



OFFICE OF THE COMMISSIONER OF SERVICE TAX, AUDIT-I
17-B, IAEA HOUSE, M. G. MARG, I. P. ESTATE, NEW DELHI – 110 002

C. No. I-26(494)ST/Audit-I/Spl.Audit/17/2015

Dated: 7.08.2015

To

1. The Northern India Regional Council of
The Institute of Chartered Accountants of India
5th floor, ICAI Bhawan, Indraprastha Marg
New Delhi – 110 002
2. The Northern India Regional Council of
The Institute of Cost & Works Accountants of India
3, Institutional Area, Lodhi Road
New Delhi – 110 003
3. Website

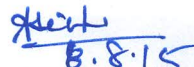
Sub: Empanelment of CA/ICWA for Audit of Service Tax Assesseees

Sir/Madam,

The Service Tax Department proposes to order for conduct of special audit of Service Tax assesseees by the Chartered Accounts and the Cost Accountants under Section 14AA of the Central Excise Act, 1944, as made applicable to Service Tax vide Section 83 of the Finance Act, 1994. For this purpose, it is proposed to make a panel of practicing CA/ICWA who may be assigned the task of audit.

2. In this connection, please find enclosed herewith a Notice for "Expression of Interest" from the interested and eligible practicing Chartered Accountants / Cost Accountants. It is requested that wide publicity may be given to your members for making applications. It is requested that adequate publicity by sending E-mail, SMS and publishing in your magazine etc. may be undertaken. The last date of receipt of application is 02/09/2015.

Yours faithfully


(S. K. SINHA)
COMMISSIONER

*Please forward to Sr. Director P.D. and
inform chairman, Taxation Committee.*



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NOTICE FOR EXPRESSION OF INTEREST

Sub: Empanelment of CA/ICWA for Audit of Service Tax Assesseees

Attention of practicing Chartered Accountants and Cost Accountants is invited to the provisions of Section 14AA of the Central Excise Act, 1944, as made applicable to Service Tax vide Section 83 of the Finance Act, 1994. The Service Tax Audit - I Commissionerate, New Delhi, proposes to prepare a panel of Chartered Accountants and Cost Accountants so as to nominate them to conduct special audit of accounts of Service Tax as envisaged under the said Section.

2. **Eligibility:** In order to be eligible to be nominated for said audit, a Person/Firm should fulfil the following conditions. The applicant firm/person should:

- i. Be a member of the CA/ICWA and should have valid full time Certificate of practice issued by the respective institutes;
- ii. Possess experience of at least five years of practice in the field of Service Tax matters;
- iii. Not have been held guilty of any professional misconduct under the Cost and Works Accountants Act, 1959 (as amended) or Chartered Accountants Act, 1949 (as amended) during past five years or penalized under Chapter V of the Finance Act, 1994 or Customs Act, 1962 or Central Excise Act, 1944;
- iv. Not be facing any investigation or enquiry by the CBEC or any its subordinate offices for many violations under the Service Tax Law or the Customs Act, 1962 or the Central Excise Act, 1944.

3. **Selection procedure:** The Selection will be as follows-

- i. All the Applicants received up to the last date shall be scrutinized by a Committee appointed by the Commissioner in terms of guideline issued in this regard. The basic criteria for selecting the applicant would be the experience in

audit/consultancy/representation in the Service Tax matters. The selected candidates shall be called for an interview/discussion by a Committee of 3 officers for final empanelment. The final panel shall be notified and may be modified as and when required.

- ii. Out of empanelled candidates, audits would be allotted to the firms/person as and when required by the department. Their performance would be monitored by examining the audit reports submitted by them.
- iii. The panel so made above shall normally be in force for a period for two years. However, in case of necessity, new persons can be added in the panel by following the prescribed procedure.

4. **Duties and Obligation:** The Person/Firm so nominated to act as special auditor should have the following duties and obligations:

- i. The audit shall be conducted as per the Terms of Reference Communicated by the Commissioner of Service Tax.
- ii. The auditor may be required to visit the offices including branch office/head office of Service Tax Assesseees to conduct the Audit. They would be issued the requisite authorization by the office of Service Tax to call for and examine the required documents.
- iii. The Audit shall be conducted in coordination with the departmental officers. In other words, the departmental officer shall also join the audit team of the nominated CA/ICWA to conduct the audit.
- iv. The auditor, within the period specified by the Commissioner of Service Tax, shall submit a report of such audit duly signed and certified by him. The audit report shall provide full details of audit, including the audit plan, details of documents verified, result of verification, short levy/wrong availment of Cenvat Credit etc. duly quantified and with their observations. Duly authenticated copies of sample documents shall also be enclosed with audit report for taking further action by the department.
- v. The nominated person/firm should not have represented or advised in any manner the assessee whose audit is ordered by the department in any area like maintenance of accounts, auditing, tax consultancy, any other consultancy, representation etc. This aspect would be verified while assigning a particular assessee for audit and a certificate in this regard would be submitted before accepting the special audit.

On receipt of audit report, department may call the auditor for seeking any clarification or ask them to complete audit, if it is found that particular area has been examined properly.

- vi. The empanelled Chartered Accountants and the Cost Accountants shall give and undertaking at the time of allotment of units that they may not take up Statutory Audit of the said units allocated to for special audit and also during the period they are on the panel of Service Tax.
- vii. The Auditor will associate suitable experienced junior staff in Service Tax Audit with due approval of CV of such person by the Department.

5. **Application Particulars:** The Person/Firm desiring to be empanelled for such special audit shall apply in the annexed Proforma. The Expression of Interest may be addressed to “**The Commissioner, Service Tax Audit – I Commissionerate, 17-B, IAEA House, I.P.Estate, New Delhi – 110 002**”

6. **Schedule of Fees:** The Chartered Accountants/Cost Accounts so nominated is entitled to a fees depending upon the size of the unit under special audit. As per the present guidelines of CBEC, the Amount of such fee payable is mentioned below:

Sl. No.	Service Tax paid by the Unit during the 2014-15	Fee Amount
(i)	Up to Rs. 10 Crore	Rs. 15,000/-
(ii)	Rs. 10 Crore to Rs. 100 Crore	Rs. 25,000/-
(iii)	Rs. 100 Crore to Rs. 200 Crore	Rs. 35,000/-
(iv)	Rs. 200 Crore and above	Rs. 50,000/-

The nominated person is also entitled for re-imbusement of travelling expenses as per the instructions in force. The Chartered Accountants/Cost Accountants shall submit his bill within one month from the date of submission of audit report.

7. **General:**

- i. It is the sole discretion of the Commissioner, Service Tax Audit – I Commissionerate, New Delhi to select any of the Chartered Accountants/Cost Accountants for conducting the Special Audit.

**PROFORMA OF APPLICATION FOR EMPANELMENT AS SPECIAL
AUDITOR IN SERVICE TAX AUDIT - I COMMISSIONERATE**

1. Name and address of the Person/Firm. In case of firm, please also provide total number of partners and names of partners who will be engaged in this assignment.
2. PAN – Permanent Account Number.
3. Membership number of ICWA/CA along with the date of becoming member of the institute.
4. Date of Birth in case of individual and Date of Incorporation in case of firm.
5. Address for correspondence including Contact Number/Mobile No. and E-mail ID.
6. Educational Qualification of member, who would be engaged in this assignment.
7. Experience in handling Service Tax Issues like advisory, audits, representational experience etc., in the past 5 years. Please give write up.
8. Number of cases/articles with respect to Service Tax matter published in Journals/Newspapers etc.
9. Gross receipts from professional practice during 2014-15.

Verification

I,Proprietor/Partner of M/s.

do hereby declare that above mentioned information is true and correct to the best of my knowledge and belief.

Date :

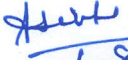
Place :

Signature

- ii. The Commissioner reserves the right to remove name of any of the Chartered Accountants/Cost Accountants from the panel so made, after making enquires as deemed fit by him. His decision would be final.

The Last date of receipt of the application is 02/09/2015.

Yours faithfully


6.8.15

(S. K. SINHA)
COMMISSIONER,