

**EXPLORING NEW PROFESSIONAL AVENUES & TAKING
PRACTICE TO NEXT PEDESTAL BY ENGAGING IN
MANAGEMENT CONSULTANCY AND OTHER SERVICES**

By:-

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INSPIRING THOUGHTS

- Your reach must always exceed your grasp. That is heaven on earth.

Ultimately, your only competition is yourself.

- The world can be your oyster; it can sit straight in your pocket , if you arm yourself with the right qualifications, the right skills and the right attitude

- Dr. A P J Abdul Kalam

You cannot have your dreams come true if you do not dream

- To even begin to explore our potential ,we need to have the courage to sacrifice what we are, at the altar of what we could become.

PERSONAL ATTRIBUTES

- High academic achievements
- Self-motivation capacity
- Being Innovative
- Pursues Excellence
- Strives to add value
- Applies strategic thinking
- Demonstrates initiative
- Competent
- Adaptable
- Accountable

TOOLKIT OF SKILLS

PROFESSIONAL SKILLS

- To be efficient in their profession, a chartered accountant must possess the following skills:
- Good communication
- Inter- personal skills
- Ability to be a good team player
- Comfort with numbers
- Ability to manage others effectively
- Analytical mind
- Desire and willingness for continuous updating of knowledge
- Being Techno- savvy
- Specialization in areas such as corporate laws, taxation etc.

PROFESSIONAL SKILLS....

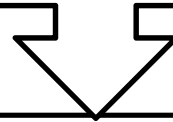
- A chartered Accountant must have the ability to :
- Be Forward looking advisors and information providers
- Evaluate, interpret and communicate information
- Exercise professional judgment in decision making and problem solving
- Manage time efficiently
- Think strategically

KEY TO EFFECTIVENESS

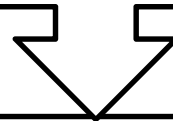
- Commitment
 - *If you think you can or think you cannot you are probably right-Henry Ford*
- Create Partnership
 - *A single arrow is easily broken but not ten in a bundle –Japanese proverb*
- Be responsible
 - *I believe that every right implies a responsibility; every opportunity , an obligation; every possession, a duty*
- Decide
 - *A man with feet in two boats falls into the river-Chinese proverb*

***REASONS WHY CA FIRMS ARE NOT ABLE TO
ACHIEVE DESIRED SUCCESS !!!***

ADMINISTRATION



SERVICE DELIVERY



OPTIMAL USE OF TECHNOLOGY

ADMINISTRATION

- **“Opportunity at one time may convert into threat if preparation is not according to the desired level and threat may be converted into an opportunity if extraordinary efforts are made”**
- **Delay in getting the fees:** *It happens with many ,that even after finishing the assignment they don't get the fees on time which leads to working capital crunch during initial years of practice. Members must keep proper billing system as well follow up mechanism to overcome this.*

SERVICE DELIVERY

- *Irrespective of the fees, one must never compromise with the quality. Once you start the habit of compromising with quality of work, it is very difficult to break it afterwards. Quality work always command respect from your clients and other professional colleagues. Work quality review checklist must be developed for all type of routine works you handle, so that there is no scope of compromise in quality of work executed.*

OPTIMAL USE OF TECHNOLOGY

- *In order to achieve phenomenal success in practice the optimal use of technology is a must.*
- *With numerous tools and techniques offered by technology, the quality of services can be improved significantly.*
- *Use of technology ensures that manpower intervention is minimal leading to cost cuts.*
- *Technology in itself throws open host of opportunities for CA firms.*
- *Technology if used in the right manner ensures error free execution of the assignment.*

GUIDELINES FOR PRACTICE IN CORPORATE FORM

➤ **Managing Director, Whole-time Director and Manager –**

The term “Managing Director”, “Whole-time Director” and “Manager” shall have the same meaning as defined/understood in the Companies Act, 2013. For this purpose, the member in practice who is a Managing Director, Whole-time Director or Manager shall be full-time practitioner/proprietor/partner in

➤ a Chartered Accountants firm.

➤ **(ii) Act** – Act means The Chartered Accountants Act, 1949.

➤ **(iii) Regulations** – Regulations means the Chartered Accountants Regulations, 1988.

➤ **(iv) Code of Ethics** – Code of Ethics means the Code of Ethics issued by the Institute and decisions of the Council in this regard.

(v) Institute – Institute means the Institute of Chartered Accountants of India.

(vi) Company – “Company” means a Company incorporated under Companies Act, 1956 read with revised Companies Act, 2013 and includes “One Person Company (OPC) under Companies Act, 2013. (to be inserted)

(vii) Council – Council means the Central Council of the Institute.

(viii) Member – Member means a Member in Practice.
Member in Practice means a Member in Practice’ as defined in the Chartered Accountants Act, 1949 and its Regulations.

(ix) Management Consultancy & Other Services – Management Consultancy & Other Services or MCS means ‘Management Consultancy & Other Services’ permitted by the Council in pursuance to Section 2(2)(iv) of the Chartered Accountants Act, 1949. The definition of the expression “Management Consultancy and other Services” as appears at pages 8-10 of the Code of Ethics, 2005 edition is as under:

The expression “Management Consultancy and other Services” shall not include the function of statutory or periodical audit, tax (both direct taxes and indirect taxes) representation or advice concerning tax matters or acting as liquidator, trustee, executor, administrator, arbitrator or receiver, but shall include the following:

- (i) Financial management planning and financial policy determination.
- (ii) Capital structure planning and advice regarding raising finance.
- (iii) Working capital management.
- (iv) Preparing project reports and feasibility studies.
- (v) Preparing cash budget, cash flow statements, profitability statements, statements of sources and application of funds etc.
- (vi) Budgeting including capital budgets and revenue budgets.
- (vii) Inventory management, material handling and storage.
- (viii) Market research and demand studies.

- (ix) Price-fixation and other management decision-making.
- (x) Management accounting systems, cost control and value analysis.
- (xi) Control methods and management information and reporting.
- (xii) Personnel recruitment and selection.
- (xiii) Setting up executive incentive plans, wage incentive plans etc.
- (xiv) Management and operational audits.
- (xv) Valuation of shares and business and advice regarding amalgamation, merger and acquisition.

(xvi) Business Policy, corporate planning, organisation development, growth and diversification.

(xvii) Organization structure and behavior, development of human resources including design and conduct of training programmers, work study, job-description, job evaluation and evaluation of work loads.

(xviii) Systems analysis and design, and computer related services including selection of hardware and development of software in all areas of services which can otherwise be rendered by a Chartered Accountant in practice and also to carry out any other professional services relating to EDP.

(xix) Acting as advisor or consultant to an issue, including such matters as: -

(a) Drafting of prospectus and memorandum containing salient features of prospectus. Drafting and filing of listing agreement and completing formalities with Stock Exchanges, Registrar of Companies and SEBI.

Preparation of publicity budget, advice regarding arrangements for selection of (i) ad-media, (ii) centers for holding conferences of brokers, investors, etc., (iii) bankers to issue,

(iv) collection centers, (v) brokers to issue, (vi) underwriters and the underwriting arrangement, distribution of publicity and issue material including application form, prospectus and brochure and deciding on the quantum of issue material (In doing so, the relevant provisions of the Code of Ethics must be kept in mind).

(c) Advice regarding selection of various agencies connected with issue, namely Registrars to Issue, printers and advertising agencies.

(d) Advice on the post issue activities, e.g., follow-up steps, which include listing of instruments and dispatch of certificates and refunds, with the various agencies connected with the work.

Management Consultancy Company

- Management Consultancy Company means a Company, which complies with the Guidelines for Practice in Corporate Form issued by the Institute.

(xi) Relative – Relative means “Relative” as defined in Appendix (9) of the Chartered Accountants Regulations, 1988, 2002 edition.

Name of the Management Consultancy

Company:

- (i) The Management Consultancy Company shall have a distinct name which shall be approved by the Institute. The prescribed format of application for approval of name for Management Consultancy Company is at Form 'G' (enclosed).*
- (ii) Standards prescribed in Regulations 190 of the Chartered Accountants Regulations, 1988 shall be applicable to the name of the Management Consultancy Company. However, even if a name is provided and subsequently it is found that the same is undesirable then, the said name can be withdrawn at any time by the Institute. The provisions in respect of name of companies as prescribed in the Companies Act, 1956 shall be applicable in letter and spirit.*
- (iii) The name of Management Consultancy Company may indicate the area of 'Management Consultancy & Other Services' permitted by the Council from time to time.*
- (iv) The Management Consultancy Company shall neither be permitted to advertise nor to use logo.*

Registration:

After approval of the name under Guideline 3 and incorporation under the Companies Act, 1956, the Management Consultancy Company is required to be registered with the Institute in a prescribed Form 'H' (enclosed).

5. Ethical Compliance:

- (i) Once the Management Consultancy Company is Registered with the Institute as per the Guidelines, it will be necessary for such a Company to comply with the following requirements:*
 - a) If the individual practitioner/sole-proprietorship firm/partnership firm is the statutory auditor of an entity then the Management Consultancy Company should not accept the internal audit or book-keeping or such other professional assignments, which are prohibited for the statutory auditor firm.
 - b) The Notification No. 1-CA(7)/60/2002 dated 8th March, 2002 (enclosed) in respect of ceiling on Non-audit fees is applicable in relation to a Management Consultancy Company.
 - c) The Management Consultancy Company shall comply with clauses (6) & (7) of Part-I of the First Schedule to the Chartered Accountants Act, 1949 and such other directives as may be issued by the Institute from time to time.

Object of Management Consultancy

Company:

The Management Consultancy Company shall engage itself only in Management Consultancy & Other Services. The Management Consultancy Company shall give an undertaking that it shall render only Management Consultancy & Other Services prescribed by the Council pursuant to powers under section 2 (2)(iv) of the Chartered Accountants Act, 1949.

The Object Clause should restrict itself only to the Management Consultancy & Other Services permitted by the Council in pursuance to Section 2(2)(iv) of the Chartered Accountants Act, 1949.

7. Violation of Act:

In case of alleged violation of the provisions of the Act, Regulations framed there under, guidelines/directions laid down by the Council from time to time and Code of Ethics issued by the Council, the individual practitioner/sole-proprietorship firm/partnership firm in general and the Managing Director/Whole-time Director.

Benefits available to members if the Guidelines framed are complied with:

- i) The member can retain full time Certificate of Practice besides being the Managing Director/Whole-time Director/Manager of Management Consultancy Company.
- ii) The member will be entitled to train articled/audit assistant(s).

There will be no restrictions on the quantum of the equity holding of the member, either individually and/or along with his relatives, in such a company.

10. Transitory Provisions:

- i) Any member who wishes to become Managing Director/Whole-time Director/ Manager of an existing Company, which is rendering Management Consultancy & Other Services, and wishes to take other benefit contained in the Guidelines, shall comply with the Guidelines for Practice in Corporate Form.*
- ii) The Company is required to take approval of name and then apply for registration with the Institute.*
- iii) If the Institute has reservation over the name of an existing Company that wishes to come under the provisions of this Guidelines, the Company shall be required to apply for change in name.*
- iv) The Company is also required to change its object clause, if the same contains objects other than those provided in the Guidelines.*

REMEMBER!

- ***If opportunity doesn't knock, build a door.***
- ***Opportunities are never lost; someone will take the one you miss.***

PROFESSIONAL OPPORTUNITIES

- The opportunities for a Chartered Accountant are clearly vast, the scope massive. For a small and medium practice to grow, the firm has to "THINK BIG."
- Success comes only to doers and not onlookers and observers. Success demands maximum efforts. The key to success in life is to have faith in oneself. There is no shortcut to success. And there is no substitute to hard work. But hard work must be in the right direction in order to yield the fruits of success.

THE CHARTERED ACCOUNTANT AS MANAGEMENT CONSULTANT

- CAs play invaluable role in assisting business organizations to utilise resources effectively, increase their efficiency and achieving their goals and objectives. as management consultants, CAs render host of consulting services as under:

- Developing management information system.
- Designing budgetary and control system.
- Determining measures of the effective utilization of capital.
- Installing cost accounting system.
- Assisting the management in the efficient use of working capital as an aid to improve productivity

- Advising management on principles of organisation and methods for effective delegation and planning of work.
- Rendering advice on international taxation matters, foreign collaborations, joint ventures, double taxation agreements etc.,
- Reviewing procedures and equipment for operational control.
- Review of financial planning and policies for effective utilization of resources.
- Rendering secretarial services and advice on Corporate Law matters.

- Advising management on amalgamations, reconstructions, takeovers and expansion schemes.
- Assist in the preparation of feasibility studies of new project and expansion schemes.
- Advise on the system analysis and design, including selection of hard work and development of software and feasibility of incorporating computer applications for accounting and commercial activities.
- Assist in finding solutions for specific business problems such as product mix decisions, pricing decisions, making representation to Government on various matters etc.
- Appraisal of personnel policies and practices.

- Assist in the selection of executive personnel in the areas of production, marketing, accounts, data processing, personnel, general administration etc.
- Acting as advisor or consultant to an issue, including such matters as drafting of prospectus and memorandum containing salient features of prospectus, preparation of publicity budget etc.
- Acting investment counselor in respect of securities.
- Acting as registrar to an issue and for transfer of shares/other securities.

PROFESSIONAL OPPORTUNITIES FOR CA'S IN AREAS OF

- Trade Remedy Measures (Anti- Dumping, Anti-subsidy and safeguard duties)
- Export Import Trade/ Customs valuation
- International Commercial Arbitration
- Special Economic Zones/ 100 % Export Oriented Units (EOU) / Software Technology Parks(STP) / Electronic Hardware Technology Parks (EHTP)
- Trade Related Intellectual Property rights (TRIPS)
- Advisory and related services to the State and Central Government
- Academic/ research opportunities
- Tax Havens
- International Taxation (Including NRI taxation, DTAA, Transfer pricing and Taxation in foreign Countries)
- Inbound and Outbound Investments and various Rules and Regulations under FEMA,1999

- Cross border Mergers and Acquisitions
- Competition Law
- Knowledge Process outsourcing(KPO) sector
- Corporate Governance
- Business Valuation
- Limited Liability Partnership
- Internal Audit
- Prevention Of Money Laundering
- Right to Information
- Enterprise Resource Planning
- VAT
- E-filing
- Risk Management
- Treasury and Cash
- Bank Audit
- Other areas

1. TRADE REMEDY MEASURES (ANTI- DUMPING, ANTI-SUBSIDY AND SAFEGUARD DUTIES)

- Anti-dumping duties
- Anti-subsidy duties
- Safeguard duties
- W.T.O Dispute Settlement proceedings
- Related sites
 - Ministry of Commerce <http://www.cbec.gov.in/>
 - Directorate General of Anti-Dumping
http://commerce.nic.in/ad_guide.htm
 - Director General of Safeguards
<http://dgsafeguards.gov.in/default.asp>

REFERENCE MATERIAL

- The agreement on Anti-dumping (i.e. the Agreement on the Implementation of Article VI of GATT, 1995)
- Anti- dumping guidelines issued by Directorate General of Anti-dumping and allied duties, Ministry of Commerce
- Legal framework and provisions on safeguard provisions issued by the Directorate General of Safeguards (Dept. of Revenue, Ministry of Finance, Government of India)
- Safeguard Provisions under the Customs Tariff Act, 1975 (Section 8B)
- Safeguard Duty Rules under the Customs Tariff Act, 1975
- Transitional Safeguard Provisions under the Customs Tariff Act, 1975 (Section 8C)
- Transitional Safeguard Duty Rules under the Customs Tariff Act, 1975

2. EXPORT IMPORT TRADE/ CUSTOMS VALUATION

- Advisory on Foreign Trade Policy and Procedures
- Compliance with Foreign Trade Procedures
- Setting up 100% EOU/STP/EHTP/BTP/SEZ units
- Assistance in fulfilling the regulatory and licensing requirements
- Obtaining government clearances
- Liaisoning across related government agencies
- Documentation
- Risk assessment
- Ensuring compliance of various national rules and regulations
- Judicious management of finance, credit and security
- Analysis of business operations and facilitation services
- Formation of a company/subsidiary of a foreign company
- Development of strategies and implementation plans according to the specific needs of the clients

REFERENCE MATERIAL

- Foreign Trade Policy 2004-2009
- Foreign Trade Procedure 2004-09
- Public Notices
- Annual Supplement 2006 to the Foreign Trade Policy 2004-09
- Customs Tariff Act, 1975
- Foreign Exchange Management Act, 1999
- Foreign Trade (Development and Regulation) Act 1992
- Foreign Trade Regulation Rules, 1993
- Foreign Trade (Exemption from Application of Rules in Certain Cases) Order, 1993
- Central Excise Act, 1944
- RBI Circulars

3. INTERNATIONAL COMMERCIAL ARBITRATION

- Guidance in the process of undertaking settlement of Disputes at various international arbitration agencies.
- To act as an arbitrator for international commercial disputes.
- Guidance To draft commercial trade agreements in consonance with the principles of Alternative Dispute Resolution
- Guidance to draft a proper arbitration agreement considering the arbitration rules promulgated by various international institutions

REFERENCE MATERIAL

- The Arbitration and Conciliation Act ,1996
- The Foreign Award (Recognition and Enforcement) Act, 1961
- The Arbitration (Protocol and Convention)Act ,1937
- The Arbitration Act ,1940(useful for advanced information)
- The Arbitration Act ,1996 (U.K)
- The Universal Arbitration and Conciliation Act ,1996
- UNCITRAL Model Law on International Commercial Arbitration
- Convention on the Recognition and Enforcement of Foreign Arbitral Awards - the "New York" Convention
- European Convention on International Commercial Arbitration
- ICC Rules of Arbitration(1998)
- The ICADR Fast Track Arbitration Rules

4. Special economic zones/ 100 % export oriented units (EOU) / software technology parks(STP) / electronic hardware technology parks (EHTP)

- Assistance in preparation of project report
- Assistance in Necessary applications, compliances etc. with the Board of Approval, State Government, Development Commissioner, Approval Committee, etc.
- Consultancy services for developing Special Economic Zones
- Consultancy services for setting up units in SEZs, Export Oriented Units
- Representation before Board of Approval on behalf of any person aggrieved by the order passed by the Approval Committee(Rule 61 of SEZ Rules,2006)
- Audit report under section 80-I(7)/80-IA(7)/80-IB/80-IC of the Income-tax Act, 1961 in Form 10CCB
- Report under section 10A (5) and Section 10 B (5) of the Income-tax Act, 1961 in FORM NO. 56F and Form No. 56 G respectively certifying that the deduction has been made in accordance with the corresponding section

- Certificate for CST reimbursements certifying receipt of the goods
- Certification of Statement of Exports made in the preceding licensing year in the format given in Appendix 26 for Annual Advance License purposes
- Certification of previous performance of unit in the LoP (Letter of Permission) Assessment form for applying for enhancement of limit, DTA sales permission, diversification of products, renewal of Letter of permission and exit from scheme
- Certification of reports – Form I (Annual performance reports for Units)
- Related websites:
- Special Economic Zones in India- <http://www.sezindia.nic.in>
- Department of Biotechnology (DBT)) under the Ministry of Science and Technology- <http://dbtindia.nic.in/>
- Export Promotion Council for EOUs and SEZ
<http://www.eouindia.gov.in/>
- Software Technology Park of India/ Electronic Hardware Technology Park- <http://www.stpi.in/>
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REFERENCE MATERIAL

- The Special Economic Zones Act, 2005
- The Special Economic Zones Rules, 2006
- Foreign Trade Policy and Procedures

5. TRADE RELATED INTELLECTUAL PROPERTY RIGHTS (TRIPS)

- Registration services
- Advisory on Taxation, acquisition of IPR assets
- Accounting
- Arbitrator
- Negotiating Royalty , Agency, Distribution, Franchise , Drafting licenses non-disclosure agreements and Licensing agreements
- Patent and trademark litigation support
- Intellectual Property Management & Audit
- Infringement Analysis Opinions and certifications
- Representations before statutory authorities wherever permissible and possible.

RELATED SITES

- **About Intellectual Property Rights**
http://www.ipindia.nic.in/ipr/patent/pat_inaug.htm
- **Patents Office**
<http://www.patentoffice.nic.in/ipr/patent/patents.htm>
- **Copy Right Authority under the Ministry of Human Resource and Development-** <http://copyright.gov.in/>
- **Trade Mark registry**
http://www.patentoffice.nic.in/tmr_new/default.htm

REFERENCE MATERIAL

- **Agreement on Trade-Related Aspects of Intellectual Property Rights**
http://www.wto.org/english/tratop_e/trips_e/trips_e.htm
- **The Patents Act, 1970**
- **The Patents (Amendment) Act 2005**
- **Patents (Amendment) Rules 2005**
- **Patents (Amendment) Rules 2006**

6. ADVISORY AND RELATED SERVICES TO THE STATE AND CENTRAL GOVERNMENT

- Related To State & National Govt. Budgets
- Drafting & Impact Study of Free Trade Agreements (FTA)
- Representation works for National Governments at WTO Dispute Settlement Forum.
- Investigations for Determination of Rules of Origin
- Agreement on Agriculture

7. ACADEMIC/ RESEARCH OPPORTUNITIES

- **Undertaking research studies on behalf of industries / governments and other international agencies on various subjects related and affecting the international trade relations.**
- **Undertaking of sectoral / industry specific research studies for movement of stock prices of relevant industries dealing with trade in goods, services, IPRs, investments and competition issues.**
- **Faculty positions in leading Academic, Research and Management institutions.**

8. International Taxation(including NRI taxation, Transfer Pricing, DTAA and Taxation in Foreign Companies)

- **Guidance and consultancy services related to**
- **Taxation of Non-resident Indians**
- **Transfer pricing**
- **Double Taxation Avoidance agreements**
- **Related websites**
- **National website of the Income Tax Department of India-**
- **<http://www.incometaxindia.gov.in/>**
- **Reference Materials**
- **Income Tax Act, 1961**
- **Double Taxation Avoidance Agreements**

9. INBOUND AND OUTBOUND INVESTMENTS AND VARIOUS RULES AND REGULATIONS UNDER FEMA, 1999

- **Consultancy on compliance with FEMA rules and regulations**
- **Representation of party- Foreign Exchange Management (Adjudication Proceedings and Appeal) Rules, 2000**
- **Certification as required under various FEMA rules and regulations**
- **FEMA compliance audit**

- **Reference material**
- **FEMA rules and Regulations**
- **Related websites**
- **Reserve Bank of India- <http://www.rbi.org.in/home.aspx>**

10. TRADE RELATED INVESTMENT MEASURES (TRIMS)

- **Vetting / Drafting of FDI agreements and field study works.**
- **Vetting of Counter Guarantee Agreements signed by National & State Govts.**
- **Representation before statutory authorities on behalf of either the domestic or foreign parties wherever permissible.**
- **Acting as Arbitrators when dispute arises.**
- **Valuation of Tangible and Intangible assets for settlement of trade disputes or initial / Subsequent investments**
- **Representation before WTO Dispute Settlement Forum when disputes goes to their Jurisdictions**

11. CROSS BORDER MERGERS AND ACQUISITIONS

- **Financial Due Diligence**
- **Legal Due diligence**
- **Valuation of Business**
- **Advisory on Cash repatriation**
- **Equity financing**
- **Banking and Finance Regulatory Issues**
- **IPR Valuation**
- **Advisory on Debt structuring**
- **Advisory on Income flows and their taxability**
- **Analysis and advisory on Financing options**

CROSS BORDER MERGERS AND ACQUISITIONS....

- **Advisory on FIPB approval**
- **Advisory on RBI approval**
- **Drafting of agreements which form a necessary part of M&A exercise**
- **Corporate re organizations and restructurings**
- **Defining the scope of the transaction**
- **Assistance with negotiations**
- **Joint Ventures**
- **Competitive issues**
- **Measuring the effect of merger on prices**

RELATED WEBSITES

- **Ministry of Corporate Affairs, Government of India**
- - <http://www.mca.gov.in>
- **Securities and Exchange Board of India**
- - <http://www.sebi.gov.in/>
- **Reserve Bank of India**
- - <http://www.rbi.org.in/>

REFERENCE MATERIAL

- **Foreign Exchange Management (Transfer or Issue of any Foreign Security) Regulations, 2000**
- **Foreign Exchange Management (Transfer or Issue of Security by a Person Resident Outside India) Regulations, 2000**
- **Sections 77A, 81(1A), 108 A to G, 391-394, 372A , 494 of Companies Act, 1956**
- **(Note: Section 372A Companies Act, 1956 – Inter corporate loans & investment beyond 60% of paid up capital and free reserves or 100% of reserves to be approved by shareholders)**
- **Income Tax Act, 1961**
- **Double Taxation Avoidance Agreements**

REFERENCE MATERIAL...

- **Monopolies and Restrictive Trade Practices Act, 1969 / Competition Act, 2002 (Partially notified)**
- **SEBI Regulations**
- **Stock Exchange – listing agreement**
- **Foreign Exchange Management Act**
- **Stamp Duty Acts**
- **Section 25FF of Industrial Disputes Act 1949 (Compensation to workmen in case of transfer of undertakings)**

12. COMPETITION LAW

- **Advisory roles**
- **Drafting and registration of the agreement**
- **Inquiry or investigation**
- **Appeals to the Supreme Court**
- **Calculations for determining whether the definitions of group, interconnected undertakings, dominant undertaking, etc. are attracted**
- **To appear before the Commission where during the course of any proceeding, representatives are allowed to be present.**
- **To ensure compliance with the competition laws in the general conduct of business.**

REFERENCE MATERIAL

- **The Monopolies and Restrictive Trade Practices Act, 1969**
- **The Competition Act, 2002**

RELATED WEBSITES

- **The International Competition Network**
<http://www.internationalcompetitionnetwork.org/>
- **International Bar Association Global Competition Forum-**
<http://www.globalcompetitionforum.org>
- **Competition Commission of India**
<http://www.competitioncommission.gov.in/>
- **The Office of the Director General of Investigation and Registration**
<http://www.mca.gov.in/MinistryWebsite/dca/mcaoffices/dgir.html>

13. KNOWLEDGE PROCESS OUTSOURCING(KPO)

- **Finance & Accounting**
 - ◉ **transactional processing**
 - ◉ **higher-end F&A e.g. general accounting and reconciliation, budgeting, closing, financial reporting, treasury and investment management etc.**
- **Financial Analytics-financial modeling, deal profiles, indexed graphs, model verification, credit rating analysis, beta tracking etc..**
- **Taxation-auditing & substantive analysis of balance sheets, interpretation of items on the P/L , computation of tax**
- **Equity Research Analysts for research on equity and fixed income markets, valuation of companies.**

KNOWLEDGE PROCESS OUTSOURCING(KPO)...

- **Internal Management Support Roles**
 - ◉ **Evaluating potential mergers and acquisitions**
 - ◉ **Transfer pricing, taxation support**
 - ◉ **Forecasting and budgeting (employee requirements, charge-out rates etc.)**
 - ◉ **Internal financial reporting**
 - ◉ **MIS reporting**
- **Operations Support Roles**
 - ◉ **Transition Managers for migration of processes from onsite to back-office locations**
 - ◉ **Quality Managers for continual improvement of relevant processes**

KNOWLEDGE PROCESS OUTSOURCING(KPO)...

- ◎ **Related Websites**
- ◎ **National Association of Software and Service Companies - <http://www.nasscom.in/Default.aspx?>**
- ◎ **Department of Information Technology, Ministry of Communications and Information Technology - <http://www.mit.gov.in/>**
- ◎ **KPO Asia- www.kpoasia.com/**
- ◎ **BPO India- <http://www.bpoindia.org>**

14. CORPORATE GOVERNANCE

- ⦿ **Guidance in designing Code of Corporate Governance**
- ⦿ **Guidance in designing Risk Management Framework**
- ⦿ **Guidance in designing Internal control framework**
- ⦿ **Guidance in designing Whistle blower policy**
- ⦿ **Internal Audit of all of above**
- ⦿ **Statutory auditor's Certificate regarding compliance of conditions of corporate governance as stipulated in sub-clause VII(1) of clause 49**

- ⊙ **Management Audit pertaining to various regulatory, statutory or listing requirements (Item 15 of Annex. 1A of clause 49)**
- ⊙ **chairman of audit committee**
- ⊙ **Independent director [clause 49 I(A)(iii) meeting a-f criteria]**
- ⊙ **Assessment of internal control function under clause 49 V - CEO/CFO Certification**
- ⊙ **consultant giving specialized guidance to the management**

15. BUSINESS VALUATION

- ⊙ **business valuation determines the price that a buyer would pay for a business under given circumstances**
- ⊙ **Issues to be considered -nature and history of business,economic conditions,company's earning ÷nd paying capacity,goodwill , market price of comparable companies etc.**
- ⊙ **Types**
- ⊙ **Limited Scope Valuations**
- ⊙ **Formal Valuations**
- ⊙ **Mergers and Acquisitions**
- ⊙ **Comprehensive valuations**

BUSINESS VALUATION

- ⦿ **Process**
- ⦿ **Selection of appropriate performance measurement criteria.**
- ⦿ **Analyse the company information in conjunction with the industry and comparable company data.**
- ⦿ **Tax concerns**
- ⦿ **Structuring the Sale-Structure to minimise tax liability**
- ⦿ **Structuring the company**
- ⦿ **Sale of assets or sale of stock**
- ⦿ **Reporting the sale**

16. LIMITED LIABILITY PARTNERSHIP

- ⦿ **Determining suitability of business for formation of LLP**
- ⦿ **Guidance in formation**
- ⦿ **Provide statement that all requirements of the LLP Act & related rules have been complied in respect of incorporation & other related matters..**
- ⦿ **Drafting of LLP agreement**
- ⦿ **Advice on conversion from other forms to LLP**
- ⦿ **Maintenance of accounts**
- ⦿ **Audit of LLP**

17. INTERNAL AUDIT

- ⦿ **Specific Internal audit activities**
- ⦿ **Internal audit requirements under Companies (Auditor's Report) Order, 2003 (CARO,2003)**
- ⦿ **Internal audit of Enterprise risk management process**
- ⦿ **Internal audit of corporate governance**
- ⦿ **Internal audit of transactions of Depository Participants**
- ⦿ **Internal audit in Banks**
- ⦿ **Internal audit of treasury operations**
- ⦿ **Internal audit of plastic money operations**
- ⦿ **Internal audit in Infrastructure enterprises**
- ⦿ **Internal audit of a Not –for- Profit Organisation**

INTERNAL AUDIT...

- ◎ **Besides, a chartered accountant can also assist in improving the quality and effectiveness of internal audit process by**
- ◎ • **Advising and assisting in the development of internal audit and risk management methodologies**
- ◎ • **Assessing whether the internal audit function is delivering effectively to stakeholders**
- ◎ • **Supporting internal audit functions with software to enhance and support their work**
- ◎ • **Training staff of internal audit department**
- ◎ • **Providing training on internal controls**

18. PREVENTION OF MONEY LAUNDERING

- ⦿ **As a consultant providing**
- ⦿ **his vast expertise in handling huge quantitative data for verification of the exact nature of transactions.**
- ⦿ **Building effective AML programs for the financial organisations to protect them from the potential threats.**

- ⦿ **As the trusted partner of the government,**
- ⦿ **ensuring implementation of the Act in letter and spirit.**
- ⦿ **KYC AUDIT**

- ⦿ **KYC audit**
- ⦿ **Customers due diligence procedures to confirm identity of Client from the records produced by him.**
- ⦿ **Systems audit for checking Identity from external database.**
- ⦿ **formulating and implementing the programme of KYC which is to be forwarded to Director in PMLA [Rule 9 sub rule (7) of the PML maintenance of records of the nature and value ... rules].**
- ⦿ **2. Risk Advisory services (RAS), identifying the risk & its mitigating controls in the systems for proper internal control environment.**
- ⦿ **Management Advisory service (MAS), creating proper administrative and organisation structure to ensure the loop free information flows.**

19. RIGHT TO INFORMATION

- ⦿ **Maintenance of records (Sec 4 (1)(a))**
- ⦿ **Preparation of details of publication(Sec(4((1) (b))**
- ⦿ **Audit on compliance of legal issues**
- ⦿ **Establishing internal controls**
- ⦿ **Monitoring and sending progress reports at regular intervals**

20. ENTERPRISE RESOURCE PLANNING

- ⦿ **Planning the implementation of ERP Module to assess the ensure a smooth way of effective implementation. Identification of organisations goals and objectives in going for ERP.**
- ⦿ **Assessment of the orgnisation to see whether the atmosphere is conducive for ERP**
- ⦿ **Detailed Budget and methodology of the process for implementation of ERP .**
- ⦿ **Selection of ERP product and ERP documentation**
- ⦿ **Pre implementation testing of ERP**

21. GST

- ⦿ **CA's Role**
- ⦿ **Educate, guidance to dealer on maintenance of books, calculation of tax, set-off & payment of tax.**
- ⦿ **Calculation of turnover of sales, purchases**
- ⦿ **Reversal of set off**
- ⦿ **Verification of returns by going through all the provisions of GST**

22. E FILING

- ⦿ **Information on changed requirements**
- ⦿ **Advice on form filling , downloading**
- ⦿ **Guidance on obtaining and use if digital certificate**
- ⦿ **Operating Certified Filing Centres (CFCs)**

23. RISK MANAGEMENT

- ⦿ **Complexities of business , regulations and competition have made risk management an important management function. It is of prime importance that the CA is able to .**
- ⦿ **recognize future long and short term risks**
- ⦿ **decide which risks need to be covered**
- ⦿ **provide the necessary financial coverage at the right time for your company**

24. TREASURY AND CASH

- ⦿ **Managing the capital structure of the company and its cash flow are key elements in remaining profitable and managing liquidity. It requires**
- ⦿ **Understanding the cash flow of the organisation**
- ⦿ **Suggest methods of improving the capital structure of the com**

25. BANK AUDIT

- ⦿ **Inventory audit**
- ⦿ **Concurrent audit**
- ⦿ **IS Audit**
- ⦿ **Selection of software**

26. OTHERS

- ⦿ **Real Estate**
- ⦿ **Insurance**
- ⦿ **Due diligence Reviews**
- ⦿ **Liquidation**
- ⦿ **SOX compliance**
- ⦿ **Peer Review**

***CAPACITY BUILDING FOR NEWLY
QUALIFIED CAS IN PROFESSION***

CAPACITY BUILDING: MEANING

- ◎ **Planned development of (or increase in) knowledge, output rate, management, skills, and other capabilities of an organization through acquisition, incentives, technology, and/or training.**

- **In a dynamic and challenging business environment, Chartered Accountants are looked upon as Complete Business Solution Providers. They are thoroughly trained practically in all avenues of Finance and Accounting.**

WHAT YOU CAN DO AS A CHARTERED ACCOUNTANT?

- **Work in Business,**
- **Practice,**
- **Financial services,**
- **Public sector,**
- **Education**

BUSINESS OPPORTUNITY FOR CHARTERED ACCOUNTANTS IN INDIA

- ◉ **Franchise of Taxation Software Company**
- ◉ **Consultancy Services**
- ◉ **Audit Expertise Services**
- ◉ **Outsourcing Services**
- ◉ **Open an Academic for Chartered Accountancy Course**
- ◉ **Act as a Chief Financial Officer (CFO) or a Chief Executive Officer (CEO)**

OLD REGULAR SERVICES:

- ⊙ **Taxation and Accountancy**
- ⊙ **Auditing**
- ⊙ **Management Accounting**
- ⊙ **Securities Laws**
- ⊙ **Investigation**
- ⊙ **Executors and Trustees**
- ⊙ **Management Services**
- ⊙ **Directorship**
- ⊙ **Valuation Work**
- ⊙ **Project Financing**
- ⊙ **Arbitration**
- ⊙ **Succession laws, estate planning and wills**
- ⊙ **Charitable trusts, NPO**

CONT....

- ⦿ **Drafting of documents**
- ⦿ **Consultancy**
- ⦿ **Corporate Law**
- ⦿ **Presentation before Tribunals, Income tax authorities and other statutory bodies**
- ⦿ **Depositories**
- ⦿ **Commodities market**
- ⦿ **Legal Compliances**
- ⦿ **IPR Laws**
- ⦿ **Competition Act**
- ⦿ **Knowledge Process Outsourcing**

EMERGING OPPORTUNITIES:

- ⦿ **Forensic Accounting**
- ⦿ **GST**
- ⦿ **Insolvency**
- ⦿ **Corporate Governance**
- ⦿ **Risk assessment**
- ⦿ **Carbon Credit**
- ⦿ **Systems quality**
- ⦿ **Real Estate**
- ⦿ **Benami Property transactions**
- ⦿ **ICDS, IFRS, Ind AS**
- ⦿ **Black Money**
- ⦿ **Oppression and Mismanagement, Class Action Suits**
- ⦿ **PMLA**

OPPORTUNITIES IN TRADITIONAL AND NON-TRADITIONAL SECTOR

- ⦿ **Traditional –**
- ⦿ **Banking,**
- ⦿ **Insurance,**
- ⦿ **Manufacturing**
- ⦿ **Non-Traditional-**
- ⦿ **Modern retail,**
- ⦿ **Healthcare,**
- ⦿ **Information Technology,**
- ⦿ **Education,**

CONT.....

- ⦿ **E-Commerce,**
- ⦿ **Logistics including segments like Investment Banking,**
- ⦿ **Venture Capital/Private Equity.**

SERVICES IN TAXATION AND ACCOUNTING MATTERS

- ⦿ **GST Compliances**
- ⦿ **Catering to Transition assignments, such as ensuring complete claim of ITC under the present registrations, stock planning at the transition date, registrations under new States, amendments in existing certificates, and so on**
- ⦿ **Assisting in determining Tax Liability after determination and classification as per tariffs**
- ⦿ **TDS**
- ⦿ **Income tax filing and other matters**
- ⦿ **Financial Reporting**
- ⦿ **ICDS**
- ⦿ **Ind AS guidance**
- ⦿ **IFRS**

CONT...

- ⦿ **International Taxation**
- ⦿ **writing up of accounts and the preparation of financial statements**
- ⦿ **Environmental Accounting**
- ⦿ **Human resource accounting**
- ⦿ **Fraud and Forensic accounting**
- ⦿ **Government Accounting**
- ⦿ **Management Accounting**
- ⦿ **Import-export consultancy**
- ⦿ **ESI & PF Consultants**

OPPORTUNITIES IN AUDITING

- ⦿ Internal Audit
- ⦿ Statutory Audit
- ⦿ Concurrent Audit
- ⦿ Bank Audit
- ⦿ CAG Audit
- ⦿ Environment Audit
- ⦿ Forensic Audit
- ⦿ Information System Audit
- ⦿ Stock Audit
- ⦿ Revenue Audit
- ⦿ Quality Audit
- ⦿ Propriety Audit
- ⦿ Energy audit
- ⦿ Assurance on Sustainability reporting

OPPORTUNITIES IN SECURITIES LAWS

- ◉ **Investment advisor**
- ◉ **As an intermediary in the capital market themselves**
- ◉ **Institutional Sales**
- ◉ **Assist as a regulator working for SEBI or Stock Exchanges**
- ◉ **Policymaking, monitoring, review, surveillance and investigation.**
- ◉ **Formulating Financial Strategy and efficient capital structure**
- ◉ **Undertaking Due Diligence in a company's IPO process**
- ◉ **Portfolio Structuring and management**
- ◉ **Financial Services Marketing**
- ◉ **Market Analysis**
- ◉ **Auditor**

CONT...

- ⦿ **Risk management**
- ⦿ **Fund Manager**
- ⦿ **Equity Trader**
- ⦿ **Dealer**
- ⦿ **Research Analyst**
- ⦿ **Valuation**

FORENSIC SERVICES:

- ⦿ **System audit**
- ⦿ **Investment audit**
- ⦿ **Statutory Audit and Tax Audit**
- ⦿ **Independent director**
- ⦿ **Forensic audit**
- ⦿ **Internal Audit**
- ⦿ **Training of agents, insurance brokers**
- ⦿ **Audit of TPA**
- ⦿ **Designing internal control framework**
- ⦿ **Designing risk management framework and audit**
- ⦿ **Performance evaluation of board members**

CONT...

- ⦿ **Corporate governance audit**
- ⦿ **Actuarial valuation**
- ⦿ **Ind as guidance**
- ⦿ **Work from IRDA inspection**
- ⦿ **Product development**
- ⦿ **Third party claim administrator**
- ⦿ **Portfolio management services**
- ⦿ **Surveyor & Loss assessor**
- ⦿ **Reinsurance management services**
- ⦿ **Compliance with regulations and legal requirements**
- ⦿ **Recommendation on process improvement**

OPPORTUNITIES IN REAL ESTATE

- ◉ **Advisory and compliances relating to Financing of project, Investments etc**
- ◉ **Advisory relating to buy or lease, Financial Viability of Projects**
- ◉ **Registration and Stamp Duty**
- ◉ **Transaction Management; including Valuation of property and Portfolio**
- ◉ **Services of verification of Title deeds and other ownership related documents of the property**
- ◉ **Advisory and compliances in Taxation Matters**
- ◉ **Documentation and Drafting of deeds and agreements**
- ◉ **Consultancy on legal Matters, Property Disputes, Court Cases**
- ◉ **Overseeing and analysis of the Post Completion of Real Estate Project**

CONTINUED...

- ⦿ **Opportunities under the Real Estate(Regulation & Development) Act, 2016.**
- ⦿ **Consultancy regarding adherence to the provisions of the act**
- ⦿ **Assisting in Registration of Projects or Registration of Agents**
- ⦿ **Certification work for withdrawal of amount deposited in scheduled bank account**
- ⦿ **Audit of annual accounts of the Promoter**
- ⦿ **Appearing before the authority, tribunals etc**
- ⦿ **Opportunity to be appointed as Member of Central Advisory Council, Chairperson or member of RERA or Technical Member of Real Estate appellate Tribunal.**

OPPORTUNITIES IN GST

- ◉ **Advisory on provisions of the law to various categories of clients**
- ◉ **Assisting organizations in being GST Compliant**
- ◉ **Assisting for Software implementation for GST**
- ◉ **Catering to Transition assignments, such as ensuring complete claim of ITC under the present registrations, stock planning at the transition date, registrations under new States, amendments in existing certificates, and so on**
- ◉ **Assisting in determining Tax Liability after determination and classification as per tariffs**
- ◉ **Compliance services like Registration , filing of returns.**

CONTINUED...

- ⦿ **Representation before authorities in respect of appeals, assessments etc.**
- ⦿ **To act as a Business Consultant for an Organization and not a Tax Consultant as most of the Indirect Taxes are subsumed to GST**
- ⦿ **Audit under GST law**
- ⦿ **Certification work**
- ⦿ **Providing training to client's Staff relating to accounting, records keeping , internal control systems, logistics etc.**

IND AS

- ⦿ **Implementation of Ind AS**
- ⦿ **compliance with Ind AS**
- ⦿ **Consultancy regarding adherence to the Ind As**
- ⦿ **Preparation of Financial Statements**
- ⦿ **Key recognition, measurement and disclosure requirements for each standard**

BENAMI TRANSACTIONS (PROHIBITION) ACT, 1988

- ⦿ **Consultancy regarding adherence to the provisions of the Act.**
- ⦿ **Advising clients about the criteria for benami property**
- ⦿ **To act as an authorised representative**
- ⦿ **Representation before authorities in respect of appeals**
- ⦿ **Amendments in the Act, there are no rules under the Act**

OPPORTUNITIES IN CHARITABLE TRUST, NPO

- ⦿ **Drafting of various documents pertaining to charitable or any other organization**
- ⦿ **Drafting of deeds for organization / trust .**
- ⦿ **Declaration by the professional with respect to conformity with the provisions of the applicable Act**
- ⦿ **Advisory and compliance with respect to registration matters**
- ⦿ **Various compliances under the Foreign Contribution (Regulation) Act, 2010, provided any foreign contribution received**

CONTINUED....

- ⦿ **Other compliances as applicable under various legislations and state Laws applicable to the organization / trust**
- ⦿ **Assisting in Maintenance of various Books and Accounts**
- ⦿ **Advising on Channelizing of Funds and Utilization of surplus revenues to further achieve its purpose/mission**
- ⦿ **Develop public awareness of organization purpose and activities**
- ⦿ **Advisory on Tax matters**
- ⦿ **Audit under the applicable laws**
- ⦿ **Representation before authorities**

OPPORTUNITIES IN SUCCESSION LAWS

- ◎ **Guide on remedies available to individuals on benefits of succession**
- ◎ **Drafting of Wills, Power of Attorney etc**
- ◎ **Assist in Family settlements**
- ◎ **Consultancy on Succession management of Family business and HUF.**
- ◎ **Succession and Wealth Planning**

CONTINUED....

- ⦿ **If you pass away without a valid will you pass away 'intestate'**
- ⦿ **To make a valid will you must be at least 18 years of age, and of sound mind, memory and understanding.**
- ⦿ **In the absence of a will, property gets distributed equally among your heirs**
- ⦿ **Succession planning can be done through wills, corporate entities and trusts**
- ⦿ **The succession of property is governed by complex laws of inheritance and religion as well as customs**

ARBITRATION OPPORTUNITIES

- ⦿ **Advisory on arbitration, negotiation and conciliation in commercial disputes between the parties.**
- ⦿ **Act as arbitrator / conciliator in domestic and international commercial disputes.**
- ⦿ **Drafting of arbitration / conciliation agreement/ clause.**
- ⦿ **understanding the underlying commercial transaction or the legal framework and advising accordingly.**
- ⦿ **act as strategist and authorize in arbitral proceedings.**
- ⦿ **help parties settle disputes and reach mutual agreements through communication and dialog.**

CONTINUED...

- ⦿ **Arbitrators, mediators, and conciliators typically do the following:**
- ⦿ **Facilitate communication between disputants to guide parties toward mutual agreement**
- ⦿ **Clarify issues, concerns, needs, and interests of all parties involved**
- ⦿ **Conduct initial meetings with disputants to outline the arbitration process**
- ⦿ **Settle procedural matters such as fees, or determine details such as witness numbers or time requirements**
- ⦿ **Set up appointments for parties to meet for mediation or arbitration**
- ⦿ **Interview claimants, agents, or witnesses to obtain information about disputed issues**

CONTINUED...

- ⦿ **Assisting in preparation of statement of claims or defence, pleadings etc.**
- ⦿ **Opportunities to act as an Arbitrator with the matters connected to;**
- ⦿ **Breach of Contract, insurance claims, loss of profits, Fraud, commercial disputes, rights of properties, lease transactions etc.**
- ⦿ **Drafting of Arbitration Agreement**
- ⦿ **Assisting Arbitrator in drafting arbitral award**
- ⦿ **Assisting both parties to go to Court of Law**
- ⦿ **Becoming Member of Arbitral Tribunal**

CONTINUED...

- ⦿ **Acting as arbitrator in Micro and Small Enterprises Facilitation Council u/s 18 of the Micro, Small and Medium Enterprises Development Act, 2006.**
- ⦿ **In Clause 14 of First Schedule to the Limited Liability Partnership Act 2008 All disputes between the partners arising out of the limited liability partnership agreement which cannot be resolved in terms of such agreement shall be referred for arbitration as per the provisions of the Arbitration and Conciliation Act, 1996.**
- ⦿ **Assisting Indian Judiciary u/s section 89 of Code of Civil Procedure 1908, where there is possibility of settling of dispute through arbitration**
- ⦿ **Acting as Arbitrator in different countries for international commercial disputes**

DRAFTING OPPORTUNITIES

- ⦿ **Drafting of various Agreements including;**
- ⦿ **Sale Agreements, Joint Venture and Foreign Collaboration Agreements**
- ⦿ **Arbitration Agreement**
- ⦿ **Power of Attorney & Affidavit**
- ⦿ **Outsourcing Agreements, Service Agreements, E-Contracts, Leave and License, IPR Agreements.**
- ⦿ **Deed of Sale of Land, Building, Mortgage, License, Lease, Assignment, Trust, Gift.**
- ⦿ **Drafting of Wills, Partnership Deed, Sale Agreements, Collaboration Agreements, Hypothecation, LLP Agreement.**
- ⦿ **Agreements, E-Contracts.**
- ⦿ **Drafting of Legal Opinion.**
- ⦿ **Shareholder's Agreement**

CONTINUED...

- ⦿ **Drafting under Companies Act 2013 like Pre Incorporation Contracts, memorandum and Articles of Association, Annual report of Companies.**
- ⦿ **Documents for Formation of an Entity**
- ⦿ **Agency Agreements**
- ⦿ **Agreement relating to deposit of title Deeds**
- ⦿ **Hire Purchase Agreements**
- ⦿ **Property Agreements**
- ⦿ **Patent and High Technology Agreements**
- ⦿ **Bank Guarantee**

SERVICES IN CORPORATE LAW:

- ⦿ **Corporate governance**
- ⦿ **Mergers & Amalgamations**
- ⦿ **Oppression and Mismanagement**
- ⦿ **Winding up**
- ⦿ **Drafting of documents**
- ⦿ **Handling litigations**
- ⦿ **Consulting Firms**

OPPORTUNITIES FOR REGISTERED VALUERS UNDER THE COMPANIES ACT,2013

- ⑥ **Valuing further issue of shares [Sec 62(1)(c)]**
- ⑥ **Valuing assets involved in arrangement of non-cash transactions involving directors [Sec192(2)]**
- ⑥ **Valuing shares, property and assets of the company under a scheme of corporate debt restructuring (CDR) [Sec 230(2)(c)(v)]**
- ⑥ **Under a scheme of compromise/arrangement, where along with the notice of creditors/shareholders meeting, a copy of valuation report, if any, shall also be accompanied [Sec 230(3)]**
- ⑥ **Report of the expert with regard to valuation, if any, would be circulated for meeting of creditors/members [Sec 232(2)(d)]**
- ⑥ **Under a scheme of compromise/arrangement where the transfer or company is a listed company and the transferee company is an unlisted company and for exit opportunity to the shareholders of transfer or company, valuation may be required to be made by the Tribunal [Sec 232(3)(h)]**

CONTINUED....

- ⦿ **Valuing equity share held by minority shareholders [Sec 236(2)]**
- ⦿ **Preparing valuation report in respect of shares and assets to arrive at the reserve price for company administrator [Sec 260)(2)(c)]**
- ⦿ **Valuing assets for submission of report by liquidator [Sec 281(1)]**
- ⦿ **Report on the assets of the company for preparation of declaration of solvency under voluntary winding up [Sec 305(2)(d)]**
- ⦿ **Valuing the interest of any dissenting member of the transfer or company who did not vote in favour of the special resolution, as may be required by the Company Liquidator [Sec 319(3)(b)]**
- ⦿ **make an impartial, true and fair valuation of any assets which may be required to be valued;**

OPPORTUNITIES IN CORPORATE GOVERNANCE

- ⦿ **Playing a crucial role of a crusader in achieving CG in different capacities like as a shareholder or stakeholder, an employee , member of the Board of Directors, promoter or an Auditor**
- ⦿ **Advising directors and officers on director duties, the Corporations Act, the organization's constitution, stock exchange and other regulatory and statutory requirements**
- ⦿ **Advising on ways to have such corporate governance that add value to the company and also benefit the stakeholders in the long term**
- ⦿ **Ensuring transparency for growth and profitability of business**
- ⦿ **Ensuring corporate accountability by communicating with the organization's stakeholders and broader community.**

CONTINUED

- ⦿ **Review of risk and compliance policies, processes and procedures**
- ⦿ **Advising on the corporate structure, including subsidiaries and associated administration.**
- ⦿ **To guide on the practices to be followed that generate high risk-adjusted returns for the company**
- ⦿ **Advising the board on CG principles along with the implementation of governance programs and risk management frameworks**

CONTINUED ...

- ⦿ **To prevent corporate scandals, fraud, and potential civil and criminal liability of the organization**
- ⦿ **To ensure robust and effective board interaction so as to have transparency**
- ⦿ **Adherence to various compliance of Companies Act, 2013**
- ⦿ **Acting as a conduit between members (especially major and institutional investors in listed companies) and non-executive directors**
- ⦿ **Facilitating professional development programs for the board**
- ⦿ **To have a holistic view of the governance framework**

OPPORTUNITIES IN MERGERS AND AMALGAMATION

- ◎ **Assisting through rigorous financial analysis to ensure sound decision making**
- ◎ **Advisory on tax implications associated with the various forms a transaction.**
- ◎ **Compliance services for the applicable regulatory requirements**
- ◎ **Assist in creating model and/or critically evaluate business valuations**
- ◎ **Guiding on financing options available and structuring a financing package, if necessary**
- ◎ **acquisition accounting and their application**
- ◎ **To advise, plan, coordinate, and execute an efficient and effective due diligence review**

CONTINUED...

- ◎ **Coordinating much of the planning and execution of internal and external team members. This includes various line managers within the acquiring organization, as well as accounting, tax, and legal and other specialists who may reside outside the organization and/or in corporate headquarters in the case of larger, multilayered organizations.**
- ◎ **Advisory on how the transaction can optimally be structured.**

OPPORTUNITIES IN CROSS BORDER MERGERS AND ACQUISITIONS

- **Advisory services**
- **Investment banking**
- **Financial and legal due diligence**
- **Advise on Private Equity Financing and Structuring.**
- **Business valuations**
- **Regulatory approvals before competent authorities like RBI/SIA/FIPB**

OPPRESSION AND MISMANAGEMENT

- **Filing of Application in case of Oppression and Mismanagement**
- **Presentation before Tribunal**
- **Alteration in Memorandum or Articles**
- **Filing of copy of every order altering, or giving leave to alter, a company's memorandum or articles with the Registrar.**
- **Valuation of shares**
- **Class action suit**
- **Filing of appeal before appellate tribunal**

INSOLVENCY PROFESSIONAL OPPORTUNITIES FOR NEWLY QUALIFIED CAS

- **Assisting the client in all correspondences with the Lenders, Committee of Creditors, Corporate, NCLT, NCLAT and IBBI.**
- **Assisting the client in appointing the Registered Valuers, Legal and other Professionals.**
- **Assisting the Company in evolving strategy from Legal/ financial point of view in the meeting of Committee of Creditor/ various other similar meeting with creditors.**
- **Conferences, consultations, legal opinions and advice etc. with respect to any issues.**
- **Note: you should also give insolvency exam for practical knowledge which will help for future perspective.**

WINDING UP

- **Petition for Winding Up**
- **Act as a liquidator**
- **Conduct Board meeting and general meetings**
- **Sale of assets**
- **Distribution of Property of Company**

PRESENTATION BEFORE TRIBUNAL

- **Tribunal's practice or procedure rules**
- **Drafting of pleadings and written statements**
- **Drafting of affidavit**
- **Filing of various applications**
- **Appear before various tribunals**
- **Pray for relief**
- **Procedural aspects of filing appeal**

VARIOUS TRIBUNALS

- **Appellate Tribunal for Benami Transactions**
- **PMLA Provisions (Appellate Tribunal)**
- **National Company Law Tribunal**
- **National Company Law Appellate Tribunal**
- **Arbitral Tribunal**
- **Cyber Appellate Tribunal**
- **Securities Appellate Tribunal**
- **Appellate Tribunal for Foreign Exchange**
- **Appellate Tribunal for Electricity**
- **Film Certification Appellate Tribunal**
- **Competition Appellate Tribunal**
- **Customs, Excise & Service Tax Appellate Tribunal**

CONTINUED.....

- **Debt Recovery Tribunal**
- **Debt Recovery Appellate Tribunal**
- **Income Tax Appellate Tribunal**
- **Intellectual Property Appellate Board**
- **National Consumer Dispute Redressed Commission**
- **National Consumer Dispute Redressed Commission**
- **National Green Tribunal**
- **Insolvency and Bankruptcy Board of India**
- **Real Estate Appellate Tribunal**

OUTSOURCING SERVICES

- **Business accounting**
- **Maintenance of books and records**
- **Asset accounting management**
- **Financial analysis**
- **Bank reconciliations**
- **Payroll management**
- **Different types of reports on daily basis.**
- **Financial research and investigations.**

***EMERGING PROFESSIONAL
OPPORTUNITIES FOR
CHARTERED
ACCOUNTANTS***

EMERGING AREAS OF PROFESSIONAL OPPORTUNITIES FOR CAS

- **Topics covered under Conference**
- **IFRS converged Indian Accounting Standards**
- **Management Consultancy & Internal Audit**
- **Companies Act 2013**
- **Recent Judicial Trends on Challenge to Reassessment Proceedings and Compliance of Sec 195 in respect of From 15CA & 15CB**
- **Corporate Social Responsibility**
- **Goods & Service Tax and Recent Amendments in Service Tax**

...CONTD.

- **Areas being worked upon by Professional Development Committee:**
- **Railways**
- **Gram Panchayats**
- **HRD**
- **Internal Audit**
- **NPAs**
- **Credit Rating**
- **Credit Processing in banks**
- **XBRL**
- **Corporate Social Responsibility**

RAILWAYS

- **BROAD AREAS WHERE ICAI / CHARTERED ACCOUNTANTS CAN CONTRIBUTE**
- **Maintenance of Accounts**
- **Formulation of proper accounting policy in different areas commensurate with Accounting Standards.**
- **Restructuring of Internal Check Department**
- **Conversion to Accrual Basis System**
- **Capacity Building**

GRAM PANCHAYATS

- **To create avenues/opportunities for Chartered Accountants in the Uttar Pradesh Gram Panchayat such as Audit of Gram Panchayat Fund, Audit of Gram Panchayat Budget, Audit of Gram Panchayat accounts and relevant Registers. Audit of Central / State Schemes, etc. while serving as a value addition to Gram Panchayat**

XBRL

- **With the Ministry of Corporate Affairs (MCA) mandating the use of XBRL for a certain class of companies for submitting of financial statements in XBRL format from the year 2010-11 onwards and Reserve Bank of India (RBI) and Securities Exchange and Board of India (SEBI) also being working on XBRL, it has thrown various professional opportunities for Chartered Accountants in the following areas:**
- **Creation of XBRL instance documents for the companies.**
- **Certification of XBRL financial statements in the E-form AOC-4 XBRL.**
- **Consulting in the XBRL domain for implementation of XBRL organization-wide.**
- **Development of applications/ software's for the XBRL data analysis.**

CORPORATE SOCIAL RESPONSIBILITY (CSR)

- **Corporate Social responsibility (CSR) is integral to long term business success. Today's organizations must be increasingly mindful of the impact that their operations have on society at large. In a climate of heightened social awareness and instant access to information, CSR must be a fundamental part of a company's targeted practices, board objectives, and overall culture.**
- **The concept of corporate social responsibility has gained momentum with the Companies Act, 2013. This mandate of compulsory expenditure lends a new perspective to this area. There is a huge scope of professional development in this field ranging across business, public sector, working in the compliance department of an organization and go onto a niche consulting company providing CSR client services.**

HOW TO OUTSHINE IN THE FIELD?

Chartered accountancy is a profession that requires its members to continuously do better. To achieve this, CAs need to learn more, do more and adapt to changes around them.

HOW TO OUTSHINE IN THE FIELD?

- Be domain experts to distinguish yourself in the field
- Be innovative
- Enhance your soft Skills
- Be Techno- savvy

KNOWLEDGE IS POWER

- **“Knowledge creation has two dimensions, one is explicit knowledge and the other one is implicit knowledge.**
- **Explicit knowledge comes from published books, written materials, proceedings, presentations etc**
- **Implicit knowledge is derived through systematic observation and capture of data from tacit knowledge available among individuals, through their approach to problem solving, bottle-neck removal, goal setting, interactions etc”**
 - **Dr. APJ Abdul Kalam**
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Thank you



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