



## From the President

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Dear Chamber Family,

*There would be nothing to frighten you if you refused to be afraid.*

*Mahatma Gandhi*

The entire mankind will always remain indebted to Mahatma Gandhi for various lessons which he has shared during his life time. These lessons are of great significance and remain contemporary even in today's time. When we see around today, we find enormous anxiety amongst all of us for various reasons. Anxiety caused by the new variant of the pandemic – the numbers of past few days are really capable to give sleepless nights. Anxiety of the due dates to be met under various statutes and that too under the most challenging circumstances. Anxiety about the annual financial event of union budget being less than a month away and so on. At times anxiety results into fear and which worsens the position even further. That is the time one recalls the above golden mantra given by the noble soul. As it is aptly said : *“It all begins and ends in your mind. What you give power to, has power over you if you allow it.”*. Let's, therefore, firmly refuse to be afraid and surely we shall be able to sail through these turbulent times with greater comfort.

The month of December and the first few days of January have been full of mix feelings. The country lost its first Chief of Defence Staff, General Bipin Rawat and eleven other officers of the Air-Force. Gen. Rawat had played a very significant role in the defence of the country on numerous occasions. The entire nation had been dumbstruck with grief on losing the great son of the soil. Our heartfelt tribute and salute to the legend. Another great soul which had bid a due to this world is Sindutai Sapkal, who passed away recently following a short sickness. She had been mother to so many orphans and had devoted her complete life to the cause of the society. These are the people who have the mettle to change the society with their selfless contribution despite of all the adverse conditions in their personal life. On the brighter side of life, Ms. Harnaaz Sandhu brought the laurel of Ms. Universe after a gap of 21 years – A moment of pride for India and Indians.

The Central Board of Direct Taxes has notified a fresh scheme for Faceless Appeals on 28th December, 2021. The Faceless Appeal Scheme 2021 has replaced the earlier scheme notified vide Notifications dated 25-9-2020. One of the visions listed in the Vision Statement of the Chamber is that the Chamber shall be a voice which is heard and recognised by all

government and regulatory agencies through effective representations. Keeping this vision at the heart, the Chamber had initially made a detailed representation on various legal and procedural issues arising out of the Faceless Appeal Scheme – 2020. Unfortunately, the said representation was not considered by the CBDT and the Chamber had to act as the voice of several tax payers and professionals by filing a writ petition, converted later into a public interest litigation, before the Hon. Bombay High Court and also intervening before the Hon. Supreme Court in the case of Lakshya Budhiraja & Another. The revised scheme notified on 28-12-2021 addresses some of the fundamental concerns raised by the Chamber in these petitions. As per the new scheme, the opportunity of personal hearing, through video conferencing or telephony, is mandatorily to be allowed in a case where the assessee so demands. The discretion, which was hitherto available with the revenue authorities and appeal units, has now vanished. Another significant change is that the power of review of the appeal orders passed by one appeal unit by the other unit/s has been done away with. Also the possibility of administrative interference in carrying out the quasi-judicial function by the appellate authorities has been removed. All these changes are substantial relief and the Team Chamber is proud to be instrumental in getting the scheme modified in the correct direction. Of course, few issues still remain for which appropriate action will be taken on the basis of guidance of senior professionals.

I would like to express our sincere gratitude to Senior Advocates Shri Arvind Datar and Shri Saurabh Soparkar for their valuable guidance and also appearing pro-bono on behalf of the Chamber before the Hon. Courts in a very effective manner. Our thanks are also due to Advocates Shri Anandan Sukumaran, Shri Vipul Joshi, Shri Dharan Gandhi and Shri Mihir Naniwadekar for their valuable assistance from time to time. This issue of the Journal carries a special article authored by Shri Dharan Gandhi explaining the nuances of the newly notified scheme and a comparison between both the schemes. I am sure the readers will find this interesting and educating.

The much awaited event of GST Residential Refresher Course has been announced. The Indirect Tax Committee has planned all the technical papers in a very meticulous manner and have been blessed to rope in the best of the faculty from the country to deal with intricate issues in this ever interesting subject of GST. Very appropriate venue – Hotel Deltin - has been selected for the event considering the twin needs of the members i.e a beautiful location and the driving distance. I am confident that the members will respond to the same with great zeal and the RRC will be as memorable and as educative as it has always been over the period of past many years.

The Direct Tax Residential Refresher Course is at much advanced stage of execution and is likely to be announced soon. The RRC committee is all set to give the best of the experience to our members for the RRC both on educational front as also providing a great opportunity for recreation. Few decisions had to be realigned and revisited in view of the increasing threat of the pandemic and the new variant. The Chamber gives prime importance to the safety and wellbeing of its members. Considering this at the core of our heart, we had to go back to the drawing board and start a fresh multiple times. We firmly believe in being safe than sorry. The Team Chamber does not want to hurry with the plans at the cost of the health of its members. I request all the members to please bear with us for this.

Other educational programs of the Chamber continue in a slow but steady manner. The present slowdown is purposeful with a view to ensure that our members don't miss out on quality education programs owing to the busy work season. We are all set to accelerate in the weeks to come. Please keep on watching for the necessary announcements and emails and be ready for the onward journey of education.

The entire world has now become a digital world and the field of taxation, accounting and finance has seen enormous level of digitization over the period of past few years. Though this has been overall beneficial to the professionals in various ways, it naturally brings few newer challenges with it. Some of the senior members always find it challenging to cope up with the new ways of functioning. In a lighter vein, people say that a good chartered accountant should also possess some basic technological skills in today's time. This month's special story has been designed in an elaborate manner keeping in mind the need of the hour and with an object to address some of the challenges faced in this significant area or practice. We are extremely thankful to Shri Dheeraj Toshniwal for designing the special story in a very elaborate and effective manner. The articles written by eminent authors, who are experts in using technology to its optimum level, will surely be found useful for all the readers. I express my sincere thanks to all the authors for the educative articles.

Let me end this communication by wishing all the members a very Happy New Year 2022. Let us all join in praying the Almighty to bless the world with better days ahead. Looking forward to the world as we knew prior to Covid – a world where people were able to move around freely and meet each other without any fear of being infected. “More the Merrier” was the Mantra and more numbers had the possibility of only one infection – infection of joy and fun. The best thing about the time is that it does not last. If those great days did not remain, I am sure these challenging days will also not be there for long. This too shall pass and we shall be all back with each other in physical educational programs and also for some great fun moments. Let's welcome the new year with that feeling at heart. At the same time, let us not get fatigued by following the required protocol and let us continue with our healthy practices of “SMS” – **S**ocial Distancing – **M**asking and **S**anitization - till we see the better days, which are not very far in my view.

Stay Safe and Take Care

Yours sincerely,

**KETAN VAJANI**

*President*