



**THE INSTITUTE OF
CHARTERED ACCOUNTANTS OF INDIA**

(Set up by an Act of Parliament)

PUNE BRANCH OF WIRC OF ICAI

NEWSLETTER

Issue No. 3

March 2021

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Heartiest Congratulations

Our Torch Bearers for 2021-22



CA. Nihar N. Jambusaria
Hon. President of ICAI



CA. (Dr.) Debashis Mitra
Hon. Vice President of ICAI

Newly Elected Office Bearers of WIRC of ICAI F.Y. 2021-2022



CA. Manish Gadia
Chairman



CA. Drushti Desai
Vice Chairperson



CA. Arpit Kabra
Secretary



CA. Jayesh Kala
Treasurer



CA. Yashwant Kasar
Chairman - WICASA

Team, Pune Branch of WIRC of ICAI

Heartiest Congratulations

Newly Elected Office Bearers of
Pune Branch of WIRC of ICAI F.Y. 2021-2022



CA. Sameer Ladda - Chairman & Treasurer
CA. Kashinath Pathare - Vice Chairman & Secretary

National Level Best Branch Award 2nd Prize

&

Best Students Association (WICASA) Award 2nd Prize F.Y. 2020-2021

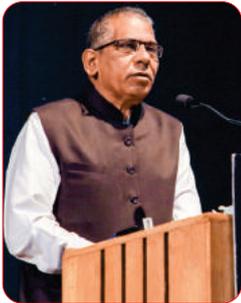


PUNE BRANCH OF WIRC OF ICAI

List of Recorded Programmes held in the Month of February 2021 Available on Pune ICAI YouTube Channel

SR. NO.	DATE	TOPIC	SPEAKER	LINK
1	6th February, 2021	Virtual Programme on "Analysis of Union Budget"	CA. (Dr.) Girish Ahuja	https://youtu.be/X4R-vVaQbLs
2	23rd February, 2021	CA Career Counselling Programme	CA. Sarvesh Mehendale	https://youtu.be/hsaBsRGzVWY

Seminar on "Let's Analyze the Budget"



CA. Suresh Mehta
Speaker



CA. Mahavir Chanodia
Speaker



CA. Rachana Ranade
Speaker



CA. (Dr.) S. B. Zaware
Speaker



CA. Santosh Doshi
Speaker



Panel Discussion (From L To R) -
CA. Sameer Ladda, CA. Jagdeesh Dhongde - Moderator,
Panelists - CA. C. V. Chitale, CA. V. L. Jain, CA. Suhas Bora



Participants

Krutadnyata Samarambh



Chairman's Communique

Dear Members,

It gives me an immense pleasure to assume office as Chairman of such Prestigious Branch of ICAI. I would like to thank all my Committee Members for unanimously electing me for the said position I was elected for the term 2019-22 on the Managing Committee of Pune ICAI. I take this opportunity to thank you for showing faith in me.

Since the March 2020 the whole world is facing the pandemic Covid 19 and it affected a lot on human being life style. It has also affected somehow on our profession .But with the great support from all the members of Pune and students of Pune Wicasa the branch has achieved great success on all front and won the 2 awards at national level and also 2 at regional level.

This is fruit of the hard work of the managing committee, students, Branch staff and all members of the Pune. I can't stop myself to give my special thanks to all ex-officio for their continuous support and the guidance.

On behalf of the Pune Branch managing committee I assure you that in last year of this tenure we will work to the best possible in the interest in the branch. Let us prepare ourselves for the new opportunities and challenges future is bringing to us. I am happy to communicate that our branch is geared up to serve for futuristic CA Profession.

This year at Pune ICAI our activities would be focusing on E-Square's i.e.

Ethics, Expansion, E governance and Expertise

All 4 E's of the E-Square are Self-explanatory itself about our vision. I am hopeful that our vision of E-Square will give us the very tasty fruits in coming era.

To plan the activities for the year various sub-committees for have been formed. I am sure with the help of all the members and students we will be able to implement our initiatives effectively. Besides, we plan to form various Task/Action Teams to accomplish various tasks to be undertaken. I shall update you in this regard from time to time.

Coming to future programs, Pune ICAI's unique Yearly Mega Event, Bank Audit Conclave and many more events has is been scheduled. The calendar is already planned upto June 2021.

I must give my compliments to the members and supportive staff of Pune ICAI who have been very hardworking, responsive and active. I look forward for their support throughout the year as well.

May this New Year add colours of good health, prosperity and peace to your Life. I also pray almighty to save this world from the worldwide Covid 19.

Last but not least your suggestions and feedback are pertinent to decide upon our course of actions. Please feel free to reach out to me on chairman@puneicai.org and also on 9850838461 at any moment 24*7.

Happy to serve better, Jay-Hind, Jay ICAI.

CA. Sameer Ladda,
Chairman, Pune ICAI



CA. Sameer Ladda
Chairman
Pune Branch of WIRC of ICAI

Sub-Committees of Pune Branch of WIRC of ICAI for the year 2021-2022



CA. Sachin Miniyar



CA. Nilay Sanghvi

1. CPE Committee				
Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Sameer Ladda	Chairman	9850838461	samparth@gmail.com
2.	CA. Kashinath Pathare	Vice Chairman	9890625758	kbpathare@gmail.com
3.	CA. Abhishek Dhamne	Member	9890541551	abhishekdhamne@ssdca.in
4.	CA. Ruta Chitale	Member	8390610136	rutachitale@rediffmail.com
5.	CA. Sachin Miniyar	Co-opted Member	9422016303	miniarysachin@gmail.com
6.	CA. Nilay Sanghvi	Co-opted Member	9822353807	nilaysanghavi@nsaca.co.in



CA. Bhavesh Panpaliya



CA. Pranav Mantri

2. Taxation Committee				
Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Kashinath Pathare	Chairman	9890625758	kbpathare@gmail.com
2.	CA. Sameer Ladda	Vice Chairman	9850838461	samparth@gmail.com
3.	CA. Ruta Chitale	Member	8390610136	rutachitale@rediffmail.com
4.	CA. Amruta Kulkarni	Member	9881434468	amrutamkulkarni@gmail.com
5.	CA. Bhavesh Panpaliya	Co-opted Member	8888755557	bpanpaliya@gmail.com
6.	CA. Pranav Mantri	Co-opted Member	9765139069	pranavmantri@gmail.com



CA. Shirish Deshpande



CA. Deepak Sugandhi

3. Information Technology Committee				
Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Abhishek Zaware	Chairman	9850834971	abhishekwaware@gmail.com
2.	CA. Abhishek Dhamne	Vice Chairman	9890541551	abhishekdhamne@ssdca.in
3.	CA. Rajesh Agrawal	Member	9823975174	carragrwal@gmail.com
4.	CA. Ruta Chitale	Member	8390610136	rutachitale@rediffmail.com
5.	CA. Shirish Deshpande	Co-opted Member	9822304988	deshpande.06@gmail.com
6.	CA. Deepak Sugandhi	Co-opted Member	9822034965	deepak@dsugandhi.com



CA. Shobhana Gado



CA. Ashwini Jatkar

4. Newsletter Committee				
Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Ruta Chitale	Chairperson	8390610136	rutachitale@rediffmail.com
2.	CA. Sameer Ladda	Vice Chairman	9850838461	samparth@gmail.com
3.	CA. Amruta Kulkarni	Member	9881434468	amrutamkulkarni@gmail.com
4.	CA. Kashinath Pathare	Member	9890625758	kbpathare@gmail.com
5.	CA. Shobhana Gado	Co-opted Member	9850904581	shobhana.gado@gmail.com
6.	CA. Ashwini Jatkar	Co-opted Member	9881202074	ashwinijatkar@gmail.com



CA. Akshay Kalbhor



CA. Sachin Dherange

5. Library Committee

Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Rajesh Agrawal	Chairman	9823975174	carragrwal@gmail.com
2.	CA. Kashinath Pathare	Vice Chairman	9890625758	kbpathare@gmail.com
3.	CA. Ruta Chitale	Member	8390610136	rutachitale@rediffmail.com
4.	CA. Abhishek Zaware	Member	9850834971	abhishekwaware@gmail.com
5.	CA. Akshay Kalbhor	Co-opted Member	9922232727	akshaykalbhor27.ak2@gmail.com
6.	CA. Sachin Dherange	Co-opted Member	9527234904	sachindherange@hotmail.com



CA. Karan Chandwani



CA. Nikhil Naikwadi

6. Committee for Members in Industry

Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Abhishek Dhamne	Chairman	9890541551	abhishekdhamne@ssdca.in
2.	CA. Abhishek Zaware	Vice Chairman	9850834971	abhishekwaware@gmail.com
3.	CA. Ruta Chitale	Member	8390610136	rutachitale@rediffmail.com
4.	CA. Sameer Ladda	Member	9850838461	samparth@gmail.com
5.	CA. Karan Chandwani	Co-opted Member	8625001263	karandchandwani@gmail.com
6.	CA. Nikhil Naikwadi	Co-opted Member	9423574153	nikhilnaikawadi@gmail.com



CA. Ali Asgar Attar



CA. Darshana Jain

7. Students Co-ordination Committee

Sr. No.	Name	Designation	Contact No.	Email Id
1.	CA. Amruta Kulkarni	Chairperson	9881434468	amrutamkulkarni@gmail.com
2.	CA. Abhishek Dhamne	Vice Chairman	9890541551	abhishekdhamne@ssdca.in
3.	CA. Kashinath Pathare	Member	9890625758	kbpathare@gmail.com
4.	CA. Abhishek Zaware	Member	9850834971	abhishekwaware@gmail.com
5.	CA. Ali Asgar Attar	Co-opted Member	9406121552	aliasgarattar52@gmail.com
6.	CA. Darshana Jain	Co-opted Member	8552995333	darshanajain@icai.org



PF tax-exemption limit hiked to Rs 5 lakh, which employees stand to benefit

Contributed by :- CA. (Dr.) Dilip V. Satbhai

Email :- dvsatbhaiandco@gmail.com

Finance minister Nirmala Sitharaman in her budget speech had proposed to cap the tax exemption for interest accrued on Employees Provident Fund (EPF) and Voluntary Provident Fund (VPF) in the third Union Budget she presented. The Income Tax Act, 1961, presently provides for '**total**' exemption to any payment from a provident fund and to the "accumulated balance due and becoming payable including interest" to an employee. The proposal saw the light of the day as the income tax department had observed that some rich employees were contributing '**huge**' amounts to these funds and were getting total tax exemption using this avenue of investment.

What was the budget proposal ?

The memorandum highlighted that such exemption without any threshold limit, benefits only those employees i.e rich employees who can contribute a large amount to these funds. The limit was thus set for an annual contribution of Rs 250,000 which was to be made applicable only for the contribution made on or after April 1, 2021. Therefore, in order to rationalize tax exemption or tax free income for the income earned by high income employees, it was decided that tax exemption for the '**interest income**' earned on the employees' contribution to various provident funds be restricted to the annual contribution of Rs 2.5 lakh,

Amendment to budget proposal:

Many trade unions and salaried tax payers had represented to the finance ministry to reconsider the proposal of taxing interest on provident fund and the finance minister had openly agreed to have review on the matter at the time of passing the finance bill. Accordingly, the Central government raised the deposit threshold limit, for which interest would continue to be tax-exempt, to Rs 5 lakh per annum in provident fund (PF) account. This would be applicable to those cases where no contribution is made by employers to the retirement fund.

FM increased the deposit threshold limit to Rs 5 lakh per annum in provident fund for which interest would continue to be tax-exempt, if there is no employer contribution. It was made clear that the threshold limit will not be enhanced in the cases where employer is contributing towards EPF.

Thus If employees' contribution to PF on or after 1 April 2021 exceeds Rs 5 lakh in any year, interest earned on contribution over Rs 5 lakh shall be taxable. This would be applicable to those cases where no contribution is made by employers towards PF. In other cases, where employer had contributed equally the limit was set for an annual contribution of Rs 250,000 where interest would continue to remain exempt hence before.

Who will be affected with this amendment ?

1. Increase in threshold limit will be applicable only under certain specified conditions and **will not benefit private-sector employees**. This is because as per the Employees' Provident Fund and Miscellaneous Act, 1952, it is mandatory for the employer to make matching contributions (currently 12% of basic and DA) to the [EPF](#) account along with the employees' own contribution, i.e., 12%. Thus, individuals working in the private sector can contribute a maximum of Rs 2.50 lakh in a financial year in EPF and VPF to avail tax-exempt interest as announced in the Budget 2021 effective from April 1, 2021. Thus the employees having an annual salary of Rs 41.66 lakhs where basic pay is half of the total salary, would be liable to pay income tax on interest accrued on their provident fund balance keeping in view a proposed change likely to take place on or after 1st April 2021 in connection with wages code where basic salary will be equal to fifty percent of that of total pay.

2. In the case of government employees, there is such a fund called General Provident Fund where the government does not contribute. Rather, the government's contribution goes to the pension fund of the employees. As there is no contribution by the employer (i.e., the government), employees of the government sector can contribute a maximum of Rs 5 lakh into PF accounts in a financial year to earn tax-exempt interest. Thus the government employees having an annual salary in excess of Rs 83.32 lakhs would be liable to pay income tax on interest accrued on their provident fund balance keeping in view a proposed change likely to take place on or after 1st April 2021 in connection with wages code where basic salary will be equal to fifty percent of that of total pay. The enhanced limit of Rs 5 lakh shall have an impact on government employees contributing towards the General Provident Fund. However, the limit for private-sector employees shall continue to be Rs 2.5 lakh as the employer needs to contribute towards Employee Provident Fund,

3. In the case of private-sector employees, the EPF scheme rules are governed by the Employees' Provident Fund Act, 1952. As mentioned above, as per the Act, an employer is mandatorily required to make a matching contribution to the employees' provident fund account along with employees' own contribution. Without the employer's contribution, an employee cannot contribute to his/her own EPF account. Thus, for private-sector employees, the maximum contribution they can make in a financial year to continue to earn tax-exempt interest will be Rs 2.5 lakh (EPF + VPF) in a financial year.

4. In short, In the Budget 2021, the Finance Minister had sought to tax interest earned on employee contributions in excess of Rs 2.5 lakh. While announcing the amendments to the finance bill on March 23, 2021, the finance minister has increased this threshold of Rs 2.5 lakh to Rs 5 lakh in cases where no contribution is made by the employer to the fund. The private sector employees would not be impacted by this change as the provisions of Provident Fund Act which apply to the private sector, the employer as well as the employee both contribute to the fund. This change would benefit government employees where now the threshold of Rs 5 lakh would apply.

5. The restriction is largely to impact VPF contributions as less than one per cent EPF contributors were expected to be hit due to the proposed measure.

6. The latest proposal on tax exemption was likely to make **huge contributions to provident funds unattractive, especially to those contributing large amounts through VPF.**

7. The move was aimed at taxing high-value depositors or salary earners in the **Employees Provident Fund** and hence those salaried persons drawing consolidated annual salary in excess of Rs. 41.66 lakhs would thus be adversely affected.

8. If the contribution is more than the threshold limit then the take home salary of these assesseees will be decreased to the extent of additional tax liability on interest portion which herein before was not chargeable to tax. It has been noticed that the amount of interest now will have to be credited to the account annually and despite the 'sum' not received in hands of the assessee but credited to accounts by way of book entry, income tax will have to be paid on that sum, which is indicative of the fact that 'take home salary' will get decreased.

9. The amendment underlines the fact that the provision of taxability of interest on fulfilling certain criterion continues. However, it will not be applicable if the employer is also contributing towards EPF. The position of taxability will be decided on the basis of year to year contribution based on the contribution made by employee or employer and employee jointly. The litmus test would be if the contribution to an account exceeds Rs 5 lakh, the interest accrued in that account will be liable to income tax.

10. There were discussions going on about the fact as to whether this accrual of interest will be chargeable under which head of income. Would it be chargeable to tax under the head income from salary or income from other sources like any other interest. The matter has not been clarified by the CBDT so far. If the interest is treated as perquisites, then it would be income chargeable under the head Income from salary or if it is considered that there is no employer employee relationship, then it would be covered under the head income from other sources.

11. If the investment pattern is to be rescheduled in the light of the fact that returns on investment are going to be decreased as 'exempt income' now will be becoming 'taxable income', then one will have to check for easily available alternatives for replacement of investment. 'Bank deposits' and highly rated 'company deposits' are similar low risk instruments, but these offer only 7% pre tax return. With employees's PF contribution becoming taxable, PPF now will be undisputed leader for a guaranteed tax free return but the limitation is the cap of Rs. 1.50 lakh. In future, this investment also could be linked with this threshold limit as exemption of interest is under the same section like PF which is available under section 10(11) and (12) of the income tax act 1961. However considering existing 8.5% return on PF, PF will give 5.882% return post tax (assuming a tax rate of 30.8%) which still will be more attractive than tax free bonds that yield less than 5% return.

The Finance Bill, which gives effect to tax proposals for 2021-22, was approved by voice vote by Lok Sabha. The bill was passed after acceptance of 127 amendments to the proposed legislation.



Compliance Practice Carrot and Stick

Contributed by :- CA. Vijay Ashtekar

Email :- ashtekar@ashtekarca.com

Ignorance of law is not excused. We know this preamble. Everybody is bound to abide by law of the land. In India hardly few people would be knowing the total number of laws or Acts governing on today's date.

So, compliance of any law is the duty of every citizen of the country as those are made for good governance. There may be controversy of opinion of about any particular law by different people, however so long as the law is applicable it is to be followed until it gets abolished or amended. As far as Tax laws are concerned the compliance becomes very important because it has direct impact on the revenue of the government. Revenue is nothing but Economy of a state.

The law makers expect that it is to be followed by every that person whom it becomes applicable. They try to ensure that it is been followed as required. They monitor the compliance of the provisions of the law. In absence of the compliance the law has penal provisions like interest, penalty, prosecution and so on.

A common man usually unaware or uneducated about majority of the laws. He goes on making earnings and one day surprisingly comes across the provision of certain law and gets caught. He gets scared about the consequences and runs to an expert basically a lawyer or a consultant who happens to be an expert about the law applicable. The lawyer or the consultant happens to be a knowledgeable and experienced person of the various laws applicable.

A practicing Chartered Accountant is supposed to be one of such experts. It is apart that every practicing Chartered Accountant not necessarily be an expert in the laws because many of the Chartered Accountants do not work or operate in law areas.

The origin of the practice of a Chartered Accountant lies in accounting and tax matters. Basic laws like Income Tax Act, Excise and Customs Act, The Companies Act, The Sales Tax Act and so on were the dominance of practice of a Chartered Accountant for decades together. The law practice went on increasing year on year and more and more complicated. The number of laws went on increasing simultaneously the execution of the provisions went on stringently.

The need of an expert of law was on high level during 1980 to 2010. The economy was growing and the business was touching the sky. The law makers were in full swing to pass more and more Acts, implement them rigorously and generate more revenue for the government. It would not be a surprise the law expert fraternity would have not been emerged for the rescue of the Industry.

Till 1991 the Indian Economy was protected rather restricted. Till that time the Chartered Accountants were finding bit difficult good opportunities and also ample of employment. Comparatively the practicing Chartered Accountants were having large scope for self-employment. The scope for tax practice was tremendous. The requisites were the good knowledge of laws and patience to settle down. Practically we have seen second and in few cases third generation Chartered Accountants continuing in the tax practice. The businesses were also loyal enough to continue with the same advisory family generation after generation. This was nothing but the result of dedicated and honest service by the Chartered Accountants over the decades and generations.

Both the businessmen and the consultants were loyal to each other and happy with mutual association. Both experienced and enjoyed carrot of the association. Being in the law practice day in and day out for years together the Chartered Accountants were becoming masters of the law. They were being honored not only by their clients but also by the law makers too. The law makers started taking these experts on the advisory committees of the government to draft the provisions of the law, rules, and regulations. The opinion of these experts was being sought in complicated law issues by the government authorities. These experts were being recognised in the industry, society and in overseas world also. With the recognition and demand they were also being highly paid for their expert services. A specialized sector of the fraternity got established rendering exclusively law services. Large firms established exclusive divisions for direct taxes, indirect taxes, international taxation, corporate laws and so on.

After 1991 i.e., exposure of Indian economy to the world the multinational opened their shops in India and these experts got huge opportunity for their knowledge and expertise. Some of them started getting fees in dollar and euro terms.

Micro, Small and medium organizations were more keen about getting the service of these experts mainly for their legal or tax requirements. They were least interested about other areas of business. The large organizations including multinationals were having their own work force for other functions other than legal aspects including taxation. These people were looking at these experts as trouble shooters.

More and more technology development day by day reduced the human intervention in implementation process of laws one by one. Slowly the Acts started getting digitized. The governance of law became more and more e-governance.

The intervention of the authorities in procedure and execution got reduced. E-filing became so easy and common for the people that the need of an expert started getting reduced.

The increase in the threshold limits of audit, reduction in compliance, merger of various laws like emergence of GST reduced the dependency of business and industry on experts.

The simplification of tax laws and other Acts reduced the demand of experts. On one side government made more and more simplification of laws on the other side it started putting more and more responsibility on experts. The governance became more stringent. The penal provisions including prosecution compelled the experts to rethink about their core area of practice.

The industry and the businessmen started treating these experts as middlemen between tax authorities and them.

On one side the reducing demand by the industry and on the other side the increasing compliance made the experts to revisit their interest and opportunities. It was being observed even today by the experts working exclusively in direct tax areas that they had lien period about 4 to 5 months in a year especially after due date of returns. Especially a large section of secretarial practice experts observed a lien period after due date of filing.

The industry was experiencing stiff competition and threats due to globalization. It was more keen on getting more contribution from these experts over and above compliance services. The compliance service was becoming more of an obligation and sort of mechanical. It was not adding any value to the business hence the owners, managers were least interested in engaging experts for compliance requirements.

The glory of the compliance practice started getting back seat. The experts were getting attracted to the value addition activities and business-oriented opportunities. Slowly the role of experts started shifting from a watch dog to a milking cow.

However so long as the laws are being enforced and the governance is being followed by the authorities the experts will be in demand. Moreover, they will have specialized services to render. The experts will be engaged for the critical and more technical issues than routine execution. The overall need of the qualified experts will be lesser day by day hence they will have to look for other opportunities. They will have to be more contributory to the industry. It is a good sign of change that the experts will have more opportunities to apply their high-level knowledge, experience, analytical skills for making a great value addition to the industry and eventually to the economy of the country.

As I said earlier the compliance practice was getting more and more stressful day by day. The amendments, notifications, circulars and what not have made the life of experts miserable. Continuously updating the technology, modification in the version of forms, schema suddenly without any intimation put unnecessary pressure on the experts during due dates. Heavy interest, penalty, late fees for missing due dates have lost the mental peace of the experts and clients also. The experts started looking for alternative practice areas or even to shut down as a last resort.

Increase in the threshold limits of turnover for tax audit, GST audit, exemption of certain compliance to certain entities have also made the experts to realign their practice areas. The reduced volume of compliance practice at the same time increase in responsibility of the experts while signing the reports, documents in compliance function compelled the experts to relook at the practice and take an appropriate decision or step for the future. In a nutshell we can say the compliance practice has carrot and stick both it is the skill of an expert how to take carrot out of it and eliminate the possibility of the stick.



Testimonies

At the outset I thank you very much for inviting me to deliver a lecture on Agriculture advances and priority sector lending at the Bank conclave organised under your leadership by Pune branch of ICAI. I was deeply impressed to know that over 350 CAs attended virtually and neatly over 100 in personal presence speaks about your skillful organising abilities. You have succeeded in getting CA participants within just over few days when you circulated announcement regarding bank conclave. Most amazing quality of your personality that struck me was your personal involvement in the branch activity as you remained present for the felicitation and initial part of the lecture which normally chairman of the branch skip for one or the other reason. I do not know how can I thank you for this generous attitude. I only can say may Lord Ganesh bless you. Jai Swami Samarth.

With warm regards.

CA. (Dr.) Dilip Satbhai

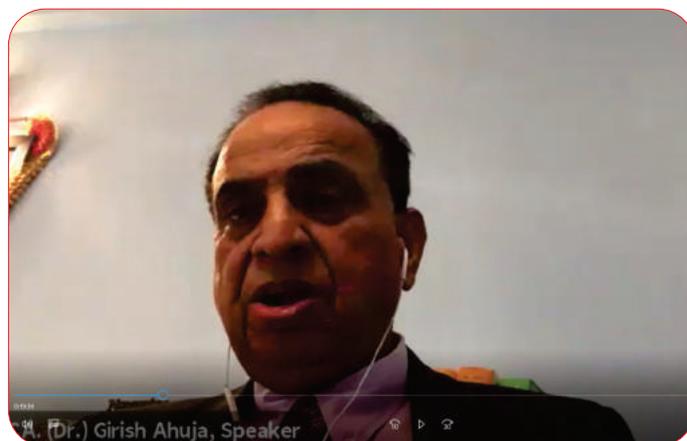
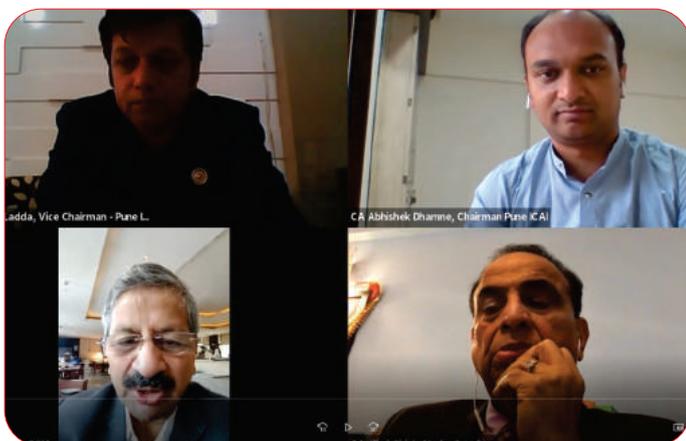
Must say that it was very well organised programme in physical as well as virtual mode. It was satisfying to address a programme with more than 300 members attending the same and questions being raised by them. Well done !Keep it up !

With warm regards.

CA. Amarjit chopra



Virtual Programme on "Analysis of Union Budget"



CA. (Dr.) Girish Ahuja
Speaker

BSMART CA Inter Firm Cricket Tournament 2021



**Credai Cricket Premier League (CCPL)
Jointly with Credai Pune Metro**





Pune Branch of WIRC of ICAI

Plot No.8, Parshwanath Nagar, CST No. 333,
 Sr.No.573, Munjeri, Opp. Kale hospital,
 Near Mahavir Electronics, Bibwewadi, Pune 411037
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