



From the President

Dear Chamber Family,

Uncertainty and mystery are energies of life. Don't let them scare you unduly, for they keep boredom at bay and spark creativity.

R. I. Fitzhenry

As I communicate to you through this month's journal, the world is again unfortunately entering uncertain times. The new variant Omicron is troubling one and all in some way or the other. The cases of the new variant have also been found in India and the numbers are likely to go up in next few weeks to come. There is no clarity as to whether this new variant is just a media hype or it is really something to worry about. Some of the news items inform us that the variant is very mild as compared to the earlier variants and therefore we need not fear much. However, in the same breath we are told that this variant spreads faster as compared to the earlier variants. The efficacy of the vaccines against the new variant is yet to be tested. Messages in the social media keep on multiplying to the confusion. A common man will surely not be able to get any meaningful direction from the news reports. The equity markets are also no different in their response. The markets keep on swinging from one side to the other day after day and the volatility is at the peak. We all look upon the scientists and experts who can only be the trustworthy persons to guide. However, they are also not very clear as of now and are justifiably adopting a cautious approach before forming their opinion on either side of the subject. As Bertrand Russell rightly states: "*The trouble with the world is that the stupid are so confident while the intelligent are full of doubt.*"

It is under these uncertainties that the Chamber has also deferred some of the crucial decisions about conduct of its programs. The team Chamber is very much aware that the members have developed a fatigue against the virtual programs and are craving to have physical programs. The team had already planned some of the programs in physical mode and we were almost ready to roll out the same. However, considering the latest developments we are also, like the entire world, adopting a cautious approach for the time being. We are closely monitoring the situation and will take appropriate steps once the mist is cleared to the desired level. The Chamber remains committed to the health and well-being of its members and at the same time remains equally committed to the spread of education.

India as a nation gets more and more proud moments in various fields. Appointment of Parag Agrawal as the CEO of Twitter is another step in the direction and goes on to increase the

tally of persons of Indian origin leading multinationals in very efficient and effective manner. Ajaz Patel, having his roots to the City of Mumbai, though playing for New Zealand and taking wickets of Indian batters, took 10 wickets in an inning at Wankhede Stadium, Mumbai. He equaled the record of legendary Jim Laker and Anil Kumble to be only the 3rd bowler in the history of test cricket to achieve this milestone. Incidentally all three bowlers happen to be spinners. Finally, India winning the T20 series 3-0 and the test series 1-0 against New Zealand has brought smiles, a much required one after the T20 world cup performance, on the faces of Indian cricket lovers.

The world of taxation had always been full of uncertainties and surprises. Recent controversy of applicability or otherwise of Service tax to the fees collected by SEBI during the year 2016 is one such area where there is a tug of war between two authorities of the government and the battle does not look to settle soon. Validity of reassessment proceedings initiated after 31-3-2021 in respect of the earlier years, for which no time was legally available, is another point of discussion amongst the professionals. Many notices have been issued for such reassessments and the counsels are having a busy time arguing about validity of such notices. Judgments of couple of High Courts available as of now give a sigh of relief to the assesseees but the controversy is not likely to settle unless it reaches the Supreme Court. Hopefully, it settles then at least.

Coming to the activities of the Chamber, I am pleased to share with you all that the Chamber had been invited by the CBDT to suggest the amendments in tax provisions to be announced in the Finance Bill 2022. The Team Chamber has submitted a detailed pre-budget memorandum both in Direct Tax and also Indirect Tax areas. It is very satisfying to note that the Team Chamber was patiently heard at the personal meeting with Shri J. B. Mohapatra, Chairman of CBDT, and other senior revenue officers on 1st December, 2021. The interaction at the meeting permits me to believe that some of the vital suggestions are likely to be implemented by the revenue authorities. The pre-budget memorandum has been uploaded on the website of the Chamber and interested members may refer to the same to have an insight on the suggestions made.

I must put on records my sincere gratitude to past presidents Shri Mahendra Sanghvi and Shri Hitesh R. Shah for an excellent representation prepared in a speedy manner without compromising on the quality. Thanks are also due to S/Shri Shabbir Motorwala, Naresh Ajwani and Mrugen Trivedi for contributing the suggestions on International Tax matters. Our Indirect Tax Committee under the able chairman Shri Atul Mehta, advisor Shri Rajiv Luthia and the team consisting of S/Shri Keval Shah, Pranav Kapadia, Raj Khona, Umang Talati and Ms. Deepali Mehta compiled the suggestions for the GST provisions. Thanks to all the committed team members from the bottom of my heart.

Other educational programs of the Chamber continue in a steadfast manner and I am sure that all the members must be participating in the activities as per their area of interest. The much awaited event of RRC of Direct Tax and Indirect Tax is at much advanced stage of planning and but for the new variant would have been announced by now. Please bear with us for few more days before we roll out the announcement after getting better clarity. Let me assure that the committees are all eager to make the RRCs as memorable and as educative as possible.

The subject of the special story for the current month is “Crypto Currencies”. This is again an area where lot of uncertainties prevail right from the regulatory perspective to the taxation perspective. The subject certainly is very much necessary for a professional to dwell upon considering the fact that the world has developed much fancy around this subject. Appreciation of the investment is much faster and therefore the young generation of investors see great opportunity in this segment. At the same time one has to be mindful of the downfall which is also with equal force. The exchanges for crypto currencies are already operational and the advertisements starring celebrities promoting the exchanges are airing on the national television, inducing one to jump into the water without any further delay. At the same time, the government, for valid reasons, seems to be in a discouraging mood for crypto currencies as a valid mode of investment. The Supreme Court had already given its judicial view earlier and a Bill is on the list of enactments to be carried out by the Parliament at the winter session. It becomes really interesting to observe how the things shape up going forward. The Journal Committee, had therefore taken up the right subject. The articles written by eminent authors will surely be of a great educational value to the readers and might as well clear lot of doubts. I express my sincere thanks to each of the author for sharing their treasure of knowledge with the readers of the journal.

We are in the last month of the year 2021 and we all eagerly look forward to the festival of Christmas and the New Year 2022 to be followed. I wish Merry Christmas to all the Chamber family and prey the Almighty to bless the mankind with greater positivity and greater joyful moments in the New Year 2022. Merry Christmas and Happy New Year in advance.

Looking forward to keep on serving the members in the best possible manner and committing on behalf of the Team Chamber for the same. Awaiting feedback and suggestions from the members in all the forms.

Stay Safe and Take Care

Yours sincerely,

KETAN VAJANI

President