievance redressal mechanisms for the benefit of the general public. But, due to lack of awareness programmes in print / electronic media, most of the public are not aware of them. Therefore, I thought it proper to share my views with my professional colleagues about the recently introduced grievance redressal mechanism as "Income-tax Ombudsman".

**2. Existing Income tax grievance redressal mechanism**

Income-tax is a complex law. Complexities and complications are the ingredients of Indian Income-tax Act. There are various interpretations and conflicting judgements for each and every section of the law creating more litigations and confusion in the minds of the citizen.

The taxing authorities, being quasi judicials, are supposed to act in a fair and non-partisan manner and assist the tax payer to

resolve the confusions and solve their problems. But the reality is known to all those who visit the Income-tax Office regularly.

At present there are few ineffective and inefficient grievance redressal mechanisms under income tax law. They are;

- a) Rectification of mistakes.
- b) Appeal to Commissioner (Appeals).
- c) Appeal to Appellate Tribunal.
- d) Appeal to High Court.
- e) Appeal to Supreme Court.
- f) Constitutional remedies.

Complaint to Ombudsman is a relatively new grievance redressal mechanism notified by the Central Board of Direct Taxes during the year 2010.

**3. Commitments of Income-tax Department**

The Income-tax Department in its Citizen's Charter has declared its vision, mission and service delivery standard to be provided by them to the tax payers. They have also issued a declaration about their commitment as to maximum time of settlement of key services.

When a tax payer is aggrieved about the poor standard of services and / or non-services provided to him, he can approach the Income-tax Ombudsman with his grievances for early and effective redressal.

**4. Meaning of Ombudsman**

The word 'Ombudsman' is a popular name derived from Sweden for an official appointed to receive and investigate the complaints of citizens' about the Govt. and its officials. (Ref. Concise Law Dictionary of P. Ramanatha Aiyer, 13<sup>th</sup> Edition, 2006).



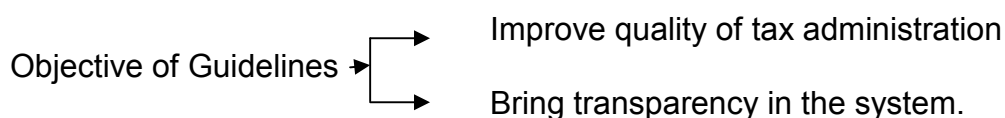
In India the concept of Ombudsman was first introduced in the year 1998 when the Govt. of India promulgated the Insurance Ombudsman Scheme on 1/11/1998 for redressal of public grievances relating to insurance services and claims.

Further, the Govt. of India has announced another scheme for redressal of grievances relating to banking services and many state Govts. have also framed law for redressal of public grievances in different sectors.

## 5. Objectives of Income-tax Ombudsman

The Income-tax Ombudsman guidelines, 2010 is replaced by tax-payers information series-40 issued on 28/01/2008 by Income-tax Department, Director of Income-tax (PR, PP & OL, New Delhi). The new guidelines are effective from 01/05/2010.

The guidelines are introduced to resolve the complaints relating to public grievances against the Income-tax Department and for their satisfactory settlement.



Specific grounds of complaint and the detail procedure for making complaint to the Income-tax Ombudsman are elaborately described in the new guideline.

## 6. Comments

India is a poor country. It is also a vast country with a population of about 120 crores people as per 2011 census.

The greatest tragedy of this country is that about 40% of the population are extremely poor and caught in a poverty trap, unable to escape from the extreme material deprivation of their own. They are trapped by diseases, physical isolation, climatic stress, environmental degradation and by extreme poverty itself. The Government simply lacks the long term planning and financial strength to eradicate the poverty.

Out of the remaining 60% people, 55% people are of middle class families who are affected by the annual budget of the Government of India. They always try to meet their both ends by making purchases of unwanted luxury items, even if it becomes necessary to borrow funds bearing higher rate of interest.

As regards the literacy level in India, only 74.04% of the people are literate and only

10% of them can read and understand English and a local language as well. It is really pity that the Govt. has been following the laws made by the British people about 100 years back and has only made cosmetic changes here and there to suit it and not for the benefit / welfare of the people of India.

Further, the Government has neither made any efforts, since independence, to simplify the laws to suit to the requirements of the independent India nor has made any effort to make the people aware about the existing laws. In most of the cases, the lawyers, to the best of their understanding of the law, explain to the people in case of any wrong doing / crime.

It is really astonishing that there are conflicting and diagnostically opposite interpretations and judgements for all important laws in India thereby creating more confusions and more litigations. Sometimes, the litigation continues for a long period - more than one generation altogether. Recently, the Supreme Court of





India has admitted that at least 13 cases of recent judgements of death penalty has been wrongly awarded (The Hindu, Dtd. 22/08/2012).

In the backdrop of this, the author is of the opinion that very nominal people understand the complicated laws of India including Income-tax Act. In this context, even the professionals, not to speak about general public, are well versed with the complexities of income-tax laws and their grievance redressal methods.

The Ombudsman as per the guidelines should be a person from senior IRS cadre, who has not retired. It is to be seen how the person who has worked with the department throughout his life time (about 30-35 years) can change his attitude to be fair and just to the tax payers in solving their problems.

It is, therefore, to be seen how the ordinary tax payer benefit out of this new grievance redressal mechanism thereby reducing the burden of the department. Now the only option for the department is to gear-up itself to provide services to the tax payers effectively and efficiently in time without harassment and nagging.

## **7. Conclusions**

(The Article is an abstract of the book "Income-tax Ombudsman", written by Dr. Mohan Kumar Nanda (first edition, 2012) email: [mkn\\_ca@yahoo.co.in](mailto:mkn_ca@yahoo.co.in), Mobile-9437249096)

**Last Word.....****By CA. Sanjeeb Mohanty**

We start giving explanation since childhood and it continues..... to the teacher, to parents, to friends, to relatives, then to boss, to wife, to kids, if in profession to clients, to colleagues and so on..... nevertheless, we too get explanations also.....

While explaining, the intention remains to prove self and to deliver the last word forcefully with conviction to keep the opposite mum. No matter how simple or complicated it is or the means it demands....words, letters, faxes, emails.....

Therefore, everybody has an explanation for everything and more importantly, everybody wants to have the last word. In a lighter note "The wife has an explanation to have forgotten to take the door keys when going away for shopping and the husband has explanation to his anger to call a mechanic to break open the door lock". Seriously, "Mahatma Gandhi had explanation for throwing Foreigners and Nathuram also had explanation for throwing Mahatma Gandhi".....

How about consciously allowing the other person to have the last word to save time, energy, effort, peace and space. Believe it, the freedom would be enormous.....try at least once to realize.....

Do you have a different point of view on this? You are most entitled to think so, absolutely no issue.....go ahead...you can have the last word.....

**May 2013- Examination Time Table**

CA. Final Exam Date sheet for May 2013			
DATE MAY 2013	DAY	EXAM	GROUP
2 <sup>nd</sup>	Thursday	Financial Reporting	Group I
4 <sup>th</sup>	Saturday	Strategic Financial Management	
6 <sup>th</sup>	Monday	Advanced Auditing and Professional Ethics	
8 <sup>th</sup>	Wednesday	Corporate & Allied Laws	
10 <sup>th</sup>	Friday	Advanced & Management Accounting	Group II
12 <sup>th</sup>	Sunday	Information Systems Control & Audit	
14 <sup>th</sup>	Tuesday	Direct Tax Laws	
16 <sup>th</sup>	Thursday	Indirect Tax Laws	
CA IPCC Exam date sheet for May 2013			
3 <sup>rd</sup>	Friday	Accounting	Group I
5 <sup>th</sup>	Sunday	Business, Law, Ethics & Communication	
7 <sup>th</sup>	Tuesday	Cost Accounting & Financial Management	
9 <sup>th</sup>	Thursday	Taxation	
11 <sup>th</sup>	Saturday	Advanced Accounting	Group II
13 <sup>th</sup>	Monday	Auditing & Assurance	
15 <sup>th</sup>	Wednesday	Information Technology & Strategic Management	
All the examinations will be held from 2 PM to 5 PM.			



## Health Advices

1. Exercise at least four days a week for 20 to 30 minutes each day. If it's all not possible at a go, break your workouts into smaller sessions.
2. Try to get as much physical activity as you can. Skip the elevator and take the stairs, walk to the supermarket instead of hunting for parking space etc.
3. Along with fresh veggies and fruits, eat slim meats (if you're not vegetarian), nuts, seeds (sprouts) and salads.
4. Wake up early to practice simple meditation. It harmonizes body, mind and soul.
5. Pets can be a great source for exercise. Especially a dog. Walking dogs, caring for them involves good amounts of physical activity.
6. Get adequate rest daily. Don't deprive yourself of sleep for extended periods of time.
7. Skin, teeth, hair, nails are all indicators of general health. Loss of hair or lack of luster may mean poor nutrition.
8. When it comes to healthy living, even little things count. Like eye health. Make sure you rest them well. They'll serve you a long time.
9. Drink water- you need to stay hydrated. Not only is it good for your internal organs, it also keeps your skin healthy and lessens acne.
10. Believe in your abilities, Work on your shortcomings. Life is a continuous self-help program.

**ON THE LIGHTER SIDE OF LIFE**

**CA on his death bed:**

**My wife, are you here?**

**"Yes dear"**

**My daughter, are you here?**

**"Yes dad"**

**My son, are you here?**

**"Yes dad"**

**MY ARTICLES, ARE YOU HERE?**

**"Yes SIR"**

**KAMINO fir OFFICE me kaun hai.**

**EVENTS FOR THE MONTH OF MAY 2013**

<b>Day &amp; Date</b>	<b>Programme</b>	<b>Speaker/ Resource Person</b>	<b>Venue</b>	<b>Duration</b>	<b>CPE Hours</b>	<b>Fees Rs.</b>
25.05.2013	Seminar on Application of Service Tax on Construction and Real Estate Activities	Shri Puneet Bansal, New Delhi	ICAI Bhawan, Plot No-A/122/1, Nayapalli, Bhubaneswar-751012	3	3	300
27.05.2013	General Management & Communication Skills (GMCS I)		ICAI Bhawan, Plot No-A/122/1, Nayapalli, Bhubaneswar-751012	15 Days	--	4000



## Member Fee Circular Performa 2013-14

## THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA Annexure 'A'

ICAI Bhawan, 52,53,54 Vishwas Nagar, Near Karkardooma Court, Shahdara, Delhi-110032

[Applicable for the Members of age BELOW 60 years as on 01-04-2013]

Sl. No. ....

NAME .....

For office use only

Received Rs. ....

Membership No. ....

Date of Receipt .....

Status : ..... Sub : Payment of Annual Membership Fees /  
Certificate of Practice Fee for 2013-14

Control No. ....

Region : Northern

Last date for payment of fee - 30th September, 2013

I am enclosing herewith a Cheque/DD No. .... dated .... drawn on ....  
for Rs. .... (Rupees ....) being remittance\* as per details given below : -

(Please quote your name and membership number on the reverse of the demand draft/cheque)

Option A		Option B		
Due Fee for 2013-14 alone		Due Fee for 2013-14	Advance Amount Please fill the amount to be remitted	Total Remittance (Due+Advance)
	Rs.	Rs.	Rs.	Rs.
Associate Membership	800	800		
Fellow Membership	2200	2200		
Certificate of Practice	2000	2000		
Optional:				
<b>Benevolent Fund Subs.</b>				
1. CABF				
-- Life Membership	2500	2500	--	2500
-- Yearly Subscription	500	500	1000	1500
-- Voluntary Contribution				
2. SVAMF				
-- Life Membership	500	500	--	500
-- Yearly Subscription	50	50	100	150
-- Voluntary Contribution				
Air Mail charges for CA Journal (in case of members abroad)	2100	2100	4200	6300
Sea Mail charges for CA Journal (in case of members abroad)	1100	1100	2200	3300
Grand Total Rs.				

Date:

Signature

M.No.

Mobile No.

E-mail ID

Status: Not in Practice/Part-time/Full-time Practice

\*(Tick appropriate box and then indicate the total amount remitted in the blank box(es))

## THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

ICAI Bhawan, 52,53,54 Vishwas Nagar, Near Karkardooma Court, Shahdara, Delhi-110032

Sl.No.

Name &amp; Address

## ACKNOWLEDGEMENT

Membership No. ....

Received on .....

Rs. ....

(in Figures)

Rupees .....

(in Words)

Cheque\*/DD No. ....

(\*subject to realisation of Cheque)

for The Institute of Chartered Accountants of India

## Instructions :

- (1) Remittance may please be made by way of a demand draft or local cheque favouring 'The Secretary, The Institute of Chartered Accountants of India'. Outstation cheques will not be accepted under any circumstances.
- (2) Please note that for each member separate form is required to be used alongwith the respective payment.
- (3) Salient features of the payment of advance fee scheme are given separately on page 4.



**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA Annexure 'A1'**

ICAI Bhawan, 52,53,54 Vishwas Nagar, Near Karkardooma Court, Shahdara, Delhi-110032

[Applicable for the Members of age 60 years or ABOVE as on 01-04-2013]

Sl. No. ....

NAME .....

Membership No. ....

Age as on 01-04-2013. ....

Status : .....

Region : Northern

**Sub : Payment of Annual Membership Fees /  
Certificate of Practice Fee for 2013-14**  
Last date for payment of fee - 30th September, 2013

For office use only

Received Rs. ....

Date of Receipt .....

Control No. ....

I am enclosing herewith a Cheque/DD No. .... dated ..... drawn on .....  
for Rs. .... (Rupees ..... ) being remittance\* as per details given below : -**(Please quote your name and membership number on the reverse of the demand draft/cheque)**

Option A		Option B		
Due Fee for 2013-14 alone		Due Fee for 2013-14	Advance Amount	Total Remittance (Due + Advance)
	Rs.	Rs.	Please fill the amount to be remitted	Rs.
Associate Membership	600	600		
Fellow Membership	1600	1600		
Certificate of Practice	1500	1500		
Optional:				
<b>Benevolent Fund Subs.</b>				
1. CABF				
-- Life Membership	2500	2500	--	2500
-- Yearly Subscription	500	500	1000	1500
-- Voluntary Contribution				
2. SVAMF				
-- Life Membership	500	500	--	500
-- Yearly Subscription	50	50	100	150
-- Voluntary Contribution				
Air Mail charges for CA Journal (in case of members abroad)	2100	2100	4200	6300
Sea Mail charges for CA Journal (in case of members abroad)	1100	1100	2200	3300
Grand Total Rs.				

Date:

Signature

M.No.

Status: Not in Practice/Part-time/Full-time Practice

Mobile No.

E-mail ID

\*(Tick appropriate box and then indicate the total amount remitted in the blank box(es))

**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA**

ICAI Bhawan, 52,53,54 Vishwas Nagar, Near Karkardooma Court, Shahdara, Delhi-110032

Sl.No.

Name &amp; Address

**ACKNOWLEDGEMENT**

Membership No. ....

Received on .....

Rs. ....

(in Figures)

Rupees .....

(in Words)

Cheque\*/DD No. ....

(\*subject to realisation of Cheque)

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**Glimpses of Events**

**SEMINAR ON RECENT CHANGES IN SERVICE TAX & VAT ON 15<sup>TH</sup> APRIL, 2013**



CA. Ramesh Chandra Pradhan, Chairman, Bhubaneswar Branch, CA CS CMA Sanjay Mundhra, Kolkata and CA. Amit Kumar Agarwalla, Treasurer, Bhubaneswar Branch



CA CS CMA Sanjay Mundhra, Kolkata addressing the participants.



Participants of the seminar



Mr. Abinash Parida, Student presenting a Mementoes to CA CS CMA Sanjay Mundhra, Kolkata in presence of Mrs Mundhra and CA. Ramesh Chandra Pradhan , Chairman, Bhubaneswar Branch



CA. Siddhrath Ranjan, MC Member, CA CMA Sudhanshu Ku. Sahoo, Chairman, ICWAI , CA Raja Narayan Tripathy, MC Member, CA. Ramesh Chandra Pradhan, Chairman, CA CS CMA Sanjay Mundhra, Kolkata, Mrs Mundhra, CA. Amit Kumar Agarwalla, Treasurer and CA. Sunil Kumar Sahoo, Regional Council Member, EIRC.





**WORKSHOP ON MS EXCEL AS AN AUDIT TOOL ON 27<sup>TH</sup> APRIL, 2013**



CA. Ramesh Chandra Pradhan, Chairman introducing the guest Mr. N.D.Kundu, Mumbai



CA. Nirjharin Ratha, participant presenting a bucket to Mr. N.D.Kundu, Mumbai



Mr. N.D.Kundu, Mumbai addressing the participants



Participants of the workshop

**ORIENTATION PROGRAMME IN KOLKATA ON 8<sup>TH</sup> APRIL, 2013**



Mr. N.D.Kundu, Mumbai addressing the participants



Mr. N.D.Kundu, Mumbai addressing the participants





MC Members with Hon'ble President, Vice President , Council Members and Regional Council Members and other officials