



EOI NOTICE NO Hq-GSTC-001/2019-20

**EMPANELMENT AND SELECTION FOR APPOINTMENT OF GOODS & SERVICES TAX
(GST) AUDITOR FOR WESTERN COALFIELDS LIMITED (WCL)**

1. CONDUCTING GST AUDIT OF WCL AND CONSOLIDATION FOR WCL FOR TWO GST REGISTRATIONS (MAHARASHTRA AND MADHYA PRADESH) AS PER GST ACT & RULES.
2. E-FILLING OF GST AUDIT REPORTS ALONG WITH ANNUAL RETURN AND RECONCILIATION STATEMENT AS PER GST ACT & RULES.

**PERIOD: FOR THE FINANCIAL YEARS
2018-19, 2019-20 & 2020-21**

Annexures-I

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**EMPANELMENT AND SELECTION FOR APPOINTMENT OF GST AUDITOR FOR WCL
AND CONSOLIDATION REPORT OF WCL**

1. Introduction:

Western Coalfields Limited, a subsidiary of Coal India Limited is having its registered office at Coal Estate, Civil Lines, Nagpur 440001. The company's business operation is spread over two States, namely, Maharashtra and Madhya Pradesh . The Company is operating 56 mines in the State of Maharashtra & 23 Mines in the State of Madhya Pradesh. For effective administrative control and operation, the mines have been grouped into 10 operating Areas (7 in Maharashtra & 3 in Madhya Pradesh), one central workshop & one central store.

The present EOI is for empanelment and selection for appointment of GST Auditor for two state wise registrations in the State of Maharashtra and Madhya Pradesh covering all the 10 Areas of WCL, Central Workshops/Central Stores, Tadali state-wise consolidation for WCL and e-filing of GST Audit Reports (form-9C).

2. Scope of Work: WCL is looking for engagement of eligible GST Audit Firm (Firm includes LLP) for carrying out the following jobs :-

- (a) Western Coalfields Limited is having GST Registrations in – Maharashtra and Madhya Pradesh GST Audit is to be carried for two registrations.(**Maharashtra GSTIN: 27AAACW1578L1ZW, Madhya Pradesh GSTIN: 23AAACW1578L1Z4**).
- (b) The auditor is required to initially carry out the GST audit for the FY 2018- 19 under section 35 (5) of CGST Act, 2017 read with Rule 80 of the CGST Rules 2017, for WCL HQ, all the 10 operating Areas, Central Workshop & Central Store Tadali, including state-wise consolidation for the two registrations (including any enactments or amendments as may be applicable from time to time as per GST Act/WCL requirements). The period of engagement shall be further extendable for a period of two years i.e. FY 2019-20 and FY 2020-21 subject to satisfactory performance.
- (c) E-filing of GST Audit Report along with Annual Return (GSTR-9) and Reconciliation Statement as per section 44(2) of the CGST Act, 2017 in form GSTR-9C or any other format that may be notified from time to time within the schedule date and in the manner as specified/prescribed by CBIC/GOI.
- (d) The entire audit will be carried out in the Corporate Office at Nagpur.
- (e) State-wise consolidation of audit report for both GST registrations will be done at WCL HQ, Nagpur.
- (f) All formats as required by statute are to be certified by auditor.

3. Selection Criteria:

The following will be the criteria for selection/empanelment of GST auditor.

Part-A

Sl.No	Selection Criteria:	Basis of marks	Maximum Marks
1	Year of establishment of the Firm, since the date of registration.	(a) 2 marks per year for first 4 years from date of registration. (b) 1 mark per year for consecutive years.	10
2	Number & experience of partners in the Firm. (The partner should be a Fellow/Associate Member of Institute of Chartered Accountants of India or Institute of Cost Accountants of India)	(a) 5 marks per Partner in full time practice for more than 5 years. (b) 3 marks per Partner in full time practice for less than 5 years.	25
3	Number of qualified assistants (Cost/ Chartered Accountant) in the Firm.	(a) 2 marks for each fully qualified assistant. (b) 1 mark for each semi qualified assistant.	10
4	Experience of the firm in Conducting VAT/ Excise/ Service Tax/ GST Audit of Listed Company/ Public Sector Undertaking (PSU) having annual turnover of Rs. 500 Cr and above in any year during last five financial years.	(a) 15 marks per year per entity for conducting GST Audit of Listed Company/Public Sector Undertaking (PSU) having annual turnover of Rs. 500 Cr and above. (b) 5 marks per year per entity for VAT/Excise/Service Tax of (Listed Company/Public Sector Undertaking (PSU) having annual turnover of Rs. 500 Cr and above.	35
5	Aggregate Turnover as per GST return/ Annual Audited Accounts of the Firm during last 3 years.	(a) Above ₹ 150 Lakhs-20 marks (b) ₹150 Lakhs to ₹101 Lakhs-12 marks (c) ₹100 Lakhs to ₹51 Lakhs-10 marks (d) ₹50 Lakhs to ₹20 Lakhs-5 Marks (e) Below ₹20 Lakhs-2 Marks	20
		Total	100

Note: The cut-off date will be 30.09.2019 with respect to Part-A of selection criteria. Partner/fully Qualified Assistant in the firm should be associated for a minimum period of one year as on 30.09.2019.

Part-B

After considering Part-A of selection criteria, the shortlisted firms securing a minimum qualifying marks of 60 (Sixty), will be shortlisted in descending order of marks received and top 3 (three) firms shall be called for making presentation before the expert Committee of WCL for final selection.

Principal partner (or person in-charge as proposed for GST Audit of WCL) of the shortlisted firms will be required to make presentation before the expert committee on the following criteria carrying 50 marks.

The presentation shall broadly cover the following matters:

- a. Infrastructure of Office
- b. Software/Hardware usage
- c. Approach towards the concerned job
- d. Proposed strategy and its implementation
- e. Detailed scope and understanding of the assignment.

The final selection will be based on marks obtained by the firms out of 150 marks (100 marks from Part A +50 marks from Part B).

In case of tie in the marks scored, firm having seniority with respect to S.No. 4(a) of Part A of selection criteria will be preferred. If there is still a tie in the marks scored, the firm having seniority with respect to S. No. 4(b) of Part A of selection criteria shall be given preference

Any attempt to influence the selection process in any manner whatsoever, shall be considered as solicitation of assignment and the firm shall be liable for exclusion from the selection process and any other action as may deemed fit by the WCL Management including debarring the firm in future participation.

Note:

The following documentary evidences duly signed by partner with seal of the firm should be submitted in support of each of the above-mentioned criteria:

- a. Proof of Registration of Firm clearly indicating the Registration date and firm registration number issued by Institute of Chartered Accountants of India or Institute of Cost Accountants of India.
- b. Partnership Deed, communication from ICAI or other evidence clearly indicating the partners in the firm with their membership number and date from which they are with the firm.
- c. Proof indicating Effective date of issue of Certificate of Practice (full time) shall be provided for experience of Member/Partner.
- d. Proof of CA/CMA Final/Inter CMA/CA-IPCC Pass Certificates/Membership of the respective Institutes for Qualified Assistants is to be provided along with date from which they are with the firm.
- e. For companies in Sl. No.-4 of Selection Criteria above, Copy of Appointment/Engagement letter for Audit of Listed Company/PSU/Other company or other evidence clearly indicating engagement of the firm as Auditor in the company.
- f. Fraction of the year will not be considered in above selectioncriteria.
- g. Copies of GST Return/Annual Audited accounts during last three years of the firms.

4. Terms and Conditions:

- I. Audit team: The appointed auditor while accepting the assignment must specify the team members and must ensure in writing that at least 10% man-hours required for the audit shall be devoted by the senior consultant/partner of the firm in letter and spirit. It is also important to ensure that such senior consultant/partner authenticate the report and is present during the time of presentation of final report.
- II. The GST Audit Firm shall not sub-contract/assign the GST audit work and Audit team will work in strict confidence and will ensure that the data, information in respect of the company is dealt within strict confidence and secrecy. A certificate towards maintaining confidentiality shall have to be provided by the GST Auditor.
- III. The appointed auditor while accepting the assignment shall give appropriate affidavit/declaration to the company that they will remain accountable for their report.
- IV. A firm, which has been removed from GST / VAT audit assignment from CIL or its subsidiaries during last previous years, or have been held guilty by the ICAI Disciplinary process in the last 10 years or who is under investigation or has been charge sheeted or punished for any legal default with imprisonment will not be considered for appointment of GST Auditor in WCL. ICAI means “The Institute of Chartered Accountants of India” & “The Institute of Cost Accountants of India”.
- V. Period of Audit: Initially the period of audit will be for one year i.e. for the financial year 2018-19 which may further be extended to 2nd and 3rd year i.e. FY 2019-20 and FY 2020-21 at the specified rate and terms and conditions subject to satisfactory performance. However, it is expressly stated here

that the said tenure is not to be construed as assured and WCL reserves the right not to re-appoint at its sole discretion without assigning any reason thereof.

VI. Submission of Report: The Audit firms will start conducting the audit after the appointment and will submit the State wise consolidated GST Audit Report for 2018-19 to the General Manager (Finance)/Taxation, Western Coalfields Ltd, Nagpur before 25th March 2020 . For the FY 2019-20 & 2020-21, the cut-off date will be 15th December of the following Financial Year. If the date of submission/filing of Audit Report is extended by GoI/CBIC, the cut-off date of (25th March 2020/ 15th December) may be revised accordingly by appointing authority.

5. GST Audit Fee for both the states (excluding out of pocket and travelling expenses):

SN	Fees for GST Audit (₹)	FY 2018-19	FY 2019-20	FY 2020-21
1.	For Maharashtra Areas & Madhya Pradesh Areas	2,57,000	2,70,000	2,84,000

- The above fees includes fees for submission of GST Audit report, attending meetings, e-filing of GST audit reports in GSTR-9C along with Annual Return & Reconciliation Statement or any other format that may be notified by CBIC/GOI.
- The travelling and out of pocket expenses will be reimbursed at actual (subject to submission of supporting bills in original) limited to 50% of total GST Audit fee.
- Applicable taxes would be paid extra.

6. Payment terms:

The payment will be released by WCL HQ, Nagpur as per the following payment terms:

- Necessary payments in relation to the Audit assignment shall be made on completion of the audit in accordance with the provisions of the GST Act and to the satisfaction of the WCL.
- After successful completion of audit of each Financial Year, the audit firm will submit the invoice in triplicate duly signed by the Authorized person. The invoice will be in the name General Manager (Finance)/Taxation, Western Coalfields Limited, Nagpur (MAHARASHTRA).
- The invoice will be submitted by the firm for two GST Registrations of WCL separately considering the no of areas in each state, (Maharashtra GSTIN:27AAACW1578L1ZW, Madhya Pradesh GSTIN: 23AAACW1578L1Z4).
- The Paying Authority will be General Manager (Finance)/HoD Taxation, WCL HQ, Nagpur.
- Payment will be made within 21 days from the date of receipt of the invoice, after deducting tax deductible at source as per applicable tax laws.

7. General Terms & Conditions

- a. The Audit Firm cannot outsource the work.
- b. The Audit Team should consist of one qualified CMA/CA and inter CMA/ CA-IPCC semi qualified assistants.
- c. The information provided in the application by the firm must be current, relevant and free from miss-statements on the date of application.
- d. Partner of the firm must not be related to Managing Director/whole time Director or part time Director of company to be audited within the meaning of section 2 (77) of the Companies Act, 2013.
- e. Neither the firm nor its partner or Associates should have any interest in the business of CIL.
- f. The auditor will be required to issue certificate of Independence.
- g. The auditor/ firm must be free from any disqualification under sub-section (3) or sub-section (4) of section 141 of the Companies Act, 2013. In addition to this, the Auditor/Firm must not be holding any assignment as Internal Auditor of WCL on the date of appointment and during the continuity of the GST Audit.
- h. Where a CA/CMA is a partner / proprietor of more than one firm, in such case, only one firm shall be allowed to take part in the selection process of WCL. If it is found that more than one Firms having common partners makes application in the EOI initiated by WCL, then applicant with highest marks among the firms (having common partners) shall only be considered and applications of other firms (having common partners) shall stand cancelled.
- i. Debarring Provisions: The Audit Firm will be debarred from getting, in future, the GST audit in CIL and its Subsidiaries in the followingcases:
 - i. If the Firm obtains the appointment on the basis of false information/miss-statement.
 - ii. If the Firm does not take up audit in terms of appointmentletter.
 - iii. If the Firm fails to maintain/honor confidentiality and secrecy of the Company's cost data, cost statement and costinformation.
 - iv. If the Firm does not submit the audit report, complete in all respect in terms of appointment within the prescribed time limit.
 - v. Dispute/difference, if any, shall be mutually settled with the General Manager Taxation, WCL. If any dispute could not be settled at GM level, it will be forwarded to the Chairman, WCL for decision, which will be final and binding to all concerned.
- j. Disclaimer: WCL reserves the right to ask for any clarifications from one or more applicants. It also reserves the right to accept or reject any or all EOI or to cancel the process entirely without assigning any reasonthereof.
- k. Jurisdiction of Courts: Any dispute arising out of or in respect of the empanelment and appointment will be subject to the jurisdiction of Nagpur only.

Dated this _____ day of _____ 2020_

Signature of Partner-Incharge with seal of the firm

Membership No of the Partner

FORMAT FOR SUBMISSION OF APPLICATION

- 1. Name of the Audit Firm :**
2. Firm Registration Number :
3. Address :
i) Permanent Address :
ii) Correspondence Address :
iii) Contact no. of Partner :
iv) Telephone Number :
v) Fax Number :
vi) Email Address :
vii) Website :

4. Particulars with respect to Selection Criteria

S.N.	Selection Criteria:	
1	Year of establishment of the Firm, since the date of registration. Ref. Selection criteria : Sl. No.1	
2	Name and Membership No. of the full time partners having more than 5 years experience in practice in the firm whether ACA/ACMA, FCA/FCMA as on 30.09.2019. Ref: Selection criteria : Sl. No 2(a)	
3	Name and Membership No. of the full time partners having less than 5 years experience in practice in the firm whether ACA/ACMA, FCA/FCMA as on 30.09.2019. Ref: Selection criteria : Sl. No 2(b)	
4	Name, Membership No. and Joining date of full time qualified assistants who is an ACA/ACMA and is working with the firm as on 30.09.2019. Ref: Selection criteria : Sl. No. 3 (a).	
5	Name and date of joining of semi-qualified assistants (Inter Cost /Inter Chartered – IPCC-both group) & is working full time with the firm as on 30.09.2019. Ref: Selection criteria : Sl.No. 3 (b).	
6	Year wise experience of the firm in conducting VAT/Excise/Service Tax/GST Audit: (a) Name of PSU /Listed Company having turnover of Rs. 500 Cr or above. (b) Other than (a) above. Ref: Selection criteria : Sl No. 4.	
7	Aggregate Turnover as per GST return/ Annual Audited Accounts of the Firm during last 3 years.	

Signature of Partner with seal of the firm

Membership No of thePartner

Letter of Undertaking

To
Western Coalfields Ltd Limited,
Coal Estate, Civil Lines,
Nagpur.440001

Dear Sirs,

Sub:Tender No.

1. Having examined the EoI including Addenda/Corrigenda, if any (insert numbers), We, the undersigned,.....Partner/Legal Attorney/ Proprietor/Accredited Representative of M/soffer to supply services as GST Auditors vide our offer No.....dated.....in conformity with the said EoI Documents.
2. We confirm to accept all terms and conditions contained in the EoI document unconditionally. We also confirm that there is no deviation in our submission.
3. We agree to abide by this bid for a period of 180 days from the date of bid opening and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
4. We confirm that until a formal appointment order is issued, this bid together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.
5. We understand that you are not bound to accept any of the EoI you may receive.
6. We confirm that the contents of the offer are given after fully understanding and all information furnished by us are correct and true and complete in every respect.
7. We confirm that all information/ documents / credentials submitted along with the offer are genuine, authentic, true, valid and complete in every respect.
8. We confirm that if any information or document submitted is found to be false / incorrect, the said offer shall be considered absolutely null & void and action as deemed fit may be taken against us including termination of the contract and Banning of our firm and all partners of the firm as per provisions of law.
9. We have never been banned or delisted by any Government or Quasi-Government Agency or any Public Sector Undertaking.

OR

We were banned by the organization named “-----” for a period of year/s, effective from..... to

Dated this _____ day of _____ 2020.

Signature of Partner-Incharge with seal of the firm

Membership No of the Partner