



TUTICORIN BRANCH OF SIRC

NEWS LETTER

The Institute of Chartered Accountants of India
(Set up by an Act of parliament)

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JULY 2010

Chairman Writes . . .

Dear Colleagues,

Greetings and good wishes to you,

The month of July would start with auspicious CA day celebrations on 1st July with get-together and gaiety and would also witness numerous programmes of professional interest. It is not only a day of get-together, felicitation, fun etc., but also an occasion to do an ardent exercise on CA Brand Building.

Newly qualified young CA's are opting for employment due to lucrative pay package as well as career prospects and increasing demand in Industry. Very few are entering the field of practice and I am confident that new professional opportunities emerge in the field of practice so that young CA's will start opting to practice.

With increasing trends of globalization and professional practices, procedures and strategies nowadays an enormous burden is placed on the profession though it is a lucrative one commanding considerable respect. While Accounting Standards are taking roots, in India, International Financial Reporting Standards (IFRS) are on their way with Peer Review already in vogue for listed companies. It is a responsibility, which the profession can not possibly avoid.

On 19.06.2010, our Branch conducted Elocution contest for CA Students. 11 Students participated in the contest and two of them have been selected for SIRC level contest. The participants to this contest elucidated the topics in a very lucid manner and it was a grand success. Nearly 75 persons attended the programme including our Members, Students and Parents of the Students. I wish the participants very good luck in their future endeavors.

On 25.06.2010, we conducted Study Circle Meeting about Revised Discussion Paper on Direct Tax Code. The discussion was led by our learned member CA.A.C.G.Venantius and hand some number of Members & Students participated in the meeting. It was a brain

storming session and so many suggestions were advocated by our Members and the same was forwarded to ICAI New Delhi & SIRC of Chennai.



On 26.06.2010, we conducted Quiz Programme for our CA Students. 16 students participated in the contest and two of them have been selected for SIRC level contest. The students to the programme had a feast of knowledge and were abreast of latest developments in all areas. Around 46 persons attended the gathering including our Members, students and parents.

I look forward for your active participation in all the Branch's programmes with zest and enthusiasm and contribute valuable articles and send your opinions and suggestions for the improvement of our News letters.

Our Mantra which reads as under
"Humanity our Priority"

Yours ever loving,

CA.H.Raman, Chairman



Quiz Contest

LAW RELATING TO RIGHT TO INFORMATION

INTRODUCTION:

Through out the world , the right to information is seen by many as the key to strengthening participatory democracy and ensuring more people centered development. Nearly 70 countries around the world have now adopted comprehensive Freedom of Information Acts to facilitate access to records held by the government bodies and another fifty have pending efforts . In India the Government enacted the Right to Information (RTI) Act 2005 which came into force w.e.f October 12, 2005 .

RIGHT TO KNOW :

The Supreme Court in R.P Limited Vs Indian Express Newspaper held that right to know is a necessary ingredient of participatory democracy . In view of transnational developments when distances are shrinking , international communities are coming together for cooperation in various spheres and they are moving towards global perspective in various fields including Human Rights , the expression " liberty " must receive an expanded meaning . The expression cannot be restricted to mere absence of bodily restraint . It is wide enough to expand to full range of rights including right to hold a particular opinion and right to sustain and nurture that opinion for sustaining and nurturing that opinion it becomes necessary to receive information . Article 21 confers on all persons a right to know which includes a right to receive information .

Right to freedom of speech and expression in Art 19(1)(a) carries with it the right to propagate and circulate one's views and opinions subject to reasonable restrictions . The pre-requisite for enjoying this right is knowledge and information . Information adds something new to our awareness and removes vagueness of our ideas .

SALIENT FEATURES OF RTI ACT :

- * The RTI act extends to whole of India except Jammu and Kashmir .
- * It provides a definite day for the commencement of the act i.e. 120 days from enactment
- * It shall apply to Public Authorities
- * All citizens shall have the right to receive information subject to the provisions of the act .
- * The Public Information Officer / Assistant Public Information officer will be responsible to deal with the requests for information and also to assists persons seeking information

- * Fee will be payable by the applicant depending on the nature of information sought .
- * Certain categories of information have been exempted from disclosure under section 8 and 9 of the act .
- * Intelligence and security agencies specified in Schedule II to the act have been exempted from the ambit of the Act , subject to certain conditions .

OBJECTIVE :

The RTI Act confers on all citizens a right to information . The act provides for setting out practical regime of right to information for citizens to secure access to information held by public authorities to promote transparency and accountability in the working of every public authority .

OBLIGATIONS OF PUBLIC AUTHORITY :

Every public authority under the act has been entrusted with a duty to maintain records and publish manuals , rules , regulations , instructions etc... in its possession as prescribed in the Act .

As per section 4(1)(b) , every public authority has to publish within 121 days of the enactment of the act :

- * The particulars of its organizations , functions and duties ;
- * The powers and duties of its officers and employees ;
- * The procedure followed in its decision making process, including channels of supervision and accountability ;
- * The norms set by it for discharging of its functions ;
- * The rules , regulations , instructions , manuals and records used by its employees for discharging its functions ;
- * A statement of the categories of the documents held by it or under its control ;
- * The particulars of any arrangement that exists for consultation with or representation by the members of the public , in relation to the formulation of policy or implementation thereof ;
- * A statement of the boards , councils , committees and other bodies consisting of two or more persons constituted by it . Additionally , information as to whether the meetings of these are open to the public or the minutes of such meetings are accessible to the public ;
- * A directory of its officers and employees ;
- * The monthly remuneration received by each of its officers and employees including the system of compensation as provided in the regulations ;
- * The budget allocated to each of its agency , indicating

the particulars of all plans , proposed expenditures and reports of disbursements made ;

- ☑ The manner of execution of subsidy programmes , including the amounts allocated and the details and beneficiaries of such programmes ;
- ☑ Particulars of recipients of concession , permits or authorizations granted by it ;
- ☑ Details of the information available to , or held by it , reduced in an electronic form ;
- ☑ The particulars of facilities available to citizens for obtaining information , including the working hours of a library or reading room , if maintained for public use ;
- ☑ The names , designations and other particulars of the Public Information Officers ;
- ☑ Such other information as may be prescribed ; and thereafter update the publications every year .

DESIGNATION OF PUBLIC INFORMATION OFFICER (PIO) :

Every public authority has to

- Designate in all administrative units or offices Central or State Public Information Officers to provide information to persons who have made a request for the Information .
- Designate at each Sub-Divisional level or Sub-District level Central Assistant or State Assistant Public Information Officers to receive the application for information or appeals for forwarding the same to the Central or State Public Information Officers .
- No reason to be given by the person making the request for information except those that may be necessary for contacting him .

REQUEST FOR OBTAINING INFORMATION :

The act specifies the manner in which request may be made by a citizen to the authority for obtaining the information . It also provides for transferring the request to the other concerned public authority who may hold the information .

- ☑ Application is to be submitted in writing or electronically , with the prescribed fees , to the public information officer (PIO) .
- ☑ Information to be provided within 30 days .

DUTIES OF PIO :

PIO shall deal with requests from persons seeking information and where the request cannot be made in writing , to render reasonable assistance to the person to reduce the same in writing . If the information requested for is held by or its subject matter is closely connected with the function of another public authority , the PIO shall transfer , within 5 days , the request to the other public authority and inform the applicant immediately .

PIO shall seek assistance of any other officer for the proper discharge of his duties . PIO , on receipt of a request

shall expeditiously as possible , and in any case within 30 days of the receipt of the request , either provide the information on payment of such fee as may be prescribed or reject for any of the reasons specified in section 8 and 9 .

Where the information requested for concerns life or liberty of a person , the same shall be provided within 48 hours of the receipt of the request . If the PIO fails to give decision on the request within the period specified , he shall be deemed to have refused the request .

Where a request have been rejected , the PIO shall communicate to the requester ,

- The reason for such rejection
- The period within which an appeal against such rejection may be preferred
- The particulars of appellate authority

PIO shall provide information in the form in which its sought unless it would disproportionately divert the resources of the Public Authority or would be detrimental to the safety or preservation of the record in question .

If allowing partial access , the PIO shall give a notice to the applicant , informing :

- ☑ That only part of the record requested , after severance of the record containing information which is exempt from disclosure , is being provided .
- ☑ The reasons for the decision , including any findings on any material question of fact , referring to the material on which those findings were based .
- ☑ The name and designation of the person giving the decision .
- ☑ The details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit ; and
- ☑ His or her rights with respect to review of the decision regarding non-disclosure of part of the information , the amount of fee charged or the form of access provided .

If information sought has been supplied by third party or is treated as confidential by that third party , the PIO shall give written notice to the third party within 5 days from the date of receipt of the request .

Third party must be given a chance to make a representation before the PIO within 10 days from the date of receipt of such notice .

Mr.S.Bharath

(Final Student - SRO 0137654)

(to be concluded... This is a two part Article and the second and final part will be published next month)



R. Sivabhogam (1907-1966)

A physically challenged 23 year old Sivabhogam, who participated in the civil disobedience movement was confined in Vellore prison and released in the year 1930. She after her release moved to Taliparramba, a remote place in Kerla, where her sister lived. She was awfully confused whether to get married or to devote herself for the freedom of the country or to pursue a career. One proposal of getting married was rejected because she was physically challenged and was jailed. This upset her.

Her dilemma was compounded by the powerful words of Swami Vivekananda: "Faith in yourself". She decided to take up a career in accounting. It is needless to say that career in accounting was done only by men at that time. Hence people around her discouraged her not to pursue the career as there was a general feeling that it is a tough course and yet very difficult to get through. Just like everybody's feeling even today.

However she never changed her mind and with hard work she created history. She struck to her decision and with the able support from her sister she became the first woman chartered accountant of India. She had to file a petition to quash the then prevailing law which prevented those who had undergone imprisonment from practicing the profession.

By her hard work Sivabhogam became the chair person of SIRC (Southern Indian Regional Council) of ICAI (Institute of the Chartered Accountants of India).

Even today her record of holding this position for a continuous period of 3 years has not been broken. Sivabhogam had a successful practice for nearly 3 decades.

During her chairmanship she invited a galaxy of freedom fighters, patriots and eminent scholars as chief guests for the AGM of SIRC. Notable among them were Dr.S. Radhakrishnan, Sir C.P. Ramasamy Iyer, Sri.A.S.P.Iyer, Chakravarthy Sri.C.Rajagopalachariar, Sri.C.Subramaniam and Sri.K.Santhanam. During her practice she carried out a number of audits with more specialization in conducting audits of charitable institutions.

Ultimately she motivated girls to join CA course and instituted a prize for the first woman candidate in the final examination.

A great patriot and the first woman CA had a plain living style with a high level thinking, for she traveled only by bus and wore khadi throughout her life. This great personality breath her last on June 19, 1966. Her centenary year is being celebrated by SIRC. An endowment fund is also created to give scholarship to the economically weak students for pursuing the CA course.

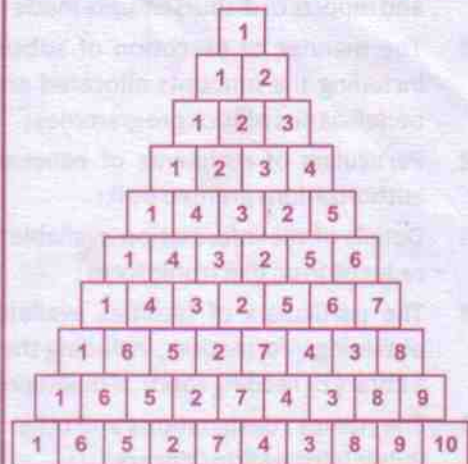
What stimulating vital information for the female CA students who are covetous of pursuing the wonderful CA course. Let's create history!!

By

Ms.M.Pavithra

(IPCC Student SRO 0270469).

Answer for last month quiz



Now following the pattern you try the last two rows.

Golden will

A Father having four sons left some gold coins along with a will saying that first son should first take $\frac{1}{4}$ th of the total coins, then the second son should take $\frac{1}{4}$ th of the remaining coins plus one coin, then the third son should take $\frac{1}{4}$ th of the remaining coins plus two coins and the remaining should go to the fourth son.

Is he just in writing the will find it out. Find out how many coins did he leave and how much did each of his sons take ?

- Mrs.Sornalatha Raman

Answer next month.



Elocution Contest

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