

CASES AND JUDGEMENTS.

Bharat Sanchar Nigam Ltd. and Anr.

Vs.

Union of India (UOI) and Ors

The principal question to be decided in these matters is the nature of the transaction by which mobile phone connections are enjoyed. Is it a sale or is it a service or is it both? If it is a sale then the States are legislatively competent to levy sales tax on the transaction under Entry 54 List II of the Seventh Schedule to the Constitution. If it is a service then the Central Government alone can levy service tax under Entry 97 of List I (or Entry 92C of List I after 2003). And if the nature of the transaction partakes of the character of both sale and service, then the moot question would be whether both legislative authorities could levy their separate taxes together or only one of them.

The contract between the telecom service provider and the subscriber is merely to receive, transmit and deliver messages of the subscriber through a complex system of fibre optics, satellite and cables. Briefly, the subscriber originates/generates his voice message through the handset. The transmitter in the handset converts the voice into radio waves within the frequency band allotted to the Petitioners. The radio waves are transmitted to the switching apparatus in the local exchange and thereafter after verifying the authenticity of the subscriber, the message is transmitted to the telephone exchange of the called party and then to the nearest Base Transceiver Station (BTS). The BTS transmits the signal to the receiver apparatus of the called subscriber, which converts the signals into voice, which the subscriber can hear.

Traditionally, a contract for carriage of goods or passengers is by roadways, railways, airways and waterways. This is associated with carriage of tangible goods. Such a carrier has no right over the goods of the customer and does not effect transfer of right to use any goods used by the carrier for goods. On this analogy, the Petitioners carry messages. They are only carriers and have neither property in the message nor effects any transfer to the subscriber. The advancement of technology should be so absorbed in the interpretation that this

method of carriage of message should also be understood as carriage of goods and not a transfer of a right to use goods, if any.

The licence clearly manifests that it is one for providing telecommunication service and not for supply of any goods or transfer of right to use any goods. It expressly prohibits transfer or assignment. The integrity of licence cannot be broken into pieces nor can the telecommunication service rendered by them be so mutilated. Not only this position flows from the terms of contract, this also flows from Section 4 of the Indian Telegraph Act which provides for grant of licence on such conditions and in consideration of such payments as it thinks fit, to any person "to establish, maintain or work at telegraph". The integrity of establishing, maintaining and working is not to be mutilated.

It is not possible to interpret the contract between the service provider and the subscriber that the consensus was to mutilate the integrity of contract as a transfer of right to use goods and rendering service. Such a mutilation is not possible except in the case of deemed sale falling under sub clause (b). Nor can the service element be disregarded and the entirety of the transaction be treated as a sale of goods (even when it is assumed that there is any goods at all involved) except when it falls under sub clause (f). This will also result in an anomaly of the entire payment by the subscriber to the service provider being for alleged transfer of a right to use goods and no payment at all for service. The licence granted by the Central Government fixes the tariff rates and all are for services. Sale of Goods Act, comprehends two elements, one is a sale and the other is delivery of goods. It is, therefore, unnecessary to deal with the question of delivery of possession which is related only to situs and not to subject-matter of transaction which is a transfer of right to use goods. In the present case, as no goods element is involved, the transaction is purely one of service. There is no transfer of right to use the goods at all. Therefore, the view that the imposition of sales tax on any facilities of the telecommunication services is untenable in law.

The Scotch Whisky Association v. Golden Bottling Limited

The Plaintiffs' had filed a suit for a permanent injunction restraining the Defendant and those acting under the Defendant from dealing, in any

manner, with whisky under the name 'Red

Scot' or any other name containing the word 'Scot' or any word similar thereto so that the Defendant cannot pass off its whisky as Scotch whisky.

The Plaintiffs placed reliance on the Scotch Whisky Act, 1988 [enacted in the United Kingdom] and Scotch Whisky Order, 1990 to define the term 'Scotch whisky' and to show that even in Scotland all whiskeys that are produced need not necessarily fall within the definition of Scotch Whisky.

Plaintiff contended that the word "Scot" or "Scotch" was a geographical indication within the meaning of Article 22.1 of WTO-TRIPS Agreement in as much as it identifies whisky produced in Scotland. Along with this the definition of "Geographical Indication" under the Geographical Indication of Goods (Registration and Protection) Act, 1999 was taken into consideration.

The Court observed that Section 20(1) of the Act prohibits any person from instituting any proceedings to prevent or to recover damages for the infringement of an unregistered geographical indication. However, this does not affect the rights of action against any person for passing off goods as the goods of another person or the remedies in respect thereof [Section 20(2)].

The defendants were liable to be restrained from using the word

'Scot' or any other word similar thereto in the whisky manufactured and sold by the defendant. Plaintiffs are entitled to permanent injunction and damage to the extent of Rs. 5,00,000/- was granted.

(Footnotes)

Plaintiff No. 1 has been incorporated with the object of protecting and promoting the interests of the Scotch whisky trade both in the United Kingdom and abroad.



POLITIKING

1. '93 Mumbai blasts: Memon family found guilty

A TADA court has found four members of the Tiger Memon family guilty in the 1993 Mumbai blasts case.

2. Koda is the new CM of Jharkand

UPA-backed independent MLA Madhu Koda has become the new Chief Minister of Jharkhand after winning the vote of confidence in the State Assembly.

3. Cong for dismissal of JD(S)-BJP Govt in Karnataka

The Congress in Karnataka submitted a memorandum to Governor T N Chaturvedi demanding that he recommends dismissal of the JD(S)-BJP coalition government headed by HD Kumaraswamy in connection with the Rs 150 crore bribery charges.

IN-HOUSE NEWS

1. FML has submitted a letter to the office of the Attorney General for India stating acquiescence for entry of foreign law firms in India on the lines of the Singapore model.

2. 1st All India Meet of all lawyers of FML to take place in Kolkata on 16th-17th December 2006.

3. FML had sent 9 delegates to attend the International Bar Association Conference in Chicago.



This article has been contributed by Jagvir Singh, FoxMandal Little.

TRAVEL SECTION

Mahabaleshwar is the queen of all hill stations in Maharashtra. The name 'Mahabaleshwar' is derived from a temple of Lord Mahadev and three Sanskrit words, Maha (great), Bal (power) and Ishwar (God). Thus put together, the name means "The God of great "power" - an appropriate term for the most majestic holiday resort town of the Western Ghats. At an altitude of 1372 metres, above sea level, Mahabaleshwar has pleasant walks and good lookouts, and the area has interesting historical connections with Shivaji. It was the summer capital of the Bombay presidency during the days of Raj. Away from the busy life of the cities, this hill station provides a fantastic escape for the nearby city people. Mahabaleshwar is famous for its scenic beauty and the splendid views of the valleys and the sea, which is quite visible in clear days. Pony rides on the lanes of Mahabaleshwar are quite thrilling.



The weather of Mahabaleshwar is healthy & contains an ideal of 20% oxygen which is often augmented in foggy weather of late summers & early monsoon, when the plateau is covered by thick mist.

Mahabaleshwar Temple: The present temple of Mahabaleshwar is surrounded by a stone wall about five feet high. The main temple is divided into two apartments, the inner room or God chamber and the outer room or central hall. It's structure has Hemadpant style of southern Indian temples. This temple is dedicated to Lord Shiva and a 'ling' worship is performed here. The 'ling' is formed by a natural piece of rock and it hardly possesses a traditional shape of the 'ling'. It seems that there is a live spring below the rock, which makes all the hollows full with water all year round. The hollows are supposed to represent the rivers, which have their origin in the surrounding area.



Best Seasons- October to June

How To Reach: From Mahabaleshwar, Mumbai is 290 km away by road via Pune and 247 km via Mahad. Mahabaleshwar is best approached from Pune. It is connected to all other cities by road, Mumbai, Pune, Satara, Sangali, Kolhapur, Goa, Nasik, Nagar, etc. There are private taxis and luxury buses available. MTDC organises regular tours from Mumbai to Mahabaleshwar. There are daily bus services from Pune. Nearest & convenient railway station is Pune which is just 120 Kms.

FOXMANDAL LITTLE

- BANGALORE**
FM House
6/12, Primrose Road,
Bangalore-560025
Telephone : 91-80-2559 5911
Fascimile : 91-80-2559 5844
E-mail : bangalore@foxmandallittle.com
- BHUBANESWAR**
'FM House', HIG-B, BDA Colony,
Gangadhar Meher Nagar
Bhubaneswar - 751013, Orissa
Telephone : 91-674-2303327/2303328
Fascimile : 91-674-2303329,
E-mail : bhubaneswar@foxmandallittle.com
- CHANDIGARH**
S.C.O. 3, IInd Floor,
Sector - 17E, Chandigarh-160 017
Telephone : 91-172-5000090/5540680
Fascimile : 91-172-5000090
E-mail : chandigarh@foxmandallittle.com
- CHENNAI**
FM House,
29, Kasturi Ranga Road,
Chennai-600 018
Telephone : 91-44-2436 1027, 2436 1029
Fascimile : 91-44-2436 1092
E-mail : chennai@foxmandallittle.com
- DHAKA**
Room No.-: 410,
Dhaka Chamber of Commerce & Industries
65/66 Motijheel Areas, Dhaka-1000,
Bangladesh
Ph: 880-28311492
Fascimile : 880-29344356
E-mail : info@foxmandalhossain.com
- HYDERABAD**
'FM House', #22, Road No. 2, Banjara Hills,
(Opp Trendset) Hyderabad-500 034
Telephone : 91-40-2354 0218, 2355 1804,
91-40-2354 8977
Fascimile : 91-40-2354 0219
E-mail : hyderabad@foxmandallittle.com
- KOLKATA**
'FM House', HIG-B, BDA Colony,
Gangadhar Meher Nagar
Kolkata - 700 001
Telephone : 91-33-2248 4843, 2248 8970
91-33-2248 8565
Fascimile : 91-33-2248 0832
E-mail : calcutta@foxmandal.com
- MUMBAI**
Central Bank Building, 3rd Floor, M.G. Road,
Mumbai-400 021
Telephone : 91-22-2265 2739, 2270 3224
91-22-2270 3225
Fascimile : 91-22-2265 9918
E-mail : mumbai@foxmandallittle.com
- NEW DELHI**
Litigation Office :
18, Kotta Lane, Rouse Avenue
New Delhi 110 002
Telephone : 91-11-4141 6556
Fascimile : 91-11-4141 6557
E-mail : newdelhi@foxmandallittle.com
- Corporate Office :**
FM House,
A-9, Sector - 9, Noida-201301
Telephone : 91-120-3919555/4305555
Fascimile : 91-120-2542 2222
E-mail : newdelhi@foxmandallittle.com

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NEWS TIME

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Editorial

Development is ushering of new products and processes. But what is their effect on health? Except in the case of medical drugs, there is no law, which makes the launching of new products and processes contingent upon a health effects report. All new products and processes are deemed to be good for health, till massive publicly funded research proves several years later to the contrary. Even after such research results those who have profited from their mass consumption remain unaccountable. The populations of developing countries suffer the most from such new products because of the delayed arrival from the developed countries of the results of the health effects research about these products. New product and process markets have become global. Transnational organizations regulate the intellectual property rights of these products and processes. But there is no movement towards a transnational law or even a perspective on the health effects of such products and processes.

For the majority of the world's population, living in the developing countries, this means reliving the cycle of suffering that people in the developed world have already undergone due to these new products and processes. Take agriculture, farmers in developing countries, in the name of development, were made to switch from natural systems of manuring and pest protection to industrialized systems of chemical fertilizers and pesticides. The switch over became a part of nationally funded plans. After realizing what this has done to the food, the food chain, the soil, water, birds, animals and the human being, there is a march back to the same organic farming which the farmer was made to give up. The price of such modern organic food makes its mass consumption impossible in the very countries where it was available to the masses. Or take fast food, after years of profit making consumption, the consumers were made to realize its major consequence of obesity and lack of nutrition — a dangerous combination for developing countries having children suffering already from malnutrition. So came the switchover to slim or fat free milk. The consumer was again at a loss. The traditional household that used to take full cream milk churn the cream to have home made fresh butter for the family, now lost on two fronts. Firstly, by paying more for milk with low or no fat since the industrial process of removing the fat involves a process. Secondly, by losing the milk fat and the consequent butter, which must now be bought from the processor of the milk. Tobacco and tobacco products have a longer history of this cycle of selling a product without anything on its health effects, research and remedies. And now mobiles. No mobile, at least in the developing countries, has printed on it the permissible limit for radio waves vis a vis health and the specific absorption rate—the figure that tells you how far, near or over the permissible limit is your mobile phone from which the body absorbs its radio waves. Yet none of the regional or international bodies on health, intellectual property rights, trade or human rights seem to be making any move towards a transnational legal structure on the health effects of new products and processes being launched and sold globally.

The first step towards such a structure is the concept of preventable injury. This is based on the traditional common law principle of duty to take care. How can anyone launch a product for public consumption without being responsible for the health effects of the product? The history of affixing environmental legal responsibility should have logically led to the application of the precautionary principle to new products and processes. Then there is the legal principle of contracts — informed risk taking, and of health law — informed consent. Accordingly this would require a change in the traditional concept of caveat emptor or buyer beware. How can an unaware buyer of the health effects of new products and processes, a knowledge exclusively with the producer, beware? This is especially so in the developing countries with large illiterate populations. In turn these changes are bound to affect both health and product liability insurance. But then what is better living or development without health?

This issue of FM reveals the bank-large shareholder management that the Arcelor-Mittal steel deal required to succeed. India marches ahead in updating its laws on FDI, Tax and Special Economic Zones. FM keeps you abreast of this. The Indian IT industry marches on with an increasing list of one million dollar clients. For those in Delhi, there is a getaway from the unusual oppressive heat in October, to the pleasant scenic beauty of Mahabaleshwar. FM tells you how to reach there. The festival season has set in. Read and celebrate.

Clippings



(Indian PM with the Brazilian President for the 1st IBSA Summit.)

Biometric PAN may be reality next year

The Finance Ministry has set up an internal group to finalise the norms for introduction of biometric permanent account numbers (PAN). The Ministry is hoping to introduce iris-based biometric PANs to all new applicants from the next financial year.

Open Sky Policy coming this winter

India is planning to adopt a limited-period Open Sky policy allowing foreign carriers to increase flight frequencies or operate larger aircraft, to clear the rush of overseas travelers beginning November this year.

Policy on 3G spectrum in three months

The third generation (3G) mobile services, combining telephony and broadband, will be launched in the country by mid next year, with the government coming out with spectrum policy within three months.

Indra Nooyi has been named CEO of PepsiCo

Nooyi joined the PepsiCo in 1994 and has served as President and Chief Financial Officer since 2001, when she was also named to PepsiCo's board of directors. PepsiCo is one of the world's largest food and beverage companies with annual revenues of \$33 billion.

FM

CORPORATE

Agrochemicals get 5-yr data exclusivity rights

International pesticide majors have got a shot in the arm. With the Committee on Data Protection, headed by Satwant Reddy, deciding to grant five-year data exclusivity to agrochemicals, multinational pesticides and agrochemical makers like Bayer, DuPont and Syngenta would stand to benefit. The committee is also planning similar protection for the pharmaceutical sector, a move that would give multinational pharma firms the edge over Indian drug makers.

“The royalty model (where the generic company would pay royalty to the first applicant) has been cast aside,” a government official said. ‘Data protection’ entails generic companies cannot have access to innovators’ data from the office of the drug regulator, while ‘Data exclusivity’ — a demand of the multinational pharma lobby and bitterly opposed by Indian players at large — is a stricter condition implying non-reliance of the regulator on innovator’s data. In effect, it requires every generic company seeking approval for an existing drug to reproduce all data from scratch, an exercise that could cost millions. Expanding its purview, the committee is also looking at providing data protection to herbal drugs, a demand of the department of AYUSH (ayurveda, yoga, unani, siddha, and homoeopathy) and the CII.

Airlines may get sops for trips to unviable areas

There is good news for those who want to fly to far flung areas of India. The government plans to retain the route disbursement guidelines that make it mandatory for airlines to deploy a minimum capacity to connect North East, Jammu and Kashmir and Andaman & Nicobar islands. An explicit subsidy to airlines, on reverse bidding basis, to promote air transport services to uneconomic routes is also under consideration. The funds for subsidy could be generated by levying a cess on domestic and international air travel. A proposal to the effect is included in the draft civil aviation policy, to be sent for

Cabinet clearance soon. The proposed Essential Air Services Fund (EASF), which will be constituted by levying a cess, would take care of the subsidy required for unviable routes. According to official sources, the subsidy will be given through a bidding process to ensure that the most efficient operator gets these funds. Apart from uneconomic routes, the bidding process will also be extended to non-viable airports, including heliports. The proposed guidelines would soon be submitted to the Union Cabinet.

The Civil Aviation Ministry is also mulling over the idea of promoting ‘regional airlines’. For this, the government may exempt airlines from paying airport and navigation charges on non-viable routes for five years. These incentives shall be given to airlines that exclusively connect regional routes with other areas and have less than 80-seater aircraft. The Directorate General of Civil Aviation will notify the fleet strength and infrastructure requirements for regional airlines.

Govt proposes tax holiday for auto inc

Automotive hubs are also likely to get access to a host of fiscal incentives. The government has proposed a tax holiday for all automobile industry investments exceeding Rs 500 crore along with a one stop shop for FDI clearances. This apart, the government proposes tax deductions of 100% on export profits and 30% deduction for ten years on incomes of new industrial undertakings. The proposals are a part of the draft Automotive Mission Plan (AMP) prepared by the Ministry Of Heavy Industry for a ten year period i.e. 2006-2016.

The AMP also proposes rationalisation of taxes including taxes like octroi tax and inter-state taxes to do away with multiple taxes. The proposed benefits will also extend to import duty on machinery with three tier import tariff structure for raw materials, intermediate and finished products. The government also proposes 50% deductions on foreign exchange earnings of companies associated with the automotive sector like construction companies and hotel industry. In order to prevent the industry

from making frequent investments due to changes in emission norms, the AMP proposes that new emission norms will come into effect one year after emission norms for new models are introduced. In addition a minimum gap of four years between each successive stage of emission norms will be built into the emission roadmap. Tata and General Motors have committed investments worth Rs 11,000 crore.

The report has been opened for debate in the industry and the media. The government will prepare a final report based on the response for seeking the approval of the Cabinet

Indian IT cos’ \$1m client list grows

Indian IT companies are storming the \$1m bastion in a big way by mining a greater wallet share of the same client. Today, biggies such as Infosys have 47% of their clients contributing over \$1m to their annual revenue while Wipro has 41%. Similarly, TCS has 34% while even a smaller player such as Hexaware has 26%.

Infosys has met with the biggest success so far with its revenue per client ratio being \$4.5m followed by TCS’s \$3.8m. According to HSBC’s global research report on IT services, a key driver of revenues for the Indian IT vendors has been the ability to mine their existing clients and generate existing business. Client mining not only helps in increasing visibility but also rationalises sales and marketing costs as vendors can use their existing relationships for incremental revenue generation. To tap into this market, Indian IT companies are adding more to their portfolio whether it be in terms of consulting, value-added services or niche offerings. “Indian IT companies are moving forward step by step from mindshare to market share and finally wallet share,” says Ambarish Dasgupta, Executive Director, Pricewaterhouse Coopers.

200 SEZs may get clearance in Oct

The Board of Approval (BoA) for special economic zones (SEZs) will hold a series of meetings next month to take up all the pending proposals which were

held in suspension prior to the lifting of the cap on numbers. The proposals will be taken up state-wise over four meetings, all scheduled in October. The 200 applicants, who were made to wait in the wings, include big names like South Korean steel company Posco, the Indonesian Salim Group, the Chatterjee Group, Moja Shoes and Sterling. The ceiling of 150 placed on the number of approvals was removed by the Empowered Group of Ministers (eGOM) on SEZs in a meeting last month. Close to two-thirds of special economic zones (SEZs) approved so far after the notification of SEZ rules earlier this year are spread in just four states. As many as 92 of the 150 SEZs formally approved by the Board of Approval are located in Andhra Pradesh, Maharashtra, Tamil Nadu and Karnataka.

In case of in-principal approvals, Haryana, Maharashtra and Karnataka lead the pack accounting for 57 of the 117 projects given the nod. The eGOM on SEZs was persuaded to lift the cap on the number of approvals by the Commerce Ministry and a number of States like Haryana, Andhra Pradesh, Maharashtra, Tamil Nadu and Orissa who had argued that a cap on numbers would adversely affect economic activity and growth. Although the eGOM removed the cap on numbers, it decided to hold a review meeting after a total of 70 SEZs is notified.

Uniform licence norms for satellite, broadcast, multimedia

In a move that can be the precedent towards ‘convergence’ in India turning into a reality, the government decided to adopt a uniform licensing procedure for satellite communications , broadcast and multimedia services. This was decided at a recent meeting between the Ministry of Information and Broadcasting, Department of Information Technology, Department of Telecom, Department of Space and state-owned Bharat Sanchar

Nigam. The highlight of this proposal, when implemented, is that it will permit all players offering either or all of these services flexibility in spectrum usage irrespective of services and technologies used.

According to government sources, the uniform licensing procedure was unlikely to bring about a change in the disparity in the foreign share holding cap in telecom and broadcast sectors. However, settling this issue is primary to the success of the uniform license as the FDI cap is highly divergent across these sectors, technologies and applications. The FDI cap in telecom is 74%, for broadcast delivered through cables it is 49%, while for the same services through direct-to-home it is 20%. Again, while no FDI cap has been specified for IPTV, telecos offering this service have a cap of 74%. While the details on streamlining a uniform licence procedure, including a common licence and entry fee are yet to be finalised, sources said that the government had in principle approved the move as advancing technologies has led to the blurring of boundaries between broadcast, multimedia and telecom services.

FOREIGN DIRECT INVESTMENT

Advance ruling mechanism for core projects likely soon

Private investors, who are queuing up for infrastructure projects, will no longer face the prospect of sudden rejection of their projects by the government, after they have begun work on them. This means, promoters of airports, roads, ports or even some railway projects can carry that assurance to the table, when they negotiate with banks and other financial institutions for lending to them. On the lines of the Appellate Authority for Tax, which tells companies if they need to pay a tax on a transaction, there will be an advance ruling mechanism for public-private partnership (PPP) projects. Simply put, this means that before committing any funds for a project, a company can get a formal word from the government, if a project fulfils the conditions for being a PPP.

The formal word from the government is important because a PPP project can raise funds at far more competitive terms than other private sector projects. This is because the PPP projects will usually include a viability gap funding from the Centre that would ensure they are made bankable. The government has accordingly added one more layer to the PPP appraisal procedure. The initial scrutiny will be done before the PPP Project Appraisal Committee takes up the same for the final approval. This had been demanded by private sector players, who claimed the assurance was necessary. In the revenue department, companies routinely get their business proposals vetted by the authority for advance rulings, to incorporate their tax liability in their plans.

Projects, which receive the green signal from this committee, could get a viability gap support from the government as a grant. This makes these infrastructure projects bankable, which is often the bane with these plans. Such a support has already been given to seven projects for about Rs 700-crore projects from state sectors, in the current fiscal. The advance ruling mechanism could be located either in the Planning Commission or the Department of Economic Affairs in the Finance Ministry.

SPECIAL ECONOMIC ZONES (AMENDMENT) RULES, 2006

The key features of the SEZ Amendment Rules, 2006 are as under:

Minimum area requirement

Minimum area requirements for the following sectors have been amended:

- For sector specific SEZ exclusively for biotechnology and non-conventional energy sectors, including solar energy equipment/cell but excluding SEZ set up for non-conventional energy production and manufacturing - Contiguous land of 10 hectares (approx. 25 acres) with a minimum built-up processing area of 40,000 square meters
- For sector specific SEZ exclusively

for gem and jewellery sectors - Contiguous land of 10 hectares (approx. 25 acres) with a minimum built-up processing area of 50,000 square meters

Category	Minimum Processing area requirement
Multiproduct SEZ	Increased from 25 percent to 35 percent. The Central Government may on a recommendation from the Board of Approval relax the requirement to 25 percent for reasons to be recorded in writing
Sector Specific SEZ -	At least 50 percent
A stand alone Free Trade Zone and Warehousing Zone	At least 50 percent

Infrastructure facilities

A new rule 5A has been inserted detailing infrastructure facilities that a developer of Information Technology specific SEZ should provide:

- Twenty four hour uninterrupted power supply at stable frequency;
- Reliable connectivity for uninterrupted and secure data transmission;
- Central air-conditioning system;
- Ready to use, furnished plug and pay facility for end users.

A developer was earlier permitted to allot land in the non-processing area for business and social purposes. The SEZ Amendment Rules have amended the above condition to the effect that no vacant land in the no processing area shall be leased for business and social purposes to any person except a co-developer approved by the Board. Further, it has been provided that a developer or co-developer may lease completed infrastructure along with vacant land appurtenant thereto.

Previously used plant & machinery

- For sector specific SEZ exclusively

It has been provided that any proposal for setting up SEZ unit by using plant and machinery previously used for any purpose in the Domestic Tariff Area (“DTA”) shall not be considered.

Direct tax benefits to trading activity in the SEZ

The SEZ Rules have been amended to provide to the effect that for claiming Income-tax benefits, the term trading shall mean import for the purpose of re-export. Thus, profits from trading (exports) of locally procured goods shall not be eligible for Income-tax benefits.

TAXATION

New norms for capital protection

The Securities and Exchange Board of India recently issued detailed guidelines for the proposed capital protection schemes by mutual funds, under which AMCs have been asked to clearly mention, in their advertisements, that such schemes are “oriented towards protection of capital” and “with no guaranteed returns”. Under the guidelines, trustees should continuously monitor the portfolio structure of such schemes. The trustees are also required to mention the same in the half-yearly trustee reports. AMCs should also report the same in their bimonthly compliance test report. The SEBI asked AMCs to communicate to investors the orientation towards protection of capital originates from the portfolio structure of such a scheme – and not anything like bank guarantee and insurance cover.

Companies may be spared from revealing subsidiary accounts

Listed corporations are likely to be freed from the present mandatory requirement of incorporating separate accounts of subsidiary companies, in their annual statement to shareholders. Consolidated financial statements of holding companies would, however, be mandatory. This waiver has been incorporated in the Companies Bill drafted by the Ministry of Company Affairs. The Bill will be introduced in the winter session of Parliament.

Currently, corporates are required to inform the shareholders of subsidiary accounts along with that of the holding company. If a corporates entity does not want to reveal the subsidiary account to the shareholder, it has to seek an exemption under Section 212 (8) of the Companies Act. Separate exemption was required to be sought for each subsidiary. The Irani Committee on the new company law had said consolidation of financial statements of subsidiaries with that of the holding companies should be made mandatory. The committee added that once such provision was in place, attaching the accounts of subsidiary companies with those of the holding companies for circulation to shareholders could be scrapped. The panel also said that in case the financial statements of a foreign subsidiary was required to be furnished to the shareholders of the holding company, these should be accepted in the same format and currency in which these were prepared as per laws of the relevant country.

Companies have to file balance sheets in e-form from Sept 16

Corporates will have to mandatorily file annual returns and balance sheets electronically as the registrars of companies will stop accepting these documents in physical form from September 16. All the company representatives authorised to sign the documents are required to obtain digital signatures by that time to ensure the security and authenticity of filings in the electronic mode, Company Affairs Minister P C Gupta said. The filing in electronic mode is part of e-governance project — MCA21 — initiated by the Ministry. The project includes introduction of anywhere, anytime secure electronic filing for MCA transactions, adaptation of all statutory forms to e-forms for electronic filing, use of digital signatures to ensure the security of electronic forms and documents. Multi-modal methods of payment encompassing existing payment mechanism and electronic payment options using credit cards and internet banking are also part of the project.