



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

(Statutory Body under an Act of Parliament)
CMA Bhawan, 3 Institutional Area,
Lodhi Road, New Delhi-110003

Phone : +91-11-24622156-57-58, 24666100
Fax : +91-11-43583642
E-mail : info@icmai.in; Website : www.icmai.in

G:142:05:2018-19
May 30, 2018

Shri Zubair Riaz,
Director (Customs)
Department of Revenue,
Ministry of Finance
Government of India
North Block, New Delhi

Subject: Inclusion of Cost Accountants for undertakings/submission of Certificates to the exporters to overcome the problem of refund blockage and post audit scrutiny

Respected Sir,

Please refer to the Circular No.12/2018 – Customs dated 29th May, 2018 on the subject cited above. It is to bring to your kind notice that Cost Accountants have been excluded for providing certification to the exporters whose refunds are processed/sanctioned with respect to cases pertaining to no short payment/short payment.

We would like to bring to your kind notice that Cost Accountants are recognized for GST – Procedural Compliance.

“Special audit by the Chartered Accountant/Cost Accountant may be undertaken for units selected based on the risk parameters identified by CBEC in order to verify correctness of declared production capacity and production or overvaluation of supplies. Such special audit shall be undertaken only with the approval of the Commissioner, CGST.”

We hereby again request you to consider Cost Accountants for such certification and submit the following for your kind perusal and consideration.

1. Cost Accountants are recognized for providing various professional services at par with Chartered Accountants under the following Sections of Central Goods & Services Tax Act, 2017.
 - **Section 35 (5):** “Every registered person whose turnover during a financial year exceeds the prescribed limit shall get his accounts audited by a chartered accountant or a **cost accountant** and shall submit a copy of the audited annual accounts, the reconciliation statement under sub-section (2) of section 44 and such other documents in such form and manner as may be prescribed”



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

(Statutory Body under an Act of Parliament)

CMA Bhawan, 3 Institutional Area,

Lodhi Road, New Delhi-110003

Phone : +91-11-24622156-57-58, 24666100

Fax : +91-11-43583642

E-mail : info@icmai.in; Website : www.icmai.in

- **Section 66(1)** :“If at any stage of scrutiny, inquiry, investigation or any other proceedings before him, any officer not below the rank of Assistant Commissioner, having regard to the nature and complexity of the case and the interest of revenue, is of the opinion that the value has not been correctly declared or the credit availed is not within the normal limits, he may, with the prior approval of the Commissioner, direct such registered person by a communication in writing to get his records including books of account examined and audited by a chartered accountant or a **cost accountant** as may be nominated by the Commissioner”
- **Section 116**: Cost Accountants are recognized as Authorized Representative to appear before an officer appointed under the Act, or the Appellate Authority or the Appellate Tribunal in connection with any proceedings under the Act.
- **Section 48** of the CGST Act, read with Rule 24 of the Return Rules, authorize **Cost Accountant** as an eligible person to act as approved Goods and Services Tax Practitioner.

Further, **Cost Accountants** are also authorized to provide similar professional services under **Integrated Goods and Services Tax Act, 2017** and **State Goods and Services Tax Act, 2017**.

Railway Board has also included **Cost Accountants** to certify the work sheet of tax liability before GST and after GST to be submitted by contractors.

From time to time, Institute has submitted to GST Council and other Ministries, issues and challenges in GST implementation and suggestions to overcome such barriers.

Further, Institute has also represented the meeting called by GoM constituted by the GSTN, in simplifying the GST returns and also submitted valuable inputs.

The Institute also, conducts seminars, workshops and webinars on GST and other tax related issues on a regular basis for brushing up the knowledge of Members and other stake holders.

Further, the Institute also conducts webinars and release fortnightly Tax Bulletin to increase the Competency of the Members and GST practitioners in the field of GST.

The Institute has published a “**Guidance Note on Anti Profiteering**” to guide the members of the Institute and all other stakeholders on the subject in order to protect the interest of consumers.



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

(Statutory Body under an Act of Parliament)
CMA Bhawan, 3 Institutional Area,
Lodhi Road, New Delhi-110003

Phone : +91-11-24622156-57-58, 24666100
Fax : +91-11-43583642
E-mail : info@icmai.in; Website : www.icmai.in

2. To add on, many Government Departments, Public Sector Undertakings are taking the professional services of Cost Accountants in the area of GST.
3. **Cost Accountants** are recognized for providing various professional services at par with Chartered Accountants under **Handbook of Procedures (2015-20) notified by the Director General of Foreign Trade:**

In view of the above submission and in the light of **natural justice, fair play, equity and ensuring compliance** in accordance with the GST Act, we request you to include **Cost Accountants** for providing the certificate as above.

Thanking you,

Yours Sincerely,

CMA Niranjana Mishra
Chairman – Taxation Committee