

CT/7457/2021-C9

**State Goods and Services Tax Department
Govt. of Kerala, Tax Towers, Karamana
Thiruvananthapuram**

Request for Expression of Interest (EOIs) for Empanelment of Chartered Accountants/ Chartered Accountant firms/ Cost Accountants/ Cost Accountant firms for Special Audit of GST registered persons under Section 66 of the Kerala State Goods & Services Tax Act, 2017

Commissioner, State Goods and Services Tax Department, Government of Kerala, invites online Expression of Interest (EOI) for empanelment of Chartered Accountants, Chartered Accountant firms, Cost Accountants and Cost Accountant firms for conducting special audit of accounts of GST Registered persons as envisaged under Section 66 of the Kerala State Goods and Service Tax Act, 2017.

The EOI document can be downloaded from the official website of State Goods and Services Tax Department, Kerala www.keralataxes.gov.in.

The duly filled up application in Annexure A along with the supporting documents, information and declaration as prescribed in Annexures B to E are to be submitted to the official E-mail ID of the Commissioner of State GST Department, Kerala “cct.ctd@kerala.gov.in”. The last date of submission of EOI is 21st May 2022 (Time 04.00 PM).

**Commissioner,
State Goods and Services Tax
Department Government of
Kerala**

State Goods and Services Tax Department,

Govt.of Kerala Tax Towers, Karamana,

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Expressions of Interest (EOI) is hereby invited for empanelment of Chartered Accountants, Chartered Accountant firms, Cost Accountants and Cost Accountant firms for conducting special audit of accounts of GST Registered persons as envisaged under Section 66 of the Kerala State Goods and Services Tax Act, 2017.

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The duly filled up application in Annexure A along with the supporting documents, information and declaration as prescribed in Annexures B to E are to be submitted to the official E-mail ID of the Commissioner of State GST Department, Kerala “cct.ctd@kerala.gov.in”. The last date of submission of EOI is 21st May 2022 (Time 04.00 PM).

The critical date sheet is as under:-

S.No.	Description of Activities	Date	Time
1.	EOI Document available for download and EOI Submission Start Date	21/04/2022	10.00 AM
2.	Pre- proposal meeting (online)	03/05/2022	03.00 PM
3.	EOI Submission End Date	21/05/2022	04.00 PM
4.	EOI verification Date	21/05/2022	05.00 PM

Note: (i) Pre-proposal meeting link: <https://us06web.zoom.us/j/82302932020?pwd=YWhRbzJTV2RSbHh0Vm1kSjAyMmxKZz09> (Meeting ID: [823 0293 2020](https://us06web.zoom.us/j/82302932020?pwd=YWhRbzJTV2RSbHh0Vm1kSjAyMmxKZz09) Passcode: 847638)

(ii) If any due date happens to be a holiday then the next working day will be the due date at the same time.

NOTICE FOR EXPRESSION OF INTEREST

Sub: Empanelment of Chartered Accountants/ Chartered Accountant firms/ Cost Accountant/Cost Accountant firms for Audit of GST registered persons

Attention of practicing Chartered Accountants, Chartered Accountant firms, Cost Accountants and Cost Accountant firms is invited to the provisions of Section 66 of the Kerala State Goods and Service Tax Act, 2017. The Trade & Taxes Department proposes to prepare a panel of Chartered Accountant, Chartered Accountant firms, Cost Accountants and Cost Accountant firms for conducting special audit of accounts of GST Registered persons as envisaged under the said Section.

1. **Eligibility**:-In order to be eligible for to be empanelled for the said audit, a person/ firm should fulfill the following conditions:-

The applicant firm/ person should—

- i. Be a member of the Institute of Chartered Accountants of India/Institute of Cost Accountants of India and should have valid full time Certificate of practice issued by the respective institutes;
- ii. Possess experience of atleast five years of practice as Chartered Accountant/ Cost Accountant;
- iii. That the applicant or any partner/proprietor of the applicant firm having experience and practice as stated above should not have indulged in any unethical professional practice or professional misconduct including moral turpitude;
- iv. Not have been held guilty of any professional misconduct under the Cost and Works Accountant Act,1956(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 or KVAT Act,2003 or the Central/ IGST/ Kerala State Goods and Service Tax Act,2017;

- v. Not be facing any investigation or enquiry by the CBIC or Govt. of Kerala or any of its subordinate offices for any violations under the Service Tax Law or the Customs Act, 1962 or the Central Excise Act, 1944, KVAT Act, 2003 or the Central/ IGST/ Kerala State Goods and Service Tax Act,2017;
- vi. Location of office:-That the location of the office of the applicant / partner/ proprietor having experience as stated above who is in charge of such office should be in Kerala.

2. **Selection Procedure**:-The selection will be as follows-

i. All the applications received up to the last date for filing of application shall be scrutinized in terms of criteria/guidelines issued in this regard. The basic criteria for selecting the applicant would be the experience in audit/ consultancy/ representation in the Income Tax, Central Excise, Service Tax, VAT and GST matters, turnover, staff strength, audit experience etc. The detailed evaluation criteria would be as follows:-

- a. Applicant's existence in years after its registration (Provide copy of certificate of registration with Institute of Chartered Accountants of India/ Institute of Cost Accountants of India):-

More than 5 years but less than 10 years : 60 %

10 years or more but less than 15 years : 75%

15 years or more : 100%

(The above criterion carries **15Marks.**)

- b. That the applicant(s) has/ have been empanelled as auditor with any one of the following departments during the last 7 years (Provide copy of order / letter of empanelment with the Department(s)):-

- (i) Department of Income Tax
- (ii) Department of Customs and Central Excise
- (iii) Department of Service Tax
- (iv) Department of Value Added Tax (Commercial Taxes)
- (v) Department of Goods& Services Tax

(The above criterion carries **4 Marks** in case of one (01) department, **7 Marks** for two (02) departments, **11 Marks** for three (03) departments and maximum **15 Marks** for four (04) or more departments.)

- c. That the applicant(s) has/ have average annual turnover in last three financial years (Provide copies of full Income tax returns & Financial Accounts for the last three financial years):-

10 lakhs–50 lakhs : 60%

50 lakhs–1 crore : 70%

1 crore–2 crore : 80%

More than 2 crore : 100% (The above criterion carries **15**

Marks.)

- d. No.of Audit Assignments of Internal/ Statutory/ Forensic Audit of Corporate/ PSUs entities, except Bank Branch Audit, for which the audit has been done in the last 5 years (Provide copy of order of assignment of each Audit):-

3 to5 :60%

5 to10 :75%

>10 :100%

(The above criterion carries **15Marks.**)

- e. That the applicant(s) or any partner(s)/proprietor of the applicant firm(s) / professional(s) has/ have an office profile with staff strength of at least 5 (excluding typist, stenographers, computer operators, secretaries and subordinate staff etc.) consisting of audit and article clerks with the knowledge in book keeping and accountancy and are engaged in out door audit (Provide details of staff engaged along with their names, educational qualification, date of engagement. Contact details etc.):-

More than 20 : 100%

More than 10 but less than or equal to 20 : 75%

5 or more but less than or equal to 10 : 50%

(The above criterion carries **15 Marks.**)

- f. Applicant should submit brief approach paper (not exceeding 3000 words) covering the following:-

- I. Challenges in the special audit of registered person under Goods & Services Tax Act, 2017.
- II. Technical parameters/ approach to assess compliance of various provisions of the GST Act, 2017 by the registered person.
- III. Proposed methodologies to analyze & evaluate compliance on technical parameters.
- IV. Proposed work plan for responding to the Scope of work.
- V. Proposed solutions/ methodology for a special audit for ensuring time bound determination of statutory liabilities of registered person.
- VI. Proposed innovations in analysis, audit and follow up action for successful conclusion of such special audit through discharge of financial liabilities by registered person.

(The above criterion carries **25 Marks.**)

- ii. The minimum qualifying marks will be 50 based on the above evaluation criteria. The department intends to empanel top 50-60 auditors in the first phase. Based on the evaluation of this pilot, the decision for further empanelment would be taken.
- iii. Out of empanelled candidates, audit would be allotted to the firms/persons and when required by the department at the sole discretion of the Commissioner, Kerala State Goods and Services Tax Department. Their performance would be monitored by examining the quality and findings of audit reports submitted by them.
- iv. The panel so made above shall be in force for a period of two years. However, in case of necessity, new person/firm can be added in the panel by following the prescribed procedure.
- v. The empanelment of the Auditor will stand canceled, without any prejudice to all available legal/ other remedy/ recourse in the event of any of the followings:-
 - a. If the empanelment has been obtained on the basis of false information/ mis-statement.
 - b. If the Auditor does not take up the Audit in terms of the appointment/ allotment letter.
 - c. If the Auditor fails to maintain/ honour confidentiality & secrecy in all respect.
 - d. If the Auditor fails to comply with any of the eligibility criteria/ other terms & conditions.

- e. If the Auditor fails to provide the audit reports and mandated inputs of requisite quality within prescribed time.

3. **Scope of Work :-**The Special Audit shall be conducted by the Special

Auditor under section 66 of Kerala Goods and Services Tax Act, 2017. He shall examine and audit the records & books of accounts of the registered person. He shall check and verify the compliance of the provisions of Kerala SGST Act, CGST Act & IGST Act, 2017 and Rules made there under by the registered person including the correctness of turnover declared, input tax credit availed, taxes paid, refund claimed etc. and detect the tax evasion, if any, by the registered person. He shall submit his report within the prescribed period as per the provisions of the Act. In case the registered person does not accept the findings of the Special Audit and consequent tax liability, interest etc. & contests the same by way of appeal, the auditor will render all required assistance/advice in the matter to protect the interest of the government in such appeals.

4. **Duties and obligations:-** The person/ Firm so nominated to act as special auditor shall have the following duties and obligations:-

- i. The audit shall be conducted as per the Terms of Reference & within the prescribed time limit.
- ii. The auditor may be required to visit the offices including branch office/head office of GST registered person to conduct the Audit of GST and 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 may also join the audit team of the nominated CA/ICWA to conduct the audit.

- iv. The auditor, within the period specified by the Commissioner, State GST, 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 Input Tax credit etc. duly quantified and with their observations. Duly authenticated copies of sample documents shall also been 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 registered person whose audit is ordered by the department in any area like maintenance of accounts, auditing, tax consultancy, any other consultancy, representation etc. and therefore should not be in conflict of interest position. This aspect would be verified while assigning a particular registered person for audit and a certificate in this regard would be submitted before accepting the special audit.
- vi. Maintain confidentiality in all respect related to special audit assigned to him and should not disclose/ share any sensitive/ confidential information/ documents etc. to the registered person/ any outsider.
- vii. 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 not been examined properly.
- viii. In case the registered person does not accept the findings of the Special Audit and consequent tax liability, interest etc. and contests the same by way of appeal, the auditor will render all required assistance/advice in the matter to protect the interest of the government in such appeals.
- ix. The empanelled Chartered Accountants and the Cost Accountants shall give an undertaking at the time of allotment of units that they will not

take up Statutory Audit of the said units allocated to them for special audit and also during the period they are on the panel of Kerala State GST.

- x. The auditor will not associate any junior staff for the Audit purpose except with due approval of such person with equivalent qualification & experience by the Department in writing.

5. **Schedule of Fees:** The Chartered Accountants/ Chartered Accountant firms/ Cost Accountants/ Cost Accountant firms would be entitled to a fees depending upon the size of the unit whose Special Audit has been conducted. The amount of such fees payable is as indicated below:-

S. No	Aggregate Turnover (Rs.) in Kerala	Rate of Audit Fee(Rs.)(+GST as applicable)
1.	Less than 50Lacs	15,000
2.	50 Lacs and more but less than 2 crore	25,000
3.	2 Crore and more but less than 5 Crore	35,000
4.	5 Crore and more but less than 10 Crore	60,000
5.	10 Crore and more but less than 25 Crore	80,000
6.	25 Crore and more but less than 50 Crore	1,00,000
7.	50 Crore and more but less than 150 Crore	1,50,000
8.	150 Crore and more but less than 300 Crore	2,00,000
9.	300 Crore and more but less than 500 Crore	2,75,000
10.	500 Crore and more but less than 1 0 0 0 Crore	3,50,000
11.	1000 Crore and more	4,00,000

The payment of fee to the extent of 80% will be released on satisfactory conclusion of Special Audit and after issuance of information of findings upon Special Audit in Form GST ADT – 04 to the registered person. Rest 20% of the fee will be released either on discharge of statutory liabilities towards tax, interest etc.,determined on the basis of Special Audit report, if any, by the registered person or after rendering of all required assistance/advice by the auditor during the first stage appeal in case the registered person prefers to contests the findings of Special Audit, whichever is earlier.

6. **General:-**

- (i) It is the sole discretion of the Commissioner, State Goods and Services Tax Department, Kerala to select any of the Chartered Accountants / Cost Accountants from the panel for conducting the Special Audit.
- (ii) This office reserves the right to remove name of any of the Chartered Accountants/ Cost Accountants from the panel so made,after making enquiries as deemed fit and such decision would be final.
- (iii) This office also reserves the right to cancel/withdraw the expression of interest without assigning any reason whatsoever.

7. **Last Date and Time for Submission and verification of the EOI**

- 1. The EOI shall be submitted to the official E-mail ID of the Commissioner of State GST Department, Kerala “cct.ctd@kerala.gov.in”, and would be verified as per the Schedule mentioned in the EOI(Critical date-sheet).
- 2. If any due date in the Critical date sheet happens to be a holiday then the next working day will be the due date at the same time.
- 3. Department of State Taxes may, at its discretion, extend the last date and time for submission of EOI and/ or date and time of verification of EOI by issuing corrigendum/ addendum.

8. **Submission of EOI**

1. The EOI document can be downloaded from the official website of State Goods and Services Tax Department, Kerala www.keralataxes.gov.in.
2. The duly filled up application in Annexure A along with the supporting documents, information and declaration as prescribed in Annexures B to E are to be submitted to the official E-mail ID of the Commissioner of State GST Department, Kerala “cct.ctd@kerala.gov.in”.
3. The originals of the documents mentioned in the Application and Annexures shall be submitted for verification as and when required by the Commissioner, State GST Department.
4. The applicant has to follow the Instructions as available at EOI document available in the departmental website mentioned above.
5. The intending Applicants are advised to visit the official website of the State GST Department “www.keralataxes.gov.in” regularly till last date of submission of EOI for any corrigendum/ addendum/ amendments.
6. There is no cost of the EOI document.
7. The pre- proposal meeting date/ time, EOI submission start date/time, EOI submission end date/ time and the EOI verification date/ time will be as per as critical date-sheet. List of the empanelled applicants will be uploaded on the official website of the State Goods and Services Tax Department, Kerala.

9. **PRE- PROPOSAL MEETING**

The pre- proposal meeting will be held by the Kerala State GST Department on 03.05.2022 at 03.00PM through video conferencing for resolution of any issue, clarifications etc. The Link for the meeting is as follows;

Pre-proposal meeting link: <https://us06web.zoom.us/j/82302932020?pwd=YWhRbzJTV2RSbHh0Vm1kSjAyMmxKZz09>

(Meeting ID: [823 0293 2020](#) Passcode: 847638)

10. **ASSISTANCE TO APPLICANTS**

For any queries relating to the process of submission of EOI the applicants may contact at Telephone: 0471-2785230 (Monday-Friday, 10:30 AM to 05.00 PM)

ANNEXURE-A

PROFORMA FOR APPLICATION FOR EMPANELMENT AS SPECIAL AUDITOR IN STATE GOODS AND SERVICES TAX DEPARTMENT, GOVERNMENT OF KERALA

S.No.	Information/ Details sought	
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.	Date of Birth(in case of individual) and date of incorporation (in case of firm)	
4.	Address for correspondence including contact No. / Mobile No. and E-mail ID	
5.	Membership No. of Institute of Chartered Accountants of India/ Institute of Cost Accountants of India along with date of becoming member of the institute	
6.	Whether empanelled (during last seven years) with Department of Income Tax, Department of Customs & Central Excise, Department of Service Tax, Department of Value Added Tax (Commercial Taxes), Department of Goods & Services Tax	
7.	Average annual turnover in last three financial years	
8.	No. of Audit Assignments of Internal / Statutory / Forensic Audit of Corporate/ PSUs entities, except Bank Branch Audit, for which the audit has been done in the last 5 years.	
9.	Staff strength (excluding typist, stenographers, computer operators, secretaries and subordinate staff etc. Consisting of Article clerks with the knowledge in Book- keeping and accountancy and are engaged in out door audit.	
10.	Whether any investigation/ inquiry/ disciplinary proceeding	

	is pending in the records of relevant institute like Institute of Chartered Accountants of India, the Institute of Cost Accountants of India, the Southern India Regional Council of Chartered Accountants of India and the Southern India Regional Council of Institute of Cost Accountants of India /CBIC/Govt. of Kerala against any applicant/ proprietor/ partner/ employee of the firm (Give details)	
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Annexure -B

**CHECKLIST OF DOCUMENTS TO BE SCANNED & ATTACHED ALONG WITH
“EOI”**

S.No.	Item Description	Yes/No	Remarks
1.	Copy of PAN		
2.	Copy of Aadhar Card/ Voter ID/ Passport etc. mentioning address		
3.	Copy of certificate of registration with Institute of Chartered Accountants of India/ Institute of Cost Accountants of India		
4.	Certificate of Practice issued by the Institute of Chartered Accountants of India/ Institute of Cost Accountants of India showing experience of at least five years of practice		
5.	Copy of order/ letter of empanelment with the Department (s) 1. Department of Income Tax 2. Department of Customs and Central Excise 3. Department of Service Tax 4. Department of Value Added Tax (Commercial Taxes) 5. Department of Goods& Services Tax		
6.	Copies of full income tax returns and financial Accounts for the last three financial years.		
7.	Copy of order of Audit Assignments of internal /statutory / forensic Audit of Corporate/ PSUs entities, except Bank Branch Audit.		
8.	Details of staff engaged (excluding typist, stenographers, computer operators, secretaries, and sub ordinate staff etc) consisting of audit and article clerks with the knowledge in book-keeping and accountancy and are engaged in		

	outdoor audit providing their names, educational qualification, date of engagement, contact details etc.in Annexure-C		
9.	Brief approach paper (not exceeding 3000 words) as mentioned at point No.2 (Selection Procedure) sub-point(f) in Annexure-D		
10.	Verification/ Declaration as in Annexure-E		

Note:-In case, any of the above documents is not available, then applicant may specify the same in the remarks column.

ANNEXURE–C

S.No.	Name of Staff engaged	Educational qualification	Date of Engagement	Contact details

ANNEXURE-D

S.No.	Information sought	Details to be furnished
1.	Challenges in the special audit of registered person under Goods & Services Tax Act, 2017.	
2.	Technical parameters/ approach to assess compliance of various provisions of the GST Act, 2017 by the registered person.	
3.	Proposed methodologies to analyze& evaluate compliance on technical parameters.	
4.	Proposed work plan for responding to the Scope of work.	
5.	Proposed solutions/ methodology for a special audit for ensuring time bound determination of statutory liabilities of registered person.	
6.	Proposed innovations in analysis, audit and follow up action for successful conclusion of a special audit through discharge of financial liabilities by registered person.	

ANNEXURE-E

DECLARATION

I.....
Proprietor/ Partner of M/s.....do here by declare
that the information/ details etc. submitted in / along with the Expression of interest application
are true and correct to the best of my knowledge and belief.

Dated :

Signature

Place: