



THE INSTITUTE OF CHARTERED ACCOUNTANTS
OF INDIA

Key Changes & Amendments in ITR Forms

D .

Compiled by CA Avinash Rawani

#### **Change in the History of the Country**

Finance Bill passed on March 31, 2017, becoming law effective from April 1, 2017

Changing the Style of Business- A process to move towards Digital Economy

Implication of GST from July 1, 2017

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#### Glance of General Changes

#### Maintenance of Books of Account

- For Individuals/HUF
  - Income exceeds Rs. I.50 lacs & Turnover Rs 25 lakhs
- For Others
  - Income exceeds Rs. I.20 lacs & Turnover Rs 10 lakhs

Dividend Taxable if it exceeds Rs. 10 Lacs (Section 115BBA);

MAT Credit to be carried forward for 15 years (Section 115JB)

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# Provisions Applicable for AY 2018-19 (Finance Act, 2017)

- Power of survey U/s I33A extended to charitable institutions;
- > Revised return can be filed within same Assessment Year;
- > Every resident person to Quote Aadhaar number Section 139AA, if available;
- > Return of income to be processed U/s 143(1)(a);
- > Time limit for assessment reduced Sec. 153;
- No person shall receive an amount of 2 Lakh rupees or more (Section 269ST):-
  - > (a) in aggregate from a person in a day; or
  - (b) in respect of a single transaction; or
  - $\succ$  (c) in respect of transactions relating to one event or occasion from a person

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#### Glance of Changes in the Tax Rates

#### For Individuals

- Reduction in Tax Rates for small tax payers- marginal relief of 5%
- Relief under Section 87A reduced
- Slabs of Surcharge Introduced
  - Income exceeding Rs. 50 lacs- Surcharge @ 10%
  - Income exceeding Rs. 100 lacs- Surcharge @ 12%

#### For Individuals/HUF

• Introduction of TDS on monthly rent payment exceeding Rs 50,000/- @ 5%

#### For Companies

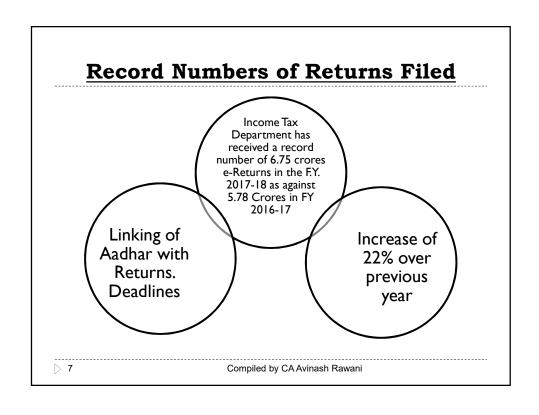
 Turnover does not exceed Rs. 50 Crores during FY 2016-17, tax rate to be 25%

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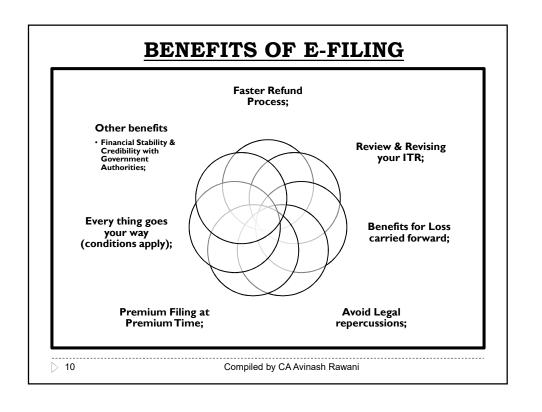
# NEW INCOME TAX RETURN FORMS FOR AY 2018-19 (FY 2017-18)

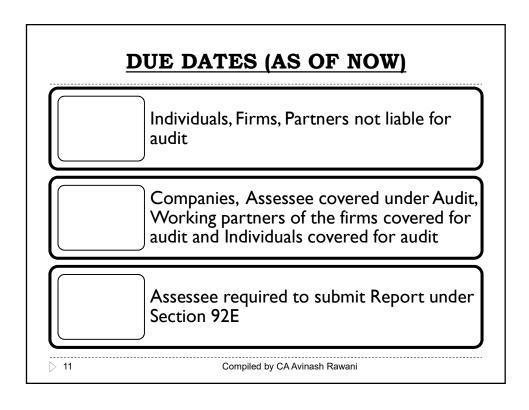
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			mmary	
ITR Wise	receipt of e-Return March,2018			
S.No.	ITR	FY 2015-16	FY 2016-17	FY 2017-18
1	ITR-1	1,79,46,687	2,14,55,515	2,90,67,029
2	ITR-2(Till AY 2016-17)	22,36,078	21,89,065	3,76,948
3	ITR-2	-		46,55,177
4	ITR-2A	11,74,205	16,72,759	3,13,934
5	ITR-3(Till AY 2016-17)	8,88,598	9,66,823	1,75,896
6	ITR-3			99,08,934
7	ITR-4S	81,35,210	1,18,57,709	29,85,995
8	ITR-4(Till AY 2016-17)	1,06,46,974	1,23,90,871	1,27,61,551
9	ITR-4			44,95,327
10	ITR-5	12,52,465	12,61,922	15,12,496
11	ITR-6	7,78,069	8,01,115	9,38,620
12	ITR-7	2,85,451	2,72,258	2,82,997
	Total	4,33,43,737	5,28,68,037	6,74,74,904

Assessment year 2012-13	UALS FILE RETURNS E		COMPANIES			
Range of Tax (in Rs)	No. Of Returns	Sum Of Tax Payable (Rs '000 cr)	Average Tax Payable	No. Of Returns	Sum Of Tax Payable (Rs '000 Cr)	Average Tax Payable
Zero	(1.6 cr)	(113 000 01)	- rayame	2.9 lakh	(KS 000 CI)	rayaute
Above 0 to below 5 lakh	1.2 cr	50.2	41.440	2.6 lakh	2.4	91,980
5 lakh to below 10 lakh	2.4 lakh	16.1	6.8 lakh	27294	1.9	7.1 lakh
10 lakh to below 25 lakh	1.1 lakh	16.7	15 lakh	26591	4.2	15.7 lakh
25 lakh to below 1 crore	40,958	17.7	43.2 lakh	21154	10.3	48.9 lakt
1 crore to below 50 crore	5,419	12.8	2.4 Cr	13109	67.4	5.1 Cr
50 crore to below 100 crore	8	0.6	73.8 Cr	273	18.5	67.9 C
Above 100 crore .	3	0.4	145.7 Cr	307	143.4	467.2 0
Total	2.9 cr	114.6		6.4 lakh	248.2	





#### PROVISIONS OF THE IT ACT Section To be filed before the end of one year from the 139(4) relevant AY or completion of assessment whichever is earlier; Belated Loss cannot be carried forward Return Section To be filed before the end of one year from the relevant AY or completion of assessment 139(5) whichever is earlier; Belated Return can be revised (Changes in Revised Finance Act, 2016) Return **12** Compiled by CA Avinash Rawani

# PROVISIONS OF THE IT ACT Section 139(9) Defective Return Return treated as defective if • All annexures/ columns in each head of income, computation of GTI and TI are not filled • SA Tax u/s 140A has not been paid on or before the date of furnishing return • Return signed by an unauthorised person; etc. Opportunity by AO to rectify the defect within 15 days • Beyond 15 days, AO may condone the delay Compiled by CA Avinash Rawani

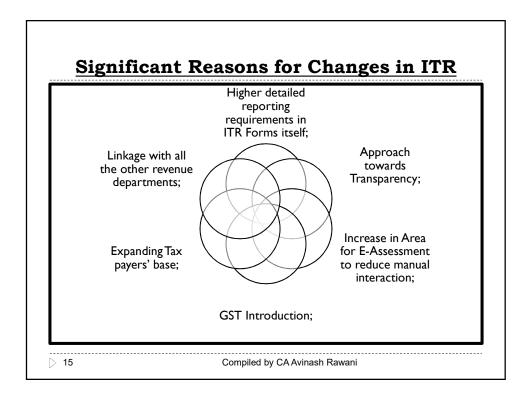
#### Who are exempted from e-filing

An Individual or HUF, whose income does not exceed Rs. 5 Lacs AND has not claimed Refund in the Return of Income;

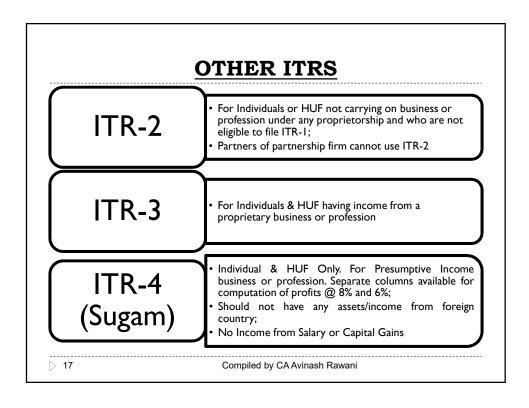
The Tax Return is furnished using ITR-I (Sahaj) or ITR-4 (Sugam) (Mandated from this year)

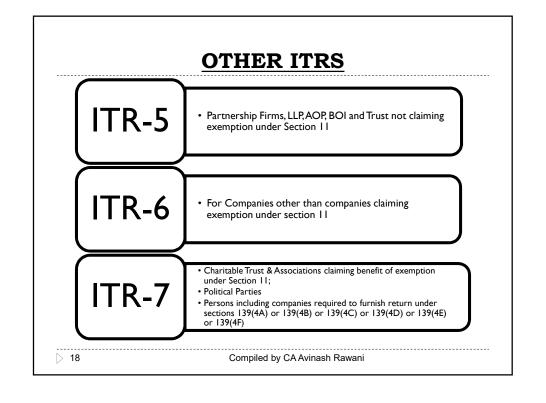
Super Senior Citizens (Individuals of the Age of 80 years or more)

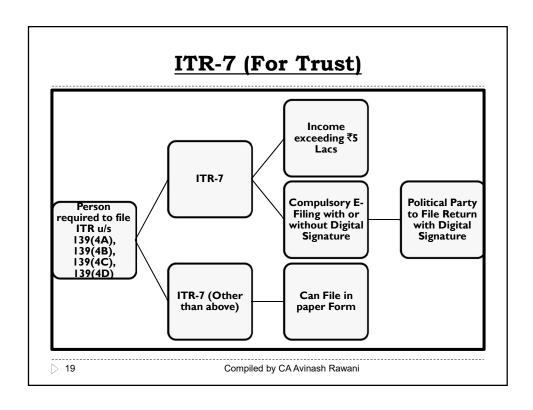
**14** 

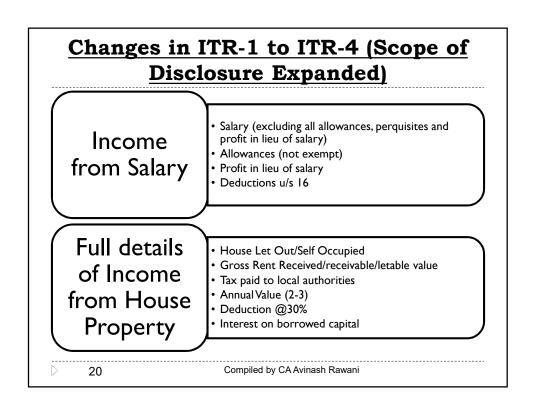


#### CRISP ITR-1- INDIVIDUAL & HUF (1 PAGE SIMPLIFIED FORM) Who Income from Salary/Pension; Can File Income from One House Property; Income from Other Sources (only positive income); All aggregating up to Rs. 50,00,000/-ITR-I Having Dividend Income exceeding Rs. 10,00,000/-Who (Section 115BBDA); Unexplained Tax Credit or Investment taxable @ 60% (Section 115BBE); **Cannot** Agriculture Income exceeding Rs. 5,000/-; Relief Claimed for Foreign Tax Credit; File ITR-I Having Assets/Bank Accounts out of India; Claiming Brought Forward Loss from earlier years. **16** Compiled by CA Avinash Rawani









# Provisions Applicable for AY 2018-19 (Income from House Property)

Deduction Cap under Property income to Rs 2 lacs

Building (stock in trade) will be deemed vacant for one financial year Section 23(5)-To be treated as deemed to be let out

> 2'

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# Reporting of Capital Gains ITR 2, 3, 5, 6 and 7

# Reporting of sum taxable as Gift

 New clause 56(2)(x) as Inserted by Finance Act 2017 is applicable to all assessees

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# Reporting of Capital Gains ITR 2, 3, 5, 6 and 7

#### Capital Gains in case of transfer of unquoted shares

- for providing consequential reporting as per amended new Section 50CA inserted by Finance Act, 2017 new column inserted
  - Full value of consideration received/receivable in respect of unquoted shares
  - Fair market value of unquoted shares determined in the prescribed manner
  - Full value of consideration in respect of unquoted shares adopted as per section 50CA for the purpose of Capital Gains (higher of a or b)
  - Full value of consideration in respect of assets other than unquoted shares

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# Provisions Applicable for AY 2018-19 (Changes related to Capital Gains)

Long Term Capital Gains-

 Holding Period reduced from 3 years to 2 years for land and/or building;

Equity Share of a Company

- · acquired into on or after 1.10.2004;
- STT not paid;
- Not liable for deduction under Section 10(38)

Fair market value to be taken as at 1.4.2001;

Section 45(5A) Joint development agreement, comply following conditions;

Registered Agreement between the Owner & Developer for development of land and Capital Gains chargeable in the year which completion certificate is received

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# Provisions Applicable for AY 2018-19 (Capital Gains/Other Sources)

- > Valuation of unquoted shares Section 50CA- To be FMV;
- > Sum of money of property received without or at less than stamp duty value or at less than FMV- Relief of Rs 50,000/- given;
- > If date of agreement and date of transfer is different and any amount is received through banking channels on or before the date of agreement then stamp duty value on the date of agreement will be taken;
- Disallowance U/s 40(a)(ia) also applicable to income from other sources, Section 58(1A);

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# Provisions Applicable for AY 2018-19 (Business Income/Tax Audits/Others)

- > Payment U/s 40A(2)(b) not SDT U/s 92BA;
- No purchases/capital or revenue expenditure exceeding Rs. 10000/- in cash Sec 40A(3)/(3A)/43(1)second proviso;
- Payment of interest on loan from cooperative bank covered U/s 43B;
- ➤ Individual or HUF's opting for presumptive taxation under Section 44AD/ADA/AE has to continue for five years;
- No allowance of remuneration/interest to partners from profits (Opting for presumptive tax);
- > 6% presumptive income in case of digital receipts;

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# Reporting in Depreciation Schedule ITR 3, 5 and 6

#### Revised Depreciation Schedule

CBDT vide Income-Tax (Twenty Ninth Amendment) Rules, 2016, dated 07-11-2016 had restricted the highest rate of depreciation for any block of asset to 40%. i.e. all block of assets which were eligible for depreciation at the rate of 50%, 60%, 80% or 100% would be eligible for depreciation at the rate of 40%;

New Column also inserted to report the claim of proportionate depreciation in the event of business reorganisation, i.e., demerger, amalgamation, etc

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### Reporting business transactions with registered and unregistered suppliers(GST) ITR-3,4 & 6

Detailed analysis asked with respect to business transactions with registered and unregistered suppliers under GST.

Details of GST paid and refunded.

Under Schedule PL have been modified to include GST related details;

- Income: GST Received or receivable in respect of Goods Sold or supplied (Part A P&L, Point 1 C)
- Expenses: GST paid or payable in respect of Goods and service purchased (Part A P&L, Point 7)
- Expenses: GST paid or payable to Government (excluding taxes on income) (Part A P&L, Point 36)
- Refund of GST not credited to Profit and loss account

(PART A-OI, 5)

· Amount of credit outstanding in account in respect of GST

(Part A-OI, 12)

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# Reporting business transactions with registered and unregistered suppliers(GST) ITR-3,4 & 6

- 1	Sl. No.	Total amount of Expenditure during the year	Expend	Expenditure relating to entities not			
		(aggregate of expenditure reported at items 6, 8 to 35, 37 & 38 of Part-A-P&L/P&L-Ind AS)	Relating to goods or services exempt from GST	Relating to entities falling under composition scheme	Relating to other registered entities	Total payment to registered entities	registered under GST
	(1)	(2)	(3)	(4)	(5)	(6)	(7)

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Reporting business transactions with registered and unregistered suppliers(GST) ITR4

Quote GSTR No.
Turnover/gross receipts as per GST return filed.
(Schedule BP vide point E9 and E10)

GST No in respect of details of business and profession computed under presumptive basis u/s 44 AD (or) 44AE (or) 44ADA – if applicable;

# Financial Parameters reporting changes (ITR-4)

	E—For E11 to E25 furnish the information as on 31st day of March, 2018		
E11	Partners/ Members own capital	E11	
E12	Secured loans	E12	
E13	Unsecured loans	E13	
E14	Advances	E14	
E15	Sundry creditors	E15	
E16	Other liabilities	E16	
E17	Total capital and liabilities (E11+E12+E13+E14+E15+E16)	E17	
E18	Fixed assets	E18	
E19	Inventories	E19	
E20	Sundry debtors	E20	
E21	Balance with banks	E21	
E22	Cash-in-hand	E22	
E23	Loans and advances	E23	
E24	Other assets	E24	

# Deduction under section 80EE of the Act. [ITR 2, 3, 4]



>Additional tax exemption of INR 50,000 for payment of interest on housing loan to first time home buyers;

➤ This deduction is over and above the INR 2 lakhs limit covered under Section 24(b) of the Act.

A new field which was provided has been deleted in ITR forms under Chapter  ${\bf VIA}$ 

Ensure proper reporting of deductions under Section 80EE of the Act, by selecting the correct Section from the Drop Down Menu.  $\frac{1}{2} \int_{-\infty}^{\infty} \frac{dx}{dx} \, dx = \frac{1}{2} \int_{-\infty}^{\infty} \frac{dx}{dx} \, dx = \frac{1}{2}$ 

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#### Requirements in Returns for ICDS-Effect on the Income

chedule l	CDS Effect of Income Computati	ion Disclosure Standards on profit
Sl. No.	ICDS	Amount (+) or (-)
(i)	(ii)	(iii)
I	Accounting Policies	
п	Valuation of Inventories	
Ш	Construction Contracts	
IV	Revenue Recognition	
V	Tangible Fixed Assets	
VI	Changes in Foreign Exchange Rates	
VII	Government Grants	
VШ	Securities	
IX	Borrowing Costs	
x	Provisions, Contingent Liabilities and Contingent Assets	
XI	Total Net effect (I+II+III+IV+V+VI+VII+VIII+IX+X)	

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#### **Changes in ITR-6 for Companies**

A new column has been inserted in ITR 6 to provide details of apportionments made by the companies from the net profit for the CSR activities;

Additional disclosure requirements for Ind-AS Compliant Companies;

MAT Adjustments for Ind-AS Compliant companies adjustments for permittable deductions/allowances;

Mandatory details of beneficial holders holding more than 10% of the voting power of the Company. Name Address, PAN and percentage of holdings (in case of unlisted companies)

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# Provisions Applicable for AY 2018-19 (Charitable Trust)

- > Corpus Donation not an Application of Income;
- Cash donation not allowed exceeding Rs. 2000/- U/s 80G(5D);
- Modification of objects of trust or institution Section I2A(I)(ab)
- ➤ Any modification of objects clause not conforming to the conditions of registration U/s 12AA or 12A, then such trust will have to again make an application for 12AA registration within 30 days of modification.

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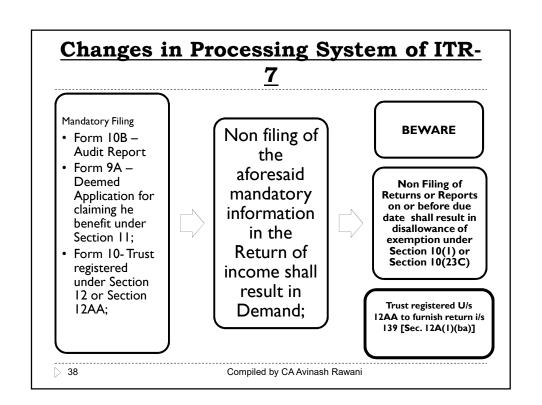
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#### Changes in ITR-7 separate row is provided requiring trust to confirm if it has filed Form 9A (in case application of Income of trust fall short of 85%) and the date of filing of such form. Form 9A Additional • to confirm if cash donations exceeding Rs 2000/- are **Declaration** received [Section I3A]; required Details of fresh Date of change in objects • Whether application for fresh registration has been made registration upon within stipulated time period? change of objects Whether fresh registration has been granted? · Date of such fresh registration [Section 12A] > 36 Compiled by CA Avinash Rawani

#### **Changes in ITR**

- Universities, hospitals, educational institutions, etc., have to disclose their name, receipts and amount eligible for exemption in ITR 7.
- ➤ Note :Exemption under sub-clause (iiiab) and (iiiac) of Section 10(23C) is available to universities or educational institutions, hospitals or other institutions which are wholly or substantially financed by the Government, subject to certain prescribed conditions. The Finance Act, 2015 has amended the provisions of Section 139 to provide that such entities covered under clauses (iiiab) and (iiiac) of Section 10(23C) shall be mandatorily required to file their returns of income.

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# LEVY OF LATE FEE FOR NON FILING WITHIN DUE DATES

In case of income below 5 lakhs,

• the Late fee is limited to Rs 1,000;

In any other case

- On or Before December 31
  - Rs 5,000
- On or After January I
  - Rs 10,000

Time limit to revise the tax return is reduced to 12 months from existing limit of 24 months.

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#### Other Changes

- > Late Fee u/s 234F (separate field in Return to report);
- Refund claimed NR- Foreign Bank Account details to be given to receive the credits of refund;
- > Removal of 'Gender' from personal information in the ITR 2, 3 and 4
- ➤ New Column in ITR-2,3,5,6 &7 to report disallowance under Section 40(a)(ia) and also under under Section 58;
- > Transfer of Tax Credit to Other person ITR2 to ITR7;
- > Assessees are required to provide the details of payment made and sum received in foreign currency towards capital and revenue account (ITR-6)- Applicable only to Non Tax Audit assessees.

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#### Other Changes

- ➤ Reporting of sum as taxable gifts (All forms except ITR-I and ITR-4) in 'Schedule OS' to report any income as specified in Section 56(2)(x);
- Aggregate value of sum of money received without consideration
- In case immovable property is received without consideration, stamp duty value of property
- In case immovable property is received for inadequate consideration, stamp duty value of property in excess of such consideration
- In case any other property is received without consideration, fair market value of property
- > Taxability of Dividend in excess of Rs. 10 lakhs.[Section I15BBDA]

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#### Other Changes

- > Assessee claiming DTAA relief
- New ITR Forms seeks additional details for current year vis, Rate as per treaty, rate as per IT Act, Section of IT Act and Applicable Rate
- > Capital gains exemption to be furnished in detail
- > exemption reporting separately in detail under each Sections 54, 54B, 54EC, 54EE, 54F, 54GB and 115F
- > Taxability on remission of trading liability in case of 'SCH-OS'
- Separate reporting of such remission or cessation, which is taxable as per Section 59;
- ➤ Income from transfer of Carbon Credits Applicable for ITR 2, 3, 5, 6, 7]

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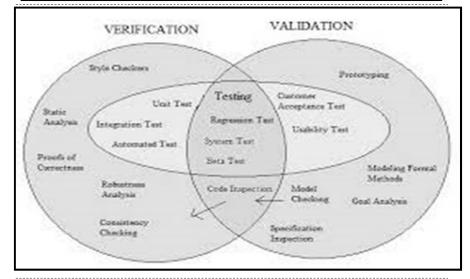
#### Requirements of successful filings

- > to be truthful and prompt in meeting all legal obligations;
- > to pay taxes in time;
- > to obtain PAN and quote it in all documents and correspondence
- > to obtain TAN for every unit and quote it in all documents and correspondence
- to quote correct tax payment/deduction particulars in tax returns to verify credits in tax credit statements
- > to file complete & correct returns, within the due dates and in appropriate tax jurisdictions
- > to quote correctly Bank Account Number, IFSC Code and other Bank details in the returns of income
- > to intimate change of address to the tax authorities concerned
- $\succ$  to intimate any change in PAN particulars to designated agency & and
- > to quote PAN of all deductees in the TDS Statements

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#### **VALIDATION & VERIFICATION RULES**



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#### **Introduction of Validation Rules**

Category of defect	Action to be Taken						
А	Return will not be allowed to be uploaded. Error message will be displayed.						
В	Return data will be allowed to be uploaded but the taxpayer uploading the return will be informed of a possible defect present in the return u/s 139(9). Appropriate notices/ communications will be issued from CPC.						
С	Third party utility providers will be alerted about the inconsistent data quality and warned about future barring of their utility.						

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## Check Points to e-File Returns Personal Information Schedule

- > PAN: To be quoted correctly. The critical parameters such as name, date of birth, Status would get auto populated based on PAN database.
- > Name: To be matched with the "Name" mentioned in PAN.
- > Date of Birth: Mistakes here will result in computation of higher taxes in case of senior citizens.
- > Address: House/Flat no, City, PIN Code, are mandatory fields.
  - > Non filling will result in communications being sent to the PAN database address

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#### <u>Check Points to e-File Returns Personal</u> Information Schedule

- > E-mail Address: Needs to be filled correctly, email is the basis of all communications from CPC.
  - > Mistake will result in non-receipt of all intimations from CPC.
  - > Use of Auditor/Tax practitioner's ID may be avoided.
- > Mobile No: Full Mobile number without use of +91 needs to be entered.
  - > This is essential for all SMS based communication.
- > Status: Should be correctly filled.
- > Residential Status the status of NOR and NRI should be mentioned only where applicable as they are not eligible for certain benefits available to resident assessee.

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# Reasons for mistakes in calculation of Income

The accurate and complete filling up of the relevant column or detail in the Income Tax Return (ITR) form is most crucial for correct calculation of income.

In case the computation of Income or refund is different than what had been entered or what is expected, please verify the accuracy of the data entered in the ITR.

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#### **Check Points**

Total Salary from all employers, irrespective of whether Form 16 has been issued or not, should be entered in Income details in ITR 1 /ITR 4S or Schedule Salary in all other ITR's.

Interest income from fixed deposits, savings bank account etc. should be entered in Income from other Sources of ITR 1 or in Schedule OS-Income from Other Sources in all other ITR's

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#### DEFECTIVE RETURNS UNDER E-FILING

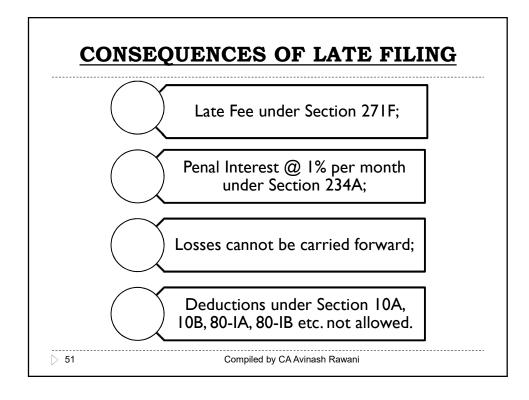
ITR 3/4– has been filled but Code mentioned under Nature of Business is 601 or 602 or 603 or 604 which are incorrect codes.

All ITR forms

– No Income details or tax computation has been provided in ITR but details regarding taxes paid have been filled and filed

ITR 4 & 5 – In audit information 44AB flag is Y but Part A P&L and or Part A BS not filled

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# Various Alternative Mechanisms available for e-Verification of Returns

#### EVC-Through Net banking

• Bank Account Linked with PAN can opt for this facility

#### EVC - Through Bank Account Number

 Pre-Validate your Bank Account with ITD Portal and your cell number has to be registered.

#### EVC - Through Demat Account Number

 Pre-Validate your Demat Account with ITD Portal and your cell number has to be registered.

#### EVC- Through Registered E-mail ID & Mobile Number

• Available only if your income is <= 5 lacs & Refund <= 100

#### EVC - Through Aadhar OTP

• Link Aadhar on ITD Portal

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New Changes Proposed	
Password for Login on ITD Webportal to be replaced with Aadhar OTP to prevent misuse	
Locking of PAN's for unauthorised use;	
Expanding capturing of Information from earlier year in Returns through Prefill Option in Utility	
Validation of Bank Account before filing of Return itself to get the Refund credited without delay	
Real Time Processing of Returns	
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# Requirements of successful filings

- > to be truthful and prompt in meeting all legal obligations;
- > to pay taxes in time;
- > to obtain PAN and quote it in all documents and correspondence
- > to obtain TAN for every unit and quote it in all documents and correspondence
- to quote correct tax payment/deduction particulars in tax returns to verify credits in tax credit statements
- to file complete & correct returns, within the due dates and in appropriate tax jurisdictions
- > to quote correctly Bank Account Number, IFSC Code and other Bank details in the returns of income
- > to intimate change of address to the tax authorities concerned
- to intimate any change in PAN particulars to designated agency & and
- > to quote PAN of all deductees in the TDS Statements

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#### Some Useful Tips



Returns are generally prepared by Staff and uploaded, ensure its correctness before uploading;

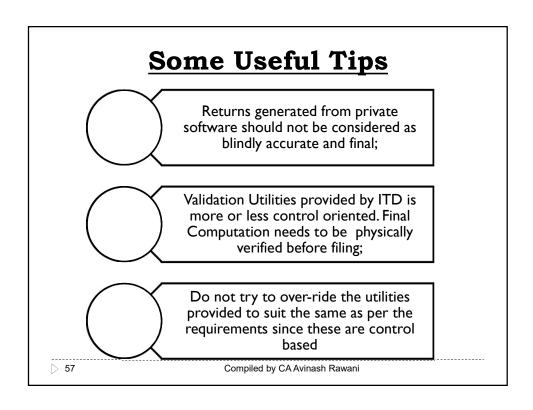


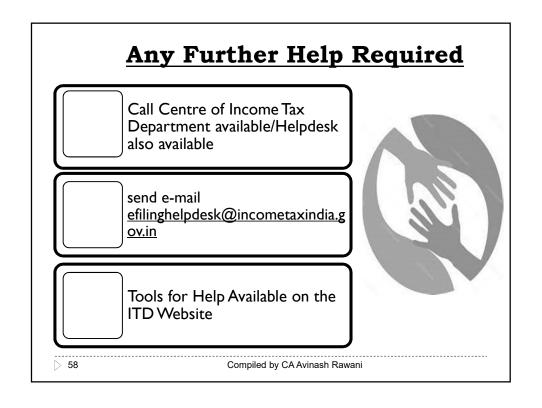
Ensure sufficient and accurate back up is available for future requirements.. Not to depend much on the system, better to have one hard copy;



Delete the workings created from time to time to ensure that the latest figures are only available which were used for the returns filing.

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#### **New Call Centre Numbers**



For Income Tax Realted Queries:

ASK: 1800 180 1961

For Rectification and

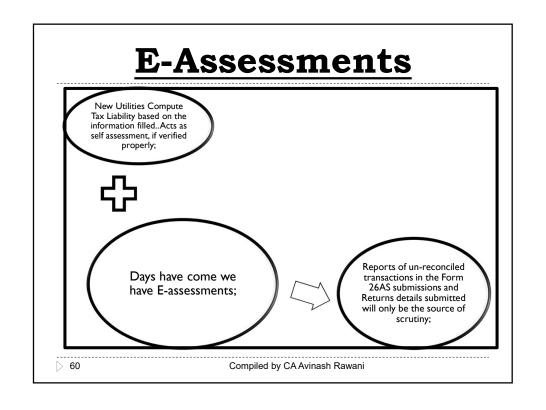
Refund:

CPC: 1800 425 2229

For E-Filing of Returns:

E-filing: 1800 4250 0025

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#### **Another Cause of Concern**



It's a Data Centre of all the information collected and information is cent percent reliable

CPC acts as a preserver of the Information

Data given by the Assessee shall be preserved for life time

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#### **Forgiveness**

A mistake in Tax returns can be corrected by paying penalties & result in monetary loss but the non-correction of mistakes made in relationship in TIME will ruin your entire life... Correction of Both..earlier the BETTER.





Applying Computer technology is simply finding the right wrench to pound in the correct screw

A mistake should always be taken as a mistake and not as 'my mistake' or 'his mistake' as it leads to difference in the Hearts. Let us correct it IN TIME.

IF YOU DON'T LIKE SOMETHING CHANGE IT...
IF YOU CAN'T... THEN CHANGE THE WAY YOU THINK ABOUT IT..
THIS IS THE FUTURE AND YOU HAVE TO BE WITH IT....

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#### **Doubts & Queries**

- ▶ Any Questions
- ▶ Thank You





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CA Avinash Rawani
Rawani and Co,
Chartered Accountants
801, Flyedge, At the Junction of
Kora Kendra Flyover
& SV Road, Borivali West,
Mumbai 400092
E-mail:
avinash@carawani.com

Website: www.carawani.com

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