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# An initiative by BMPA & MMS

# PRINTBULLETIN

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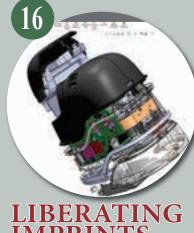






# CARDEX AND PRIDEX

TRENDS SHOW YEAR-ON-YEAR rise in input costs at 10.81% and 10.43% for the Packaging (folding cartons) and for the Commercial printing verticals respectively.



# LIBERATING IMPRINTS FROM WIDTH

Inkjet technology is taking a new shape; a small handheld print will fit it into our handbags and enable us to print our ideas almost instantly.



# FORTY-NINE NOT OUT

A humble, self-effacing and dedicated personality in BMPA's office has retired after earning respect, admiration and love of all the people who crossed paths with him.

26

# IMPORTANT DEADLINES TO CATCH

BMPA's empanelled consultants support Print Bulletin readers with up-to-date information regarding tax updates, FEMA, and banking..



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# FROM THE PRESIDENTS' DESK

Dear industry colleagues,

As the summer is heating up, the activities at your organisations are gaining pace.

On April 19, BMPA supported an evening seminar about pre-press workflow. Pressman Academy organised the workshop, supported by Kodak Workflow for Packaging. The two session-seminar educated the participants about the print-ready files and pre-press workflow for packaging. The seminar received a good response from you all; however, as usual, we shall always request you to participate with more enthusiasm and in more numbers to make most of these educational events your organisations organise for you.

MMS' Knowledge Sharing Workshop (KSW) on April 26 will be reported to you in detail in the May issue of Print Bulletin. This KSW, presented by HP India's Country Manager for Indigo and Inkjet Solutions, promises to 'transform the way you print.' Don't forget to read the article about this workshop; we are sure not just these events, but their reports in Print Bulletin will help you with better insights for your business and decision-making.

The students are closing their education years, just as we begin a new financial year. It is this time that we, as business owners and print professionals, need to come forward to handhold these freshers and undergraduate students from across print technology institutes. Our support means a lot to these students and us all as an industry. Our industry needs a trained and skilled workforce to sustain itself, deliver quality products in this competitive environment, and leap forward into the future. Supporting students through systematic internship programmes, campus interviews and interactions, and short- and long-term apprentice programmes will fetch us good results. Print Bulletin editorial team has planned an excellent opportunity for us all to step up and support print education institutes and students; we promise to deliver it to you in May 2019 issue. So, keep reading and do your bit!

This issue has become somewhat tax-update-focused because of the in-depth BMPA Impact Session and the regular Legal and Compliance section. Don't miss these two articles, and don't miss to scan the QR codes to gain access to more information and multimedia.

Nitin N. Shah

**Tushar Dhote** 

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# **CONTENTS**

5 Forty-nine not out

A humble, self-effacing and dedicated personality in BMPA's office has retired after earning respect, admiration and love of all the people who crossed paths with him.

Liberating imprints from width

Inkjet technology is taking a new shape; a small handheld print will fit it into our handbags and enable us to print our ideas almost instantly.

**7** Information-packed Impact Session

The Impact Session on April 4 packed updates from the domain experts on GST, labour laws, power-related issues, and food-safe inks.

C Important deadlines to catch

BMPA's empanelled consultants support Print Bulletin readers with up-to-date information regarding tax updates, FEMA, and banking.





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Has something you've read in PRINT BULLETIN intrigued or excited you? Write in and share it with us. We would love to hear from you, we shall publish a selection of your responses in the forthcoming issues.

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We welcome your emails, while reserving the right to edit them for length and clarity. By sending us your letters you permit us to publish it in the magazine. We regret that we cannot always reply personally to your emails.

# **FORTY-NINE NOT OUT**

A humble, self-effacing and dedicated personality in BMPA's office has retired after earning respect, admiration and love of all the people who crossed paths with him.

Baliram Kamble aka Bali. I am sure he has greeted you with a smile and humility. I am also sure every time you walked into BMPA's Secretariat in Worli, and you noticed this humble man walking around in the office with pride and confidence. "Baliram has been a father figure in our office for every person — serving and new, walking through those doors," Prashant Shah, Chief Executive at BMPA fondly remembers his colleague who retired in March this year after serving in the organisation for 49 years.

### A dainty figure with mighty personality

Beginning the journey in the print industry as a binder, Baliram was introduced to BMPA by his brother who worked at the Bolton Fine Art Litho Works. "I walked into the BMPA's office, which then operated out of Bolton, and I was selected after a round of interviews," Baliram distinctly remembers the day he visited the Association's office in 1970, "I was twenty-something, not much educated formally, and all I wanted was a job to stand on my feet. The BMPA seemed the perfect place to work when they offered me that job."

Through his 49-years in BMPA, Baliram has the distinction of working with almost all the chief executives and all the BMPA Presidents since. "He impressed me with his professional attitude, honesty and commitment for work," Subhash Wadekar of Genius Printers PLC and a former President of BMPA remembers, "whatever one told Baliram, he completed the task with responsibility and urgency. We could assign the task and forget about it; he would do it on time."

Baliram doesn't take a break while talking about his beloved BMPA. He proudly says, "I have been a part of the team for all the 13 Print Summits so far, the

three Printers' Premiere League matches, BMPA's Golden and Diamond anniversaries, and several such landmark initiatives of the Association." Prashant, however, highlights perhaps the lesser known side of this man. "BMPA got Bali and vice-versa, before he could have his own home in the city, Bali came to stay in the office. He scrimped and saved the money to make himself and his family a small home in Mumbai. It was his tenacity

The BMPA's Managing Committee commends the services rendered by Baliram Kamble and considers it a privilege and places on record its appreciation for the benefit from his lifelong dedication and zeal in keeping Team BMPA's flag flying high.



After a 49-year-long stint Baliram Kamble retired in March this year from BMPA, only to focus and support his partner in life! We are sure she will get well and soon

and perseverance that he not only built a good life for himself, he educated his three daughters and son," Prashant adds, "but what I have always appreciated most about him is his ability to remain positive. Our print industry entrepreneur-members og the Association are full of positivity, but Bali always astonished me with his perseverance even at keeping a positive attitude, no matter what life threw at him."

"I haven't had many interactions with him, but the thought that he would not be around in the office is

unbelievable." Nitin Shah, the current President and former Treasurer of BMPA admits, "it was his silent yet somewhat always-there-to-support presence is what I will miss, going forward." Baliram is a thorough gentleman and a very honest person. "He maintained petty cash, counted notes as a binder would count leaves, managed timely renewals, secured valuables, and could be counted to go beyond the call of duty," underlines President Shah.

# A much-loved colleague

"We used to have lunch together. We shared tiffins for many years. He was elder to me, and I looked up to him as he taught me many things in the organisation," recalls Nitin Bharda, another seasoned employee of the Association who has spent many years working alongside Baliram. "He was the only man to be appointed at the bar for all our events. He might stand at the bar, might even have more than a peg or two, but he would never miss accounting for every single bottle and peg of liquor served at the bar," Prashant and Nitin jokingly remember their long-time teammate and his exemplary dedication to work.

"I am amazed at how much he knows about the Accounts function and how much interest he takes not only in the perfection of the paperwork but also supporting us. I wonder what he could have achieved if he had the opportunity to have formal education," Dhanashri Dhumal, who is amongst the latest to join the BMPA force. She vividly recollects "he indeed took his

work as a mission and if his work involved a task to be completed by us, he would remind us until we clear it and he always finished the work. He never liked anything to be kept pending as he left office in the evening."

It is refreshing (and certainly not uncanny) how former colleagues too hold exactly ditto recollections of Baliram. Organisations like BMPA stand tall and continue to grow. Rarely though, people like Baliram find their pride in and commit themselves to the growth of the organisations. He had a humble designation but Baliram has successfully created a niche for himself with his dedication, hard work, and connect with people. The success of this humble little man lies in the fact that people will not only miss him for what he did but will remember him for how well he impressed them while doing it. Baliram will still be found at industry-events by the BMPA and it's monthly board meetings since, frankly, these will then feel just right and august in the company of such a Raymond's 'complete man!'!

# **OPA felicitated Benny Landa for innovation**

In February this year, a delegation from Offset Printers Association (OPA), India, visited the office of Landa Digital Printing at Rehovot, a city located at 40 minute drive from Tel Aviv, Israel to meet innovator and entrepreneur, the father of digital printing Benny Landa.

Born in June 1946, Benny Landa founded Indigo Digital Press in 1977 and The Landa Group in 2003. He is the print innovator who stunned the world, especially the 'People-in-Print' at IPEX in 1993, when he unveiled the E-Print 1000 - the world's first

digital colour printing press. He revolutionized the printing industry once again by introducing yet another technology — Nanography in the year 2003 that brings digital printing to mainstream production.

After selling the Indigo Digital Printing to Hewlett-Packard in the year 2002 for US\$ 830 million, Mr Landa established The Landa Group for nanotechnology research. Working with nanoparticles, Landa and his team sought to capture environmental heat from the surrounding air and convert it into electricity. Landa's research group observed that many materials exhibit unusual properties at the nano-level. They used that discovery to experiment with pigment colourants for print production. He created Landa Digital Printing to further commercialise the



Prof. Kamal Chopra (second from left), General Secretary of OPA and Chairperson PAMEX 2020, felicitated Mr Landa (third from left)

nanotechnology solution for printing. The group developed a printing ink using the Nano pigments, called Landa Nano Ink and an offset digital printing process called Nanography.

The Offset Printers Association (OPA) delegation led by Prof. Kamal Chopra, General Secretary of OPA and Chairperson PAMEX 2020, felicitated Mr Landa, and invited him to visit PAMEX in 2020 at Mumbai.

While appreciating the visit of OPA delegation to his office and the factory, Mr. Benny Landa highlighted the activities being conducted in the factory and arranged the visit of factory and laboratory for the OPA delegation.

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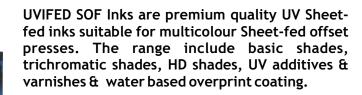
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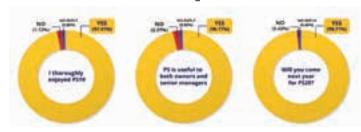
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# **Printers love ps**



BMPA's PS, the annual show we organise in the memory of the master - Johannes Guttenberg, by way of Printers Day Celebrations, is now heading for its 14th edition in January 2020. It will get even more interesting as it also happens to be the year of print trade's favourite international expo — Drupa.

BMPA recently shared the outcomes form the survey undertaken at this year's PS, which attracted 923 print business chieftains and their co-workers and print-enthusiasts. They give PS a positive feedback. Here, take a look:

Questions	Yes %	No %	No reply %
I thoroughly enjoyed PS19	97.41	1.72	0.86
PS is useful to both, owners and senior managers	96.77	2.37	.086
PS is sound investment in terms of time and money	94.83	3.02	2.16
Would you like NCPA as a venue for PS20?	97.63	1.51	0.86
Will you attend PS20?	98.71	0.43	0.86
Are the PS premium raffles a big attraction?	73.49	24.35	2.16
Was the event too long?	12.72	85.99	1.29
Do you like the convenience of online booking' for PS?	86.64	11.21	2.16
Would you recommend PS to your friends or senior employees?	98.49	0.65	0.86
Do you feel the mix of print and non-print subjects was correct?	84.48	14.66	0.86
I learnt more than two userful tips for my business at PS.	95.69	3.45	0.86

BMPA Team looks forward to your unflinching support and participation in PS 2020. They invite your wholehearted suggestions; write to Team BMPA at office@bmpa.org with all you recommendations and inputs in making a better show better for you year after year. After all, the PS team's mantra is it is teamwork that makes the dream work.

# Nomination for Viren Chhabra Print Leadership Award 2019

Viren Chhabra was the most loved mentor of India's Print industry; he was acclaimed within the global printing fraternity as the ambassador of India's printing industry. The Viren Chhabra Print Leadership Award recipient will join the prestigious group of notable printing stalwarts from India. The presentation of the Viren Chhabra Print Leadership Award 2019 will take place along with the most prestigious awards of printing industry — 'NAEP' at the time of Pamex 2020 at Mumbai on January 7, 2020.

The award may be given to a veteran who has devoted himself completely in the field of printing for the development and growth of the industry and welfare of the fellow brethren. The person shall be a wizard in printing and would have achieved something exceptional during his work span. The recipient of the award will be required to make a key note address at the award function for 10-15 minutes on the state of the printing industry and major issues before it.

The nominations could be submitted on or before July 31, 2019. For more information, please feel free to call at 011 26451742/43 and 41651742 or drop and email to fopaid11@gmail.com.



scan the QR code to download the Award brochure and the nomination





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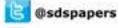
















# A stalwart printer passes away



"This life is but one step in a much greater journey."

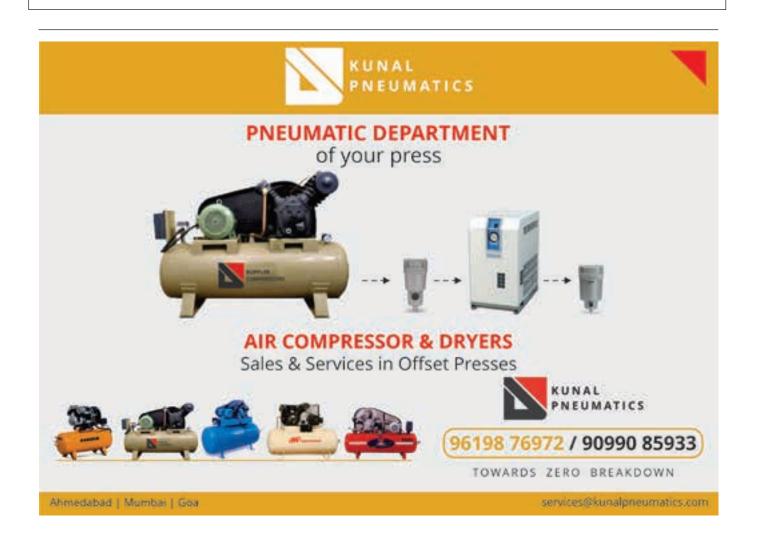
With deepest sympathy and on a very sad note this is to inform that Mumbai Mudrak Sangh's Past President, Shri Vinayak V. Patwardhan passed away on April 7, 2019. He is survived by his wife, two sons and a daughter.

Known to all as Bapusaheb, true to his name he brings to our mind an adorable father figure who was full of enthusiasm, optimism and high spiritedness. He has been the President of Maharashtra Mudran Parishad for three consecutive terms and committed himself to the development of the Technical Institute at Panvel, Navi Mumbai. The Government of Maharashtra also appointed him as a member of the Minimum Wages Committee for the printing industry; the present wage structures in the industry are calculated

basis the formula proposed by Shri Patwardhan. He also Chaired the Finance and Taxation Committee of AIFMP for 13 years, besides being elected twice as the Vice President of the Federation.

Born on November 8, 1927, he graduated in Science from Ramnarain Ruia College, Bombay University and commenced business activities in 1950. His two companies Prabhat Agency and Mangala Art Printers catered to nationalised banks, educational institutions, insurance companies, and the Government of Maharashtra for the production of textbooks. The task of ballot paper printing for Government of India during the Assembly Elections in Maharashtra was awarded and successfully delivered by his company.

He won several awards for excellence in printing from Maharashtra Mudran Parishad. On the occasion of Printers Day, the MMS Lifetime Achievement Award was conferred upon Shri Patwardhan in 2009. He was a valuable and highly respected member of our fraternity, and his loss is being felt already.



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we're on it.

# For a wise investment in packaging

The 2019 packaging conference, Shift\_019 is just around the corner; register for this conference in Delhi on May 8 and 9 to be well-informed about 'Investing for Sustainability and Financial Returns' in packaging.



SHIFT\_019 is Asia's premiere labels and packaging conference. Over two days, the conference is aimed at business owners and suppliers, packaging printers, converters, brand owners and designers in the packaging space. Image: http://printinnovationasia.net

SHIFT\_019 is Asia's premiere labels and packaging conference. Over two days, the conference is aimed at business owners and suppliers, packaging printers, converters, brand owners and designers in the packaging space. The conference will also feature table-tops from leading and supporting manufacturers to showcase the latest product and developments for the labels and packaging industry. The theme of this year's conference is: Investing for Sustainability and Financial Returns. The theme aims to address two of the most pressing issues faced by packaging printers today, sustainability and return on investments.

# Speakers announced for SHIFT\_019

Recently Shift\_019 organisers, Print Innovation India, unveiled the speaker line-up for the Conference. Over 20 international speakers have been lined up to present on the latest in packaging in Asia.

The topics and speakers at the 17th edition of the Asia Packaging Conference include:

- The Impact and Benefits of Digital Workflows and IOT on Label Printing by Tim Klappe, MPS
- Shaping packaging with productive, sustainable and state of the art machinery by Alfred Ulli, BOBST
- Advanced Ultrasonics as an investment for sustainability and financial returns by David Jones, Alphasonics

- Trends in Sustainable and Innovative Packaging by Hayato Kashiwagi, DIC Inks
- Sustainability through Standardisation of Pressroom by K. Panthala Selvan, Pressman Solutions and Idealliance South Asia
- Doctor Blades optimise quality and productivity for flexo and gravure by Tom Orbien, Prime Blade
- Solutions for Increased Productivity and Sustainability in CI Flexo - EASY-COL by Anuj Sahni, Windmoller and Holscher
- Flexographic printing trends by Giuseppe Sauli,
   Uteco
- Having more on your plate: flexo plates like you've never seen before by Supachai Theravithayangkura, Flint Group
- Is there a GREEN side to digitalising your print production while still delivering profit? by Klaus Nielsen, Xeikon
- The Success Formula of the Future (A Discussion on Outlook and Trends) by Thayer Long, Association for Print Technologies
- Process improvements a pathway to profitability by Isaam Lutfiyya, Baldwin Vision Systems
- Global Trends and Opportunities in Textiles by Andy Yarrow, Kornit Digital



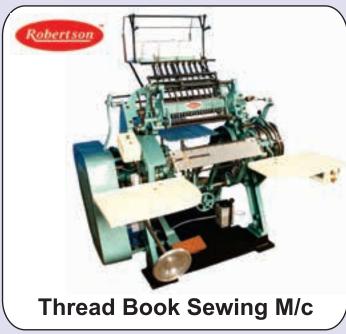
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### **MARKETPLACE**

- Enabling conversion from gravure to flexo process printing for thin films and higher productivity by Steve Smith, Kodak
- Improving ROI with new Flexo Plate Technologies by Gururaj Kirsur, DuPont Advanced Printing
- Into the Digital Packaging Fast Lane by Nick Price, HP Inc.

### **Excellence Awards 2019**

Recently, the judging for the Asian Packaging Excellence Awards 2019 has concluded. Over three days, the jury carefully deliberated and judged hundreds of entries submitted by companies from all over Asia. The Award jury includes print veterans: Willem (Wim) Swiggers, Phee Boon Eow and Ben Kwok.

The Award entries are judged on a wholly quality-oriented set of criteria to ensure that fair play is enacted at all times. The Independent Judging Panel comprises highly qualified personnel form within Asia and around the world. Supported by leading industry-supply companies, the competition awards excellent packaging products with the Gold, Silver or Bronze award.

Asian Packaging Awards 2019 winners will be unveiled at the annual Asian Packaging Conference, SHIFT\_19 in New Delhi at Novotel New Delhi Aerocity Hotel on May 9, 2019.

### **Print Innovation Asia**

Print Innovation Asia (formerly known as Print World Asia)



For Asian Packaging Excellence Awards 2019 the jury carefully deliberated and judged hundreds of entries submitted by companies from all over Asia. The Award entries are judged on a wholly quality-oriented set of criteria to ensure that fair play is enacted at all times. Image: From Asian Packaging Excellence Awards 2018 from http://printinnovationasia.net

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For more information and to register for the conference, visit: www.printinnovationasia.com/shift019 or you can also drop an email to elizabeth@printinnovationasia.com

# **Education award of excellence to professor baral**

Dr Anjan Kumar Baral has received the Education Award of Excellence 2018 in March 2019 in the USA from Michael F. Makin, President and CEO, Printing Industries of America (PIA). He is the first Indian printing technology professor to receive the prestigious award. This award is presented annually to an exemplary academic in recognition of the leadership that has directly resulted in a distinguished academic service and accomplishment in advancing graphic communication. Dr Baral is also the first recipient of the prestigious Education Excellence Award 2016-2017 and Print Ratna Award 2016-2017.

Dr Baral, a senior professor at Guru Jambheshwar University of Science and Technology (GJUS&T), Hisar, Haryana, is honoured for his outstanding work in advancing print education programmes in India. An active academician, researcher and speaker with extensive teaching and research experience of over three decades in a highly result-oriented graphic arts Industry in India, Dr Baral has guided research scholars pursuing their Ph.D. under his supervision. He has authored two books related to printing technology and published over 70

research papers in national and international peer-reviewed journals.

He has made significant contributions to the unification of print curriculums and syllabus across numerous technical schools and university platforms to ensure a comprehensive understanding of printing



technology across India. He also spearheaded the first ever International Research Conference in 2015 themed around 21st Century Printing , in conjunction with AIFMP in India. Through a partnership with Ricoh, Dr Baral has successfully established a state-of-the-art, Digital Print Application Laboratory at the Department of Printing Technology, GJUS&T for students and researchers for hands-on training and development in digital technology. This lab is the first of its kind to be installed in any academic facility in India.



# Safe Inks FOOD Packaging



MGA NATURA - Low Migration Low Odour offset inks for maximum safety in food packaging printing

Packaging is continuously evolving to fulfil new demands in terms of productivity, aesthetics and environment friendliness. Safety in particular needs special attention due to stringent regulatory requirements and increased consumer expectations, especially in case of food packaging. Inks, being an integral part of packaging, need to be carefully designed to fulfil these requirements.

Hubergroup's MGA NATURA series complies with all FDA Standards and EC Regulations for folding cartons in food packaging. This results in reduced approval cycles and increasing production flexibility for brand owners; while printers and converters no longer need to maintain large stocks of a variety of ink types and undertake costly, time-consuming press wash-ups when packaging is destined for different global regions.

Hubergroup's own strict MGA guidelines for packaging printing inks guarantee that the ink is produced in compliance with all relevant standards –including Good Manufacturing Practice (GMP) requirements for printing inks for food contact materials. These new inks consist of substances that will not migrate or which have been approved for food contact. Brand owners and printers can be assured that these inks do not include impurities or undesirable substances which could inhibit regulatory compliance of food packaging.











# Liberating imprints from width

Inkjet technology is taking a new shape; a small handheld print will fit it into our handbags and enable us to print our ideas almost instantly.

What if you got a printer in the palm of your hand, or a printer so small that you could take it anywhere and print on almost any surface? Such a printer would open endless possibilities and create infinite opportunities.

What about taking a selfie with your mobile and printing it instantly on your wallet? How about printing your graphic design idea right in front of your client, as you conduct the meeting with them?

These are not the flights of imagination any more; PrintBrush XDR Colors is the first-of-its-kind, computermouse-sized, mobile inkjet printer created by PrintDreams.

### Liberating imprints from printer-width

The Kickstarter page of the product claims that it is the first "colour printer for the smartphones." The product design-thinking behind the development of this printer is simply thinking-out-of-the-box. "Ordinary printer technology is significantly limited for mobile usage by the fact that printout size is directly linked to the device width. Invented by Alex Brenton in 2000, random movement printing technology (RMPT) overcomes this limitation by allowing larger printout sizes with smaller hardware," the PrintBrush XDR Colours' Kickstarter page adds, "the imprints are made simply by using a sweeping action, just swapping the printer's direction from left to right or right to left, directly on any surface, be it paper, cardboard, fabrics, wood, etc."

"As the user slides the PrintBrush XDR across a surface, an optical sensor tracks the velocity and direction of the printer relative to the surface. A controller matches the software interrupts to the relevant columns of the imprint image," confident of the product's technological prowess, the team further highlights, "Thanks to built-in sensors and intelligent software, the imprint will always be correct independently of the direction or the speed of a user's hand movement. You can go as slow or as fast as you want. You can even stop in the middle of the printout: the PrintBrush XDR delivers accurate and reliable results."

PrintDreams, the Sweden-based developer company of PrintBrush XDR Colors, has been working on RMPT since 2000. Though the



As the user slides the PrintBrush XDR across a surface, an optical sensor tracks the velocity and direction of the printer relative to the surface. A controller matches the software interrupts to the relevant columns of the imprint image. Image: PrintDreams on Kickstarter

technology has come a long way and works brilliantly for text and graphics with text in full colour, "it is still not perfect for the printing of photographs," as the product page claims on Kickstarter. The developers, however, have successfully raised ₹4.31 crore on Indiegogo and about ₹3.37 crore on Kickstarter from over 3700 backers worldwide, and the product has reached pre-production stage.

### A world of creative possibilities

The simplicity of making imprints and the versatility of printing on a wide range of surfaces with a mere 'sweep', makes this printer a perfect product for the 'smartphone generation' who likes everything unique, personalised, and wants it now. The PrintBrush's technology makes it easier to customise any and every product instantly. Did you buy an off-the-shelf laptop? Simply choose the design on your smatphone, send it to the printer, and print it on the laptop lid to make it your own. Do you

want to own the jeans that you just bought? Print your design on it by simply 'sweeping' the PrintBrush over the part you wish to print on your jeans. The customisation and personalisation of products would be as simple as imagining it and printing on a wide range of



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## **Concurrent Events:**







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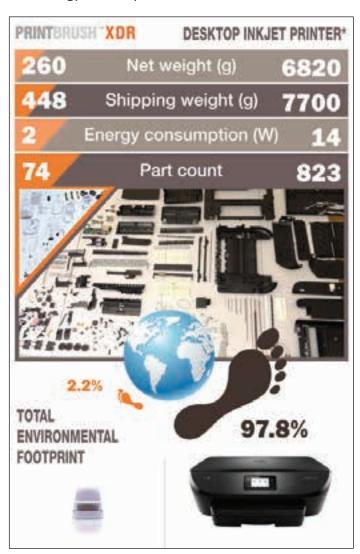
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Tel:- 91-120-4300586-587 Email : info@print-packaging.com products with this simple printer.

Interestingly, the product's page is also flooded with queries from people all over the world inquiring if the printer can be used to print on human skin? The pre-production-stage PrintBrush is already giving wings to people's imagination; the temporary tattoo industry worldwide is looking at this printer for what it can offer. Though the current set of inkjet inks are not tested for safe human-skin applications, the product designers are open to launching the printer with such speciality inks for specific applications.

# An eco-friendly footprint

PrintBursh XDR Colours' campaign page writes, "when you consider that over 100 million desktop printers are manufactured every year, our technology has the potential to save hundreds of



One of the most important purchase consideration among millennials and GenX is the environmental footprint of the product or the service. PrintBrush XDR Colors' significantly smaller product footprint also helps it to achieve drastically reduced ecological footprint. Image: PrintDreams on Kickstarter





Global print manufacturing giant Ricoh has also launched a RMPT-based printer in the Japanese market as recently as April 17. Lightweight at mere 315 gm, this smartphone-connected mobile printer is able to print text, codes, and graphics in black on a wide range of surfaces. The printer is capable of printing at 600 dpi with continuous operation for two hours. Available in three colours, the printer is priced at approximately USD 128. Scan the QR code to watch Ricoh Handy in action. Image: screenshot from video Ricoh Handy Printer by RICOH CHANNEL on YouTube

thousands of tons of steel and plastic, to say nothing of saving huge amounts of energy during manufacturing and usage. Users also have the potential of saving a few trees since they can go paperless and start printing on reusable substrates such as whiteboards!"

One of the most important purchase consideration among millennials and GenX is the environmental footprint of the product or the service. PrintBrush XDR Colors' significantly smaller product footprint also helps it to achieve drastically reduced ecological footprint. The production of the product needs lesser quantities of raw materials – metal and plastic – overall due to its smaller size. The diminutive size also makes it a lot more efficient while shipping to customers. Moreover, the last but not the least, the end-of-life recycling would also be comparatively less resource-hungry considering it uses a fraction of the resources right at the production stage.

Digital technology conquered the document printing market decades ago. Some segments of commercial are also dominated by digital technology, and inkjet is advancing rapidly to take over this market as well. If PrintBrush is any indication of the future of printing



Ordinary printer technology is significantly limited for mobile usage by the fact that printout size is directly linked to the device width. Random movement printing technology (RMPT) overcomes this limitation by allowing larger printout sizes with smaller hardware. Image: PrintDreams on Kickstarter

technologies and printing as we know them today, we clearly see a pattern of convergence is playing here. While on one hand, variable data printing will help personalisation of products, the portable printers will help make small-scale product processes much faster and efficient. Imagine a pack of products is printed with this printer by a packer, eliminating the need of printing and pasting the address label. The retailers can quickly decide, design, print and put up store-wise product discount and information campaigns. A start-up can buy precut blank visiting cards and the admin or even the marketing or the salespeople can print their cards as they go. Global aggregators are already popularising the 'glocal' phenomenon - global operations opting for local manufacturers or service providers. PrintBrush XDR Colour-like portable and miniature printing devices will further revolutionise the smaller- or personalquantity print jobs by offering much improved speed, efficiency, and control while being very simple and user-friendly.

It is time we take a look at these mobile printers and let our imagination create possibilities for future offerings to our clients with the help of this technology.





The latest to be included in the panel of BMPA consultants, Hiral Chheda of Chheda Management Consultants LLP, presented the most recent amendments in Labour Laws, and their impact on the print industry.

Powered by Kotak Mahindra Bank, the BMPA Impact Session at Sunville Banquets, Worli, brought together updates about four critical aspects that are witnessing rapid changes and evolution. Print business owners and print-professionals need to pay attention and get themselves up-to-date with these changes to not only guard the profitability of their business but also to ensure sustainable growth in the future.

### The latest GST amendments

Since the launch of goods and services tax (GST), it has been reviewed, and the tax regime has witnessed many changes through multiple amendments, orders, and clarifications, including a range of GST amendments that are applicable from April 1, 2019. BMPA's empanelled GST consultant CA Pathik Shah of B.P. Shah and Company explained and discussed in detail all of such amendments with the audience at the BMPA Impact Session.

New scheme for the supplier of services with a tax rate of 6% w.e.f April 1, 2019, has been detailed on page 29 in the Tax and Compliance section.

CA Shah also focused on the clarifications offered on sales promotions. He highlighted that, a] samples that are supplied free of cost, without any consideration, do not qualify as 'supply' under GST, therefore input tax credit (ITC) is not available on such items; b] in case of bye-one-get-one offers, one must apply GST rate out of the highest

rate applicable on the product, ITC is available for the free items also; and c] in case of discounts through credit notes, the recipient shall be liable to reverse the credit, in short: buy more, save more.

The next point CA Shah discussed is valid for all the proprietorships: the transfer of ITC in case of the death of the proprietor. The credit transfer shall be eligible. The transferee or the successor shall be liable to pay any tax, interest or any penalty due from the transferor — also, the legal heir has to apply for the cancellation of GST number

and apply for a new number if the business has to continue.

The other GST amendments that were discussed include:

- 1. Threshold Limit for composition scheme has been increased to ₹1.5 crore from ₹75 lac.
- Threshold limit to take registration has been increased to ₹40 lac from ₹20 lac for the supplier of goods (no interstate supply allowed and no service to provide).
- The due dates for filing of GSTR-1 and GSTR-3B for the months of April, May and June of 2019 have been notified in line of earlier due dates.
- Last chance to avail Input Tax Credit relating to FY2017-2018 – latest by the due date of furnishing the return for the month of March 2019, i.e. by April 20, 2019.



■1 GST

# ATION-PACKED PACT SESSION

The Impact Session on April 4 packed updates from the domain experts on GST, labour laws, power-related issues, and food-safe inks.

- 5. Due date to file Form ITC-04 for Goods sent to Job-worker for July 1, 2017, to March 31, 2019 extended to June 30, 2019.
- 6. GST credit shall now first be utilised to pay off IGST liability and the balance of IGST credit, if any, can be utilised to pay off SGST or CGST liability, in any order. It may be noted that the credit of SGST or CGST can be utilised only after exhausting the IGST credit.

# The changes in the e-way bill (EWB) include:

- Auto calculation of route distance based on PIN code for generating EWB.
- 2. Blocking of generation of multiple EWBs on one invoice/document.
- 3. Extension of EWB in case of the consignment is in transit.
- 4. Blocking of the interstate transaction for composition
- Accounting and billing software available for only small taxpayer (annual turnover < 1.5 crores)</li>

CA Pathik Shah also shared the details of Maharashtra Value Added Tax (MVAT) Amnesty Scheme, and the Maharashtra Industrial Policy, 2019 that is valid from April 1, 2019, to March 31, 2024.

To learn in detail about these two Maharashtra state schemes and to watch the entire BMPA Impact Session presentation by CA Pathik Shah scan the GST QR code in this article.

# Labour laws, PF and employers' liability

The latest to be included in the panel of BMPA consultants, Hiral Chheda of Chheda Management Consultants LLP, presented the most recent amendments in Labour Laws, and their impact on the print industry.

Under the Employees Provident Fund and Miscellaneous Provisions Act, 1952, all provident fund (PF) claims,



Kartik Shah, Vice President and Product
Manager for Current Account at Kotak Mahindra
Bank interacted with the audience. Mr Shah
and his team explained to the audience a wide
variety of Kotak Mahindra Bank current account
features, including the industry-leading online
and mobile banking features, door-step banking
features, and above all, the transparent forex
trading facilities for the import-export traders
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(E) Kotak Ban

To watch the complete presentation by the Kotak Mahindra Bank Team scan the QR code and to find out more about the bank, visit their website at https://www.kotak.com/en/business.html.

withdrawals, transfers have to be now submitted online with effect from December 2018. Therefore, KYC documents such as Aadhar, PAN, and bank account details need to be updated on the PF portal for all the PF-eligible employees to ensure the smooth process. Mr Chheda also highlighted that "PF interest rate has been hiked from 8.55% to 8.65% for FY2018-2019."



Toyo Ink Team, led by Ram Kumar, spoke about the Food Safety and Standards (Packaging) Regulations, 2018, and the Food Safety and Standards (Labelling and Display) Regulations, 2018. Mr Kumar updated the audience at the BMPA Impact Session that, "the FSSAI amendments coming into effect from July 2019 prescribe that printing ink for use on food packages shall conform to IS 15495."



To watch the complete presentation by the Toyo Ink Team scan the QR code.

"Pradhan Mantri Rojgar Protsahan Yojana (PMRPY) benefit for new eligible employees will not be applicable with effect from April 1, 2019, but would continue for the existing employees covered under the scheme," informed Mr Chheda.

Discussing the impact of the recent judgement by Hon'ble Supreme Court of India on allowances, Mr Chheda said, "allowances which are uniformly, necessarily and ordinarily paid to all employees across the company in a particular category would form part of the basic wages. The allowances paid to employees without proper justification or clarification would also form a part of basic wages." He also noted that the HRA (house rent allowance), statutory bonus paid along with the monthly salary would not be affected by the Supreme Court judgement. Genuine variable pay, for example, over time, production-linked incentives, commission paid against sales, will not be affected by the Supreme Court judgement.

The judgement, however, would have the most impact on the employees contributing PF on or up to ₹15,000/- basic monthly salary. The employees take home will reduce with the rise in the contribution of PF (after including specific general allowances as part of the basic salary). Employer cost will also increase on account of the higher contribution towards PF.

Pending PF inspection with the department, tribunal, high courts, would be now treated keeping in view of the Supreme Court judgement.

In light of the Supreme Court judgement about PF, Mr Chheda suggested the printers that they should "filter employees contributing PF on less than ₹15,000/- basic monthly salary and divide salary preferably into basic and HRA in the ratio of 70:30." He also advised the printers



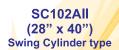
BMPA's empanelled GST consultant CA Pathik Shah of B.P. Shah and Company explained and discussed in detail all of such amendments with the audience at the BMPA Impact Session.

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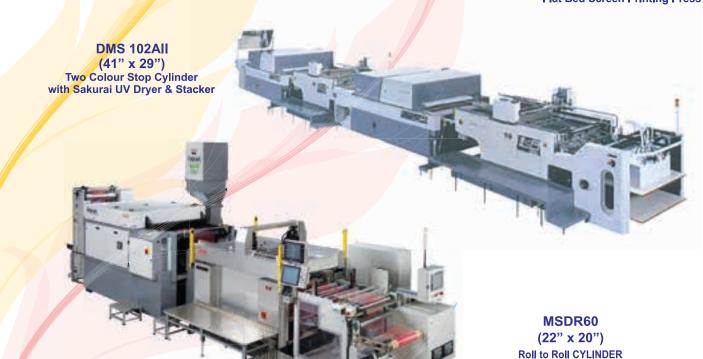


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Speed	$1000 \sim 3600 \ IPH$	900 ~ 3300 IPH	900 ~ 3300 IPH	$800\sim 2000~IPH$	400 ~ 3600 IPH	$800 \sim 4000 \; IPH$	100 ~ 2000 IPH	200 ~ 2000 IPH	$800\sim 2000\ IPH$	1000 IPH	660 FS
Thickness	01 ~ 08 mm	01~08 mm	01~08 mm	01 ~ 08 mm	0.05 0.0	0.075 0.0	0.05 0.0	0.075 0.0	0.1 0.0	0.1 2	$0.025 \sim 0.1 \text{ mm}$

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Interacting with the live audience with his colleague, Shridhar Visvanathan simplified the technically complex and complicated information about electrical power, power surges, power sags, failures, and a wide variety of solutions.

that if they wish to give specific allowances to a group of employees, they must create a specific policy for their organisation. "For example, if you want to give fuel or travel allowance to marketing guys, you will have to create a specific policy and accordingly give allowances that are specified and well-defined," Mr Chheda elaborated, "avoid showing allowances with names such as Special Allowance, Misc. Allowance, Supplementary Allowance, Other Allowance, Fitment Allowance, etc. which carry very generic nomenclature."

Mr Chheda also shared information about the Employee State Insurance Act, 1948 and the Maternity Benefit Act, 1971. To know more about these two acts and to watch Hiral Chheda educate the audience at BMPA Impact session scan the Labour Law QR code in this article.

### **Empowering printers with 'conditioned' power**

The third expert presentation at the BMPA Impact Session was by a familiar man. A power quality system analyst with over 30 years of industry expertise, Shridhar Visvanathan, Principal Consultant of Online Systems and the Electronic and Electrical Safety Consultant for BMPA, is known to Print Bulletin readers for his series of articles about power issues and their solutions.

Interacting with the live audience with his colleague, Mr Visvanathan simplified the technically complex and complicated information about electrical power, power surges, power sags, failures, and a wide variety of solutions that are available with a range of equipment to ensure quality power supply to the power sensitive machinery at printing and packaging industries.

We have electricity in our lives since 1879 when Thomas Alva Edison innovated and commercialised the electrical light bulb; however, the electrical instruments we use have evolved since. From a simple filament-based light bulb to the modern LED bulb controlled by advanced electronics. Same is true of the printing and packaging industry; the machinery has come a long way from analogue-controlled units to the modern state-of-the-art machines with semiconductor-controlled rectifier (SCR) or switched-mode power supply (SMPS), variable drive controllers, and more such technologies that demand better quality, uninterrupted power supply.

So far, the industry-wide norm is using stabilisers to address the power quality issues; however, "one solution is not enough to ensure reliable and constant power," says Mr Visvanathan. Through the presentation he suggested that the industries should monitor and document to sets of data:

1] monitoring of electrical parameters such as supply voltage and frequency, neutral and load currents, power (kVA and kW), power factor and earth neutral voltage; and 2] log historical events such as voltage sag and swell, inrush current, current and voltage harmonics.

Readers can scan the PB Archives QR code to download and save for future reference all the information-packed articles by Mr Viswanathan published earlier in Print Bulletin.





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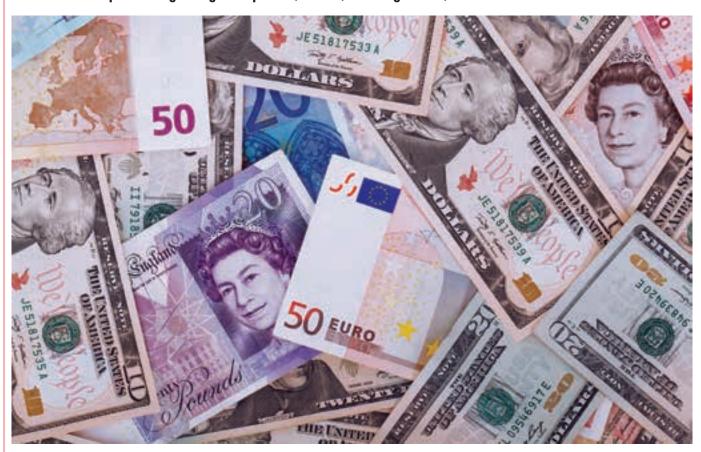
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# Important deadlines to catch

BMPA has constituted a panel of consultants to support Print Bulletin readers with up-to-date information and to resolve queries regarding tax updates, FEMA, Banking sector, and the labour laws.



The External Commercial Borrowings (ECB) and Trade Credits already notified on December 17, 2018. (Notification No. FEMA.3R/2018-RB dated December 17, 2018). The new ECB framework was issued on 16/01/2019 (A. P. (DIR Series) Circular No. 17). Trade Credits (TC) refer to the credits extended by the overseas supplier, bank, financial institution and other permitted recognised lenders for maturity, as prescribed in this framework, for imports of capital/non-capital goods permissible under the Foreign Trade Policy. Depending on the source of finance, such TCs include suppliers' credit and buyers' credit from recognised lenders. Image: PublicDomainPictures on pixabay

BMPA has constituted a panel of consultants to support Print Bulletin readers with up-to-date information and to resolve queries regarding tax updates, FEMA, and the banking updates.

## **GST** update

# Due dates for furnishing FORM GSTR-1 for the months of April, May and June, 2019

Government of India vide Notification No. 11/2019 – Central Tax dated March 7, 2019 notified the due dates for furnishing the details of outward supply of goods or services or both in FORM GSTR-1 for the period April to June, 2019 as July 31, 2019by such class of registered persons having aggregate turnover of up to ₹1.5 crore in the preceding financial year or the current financial year.

Further, Government of India vide Notification No. 12/2019 – Central Tax dated March 7, 2019 notified extension in the time limits for furnishing the details of outward supplies in FORM GSTR-1 for each of the months from April, 2019 to June, 2019 till 11th day of the month succeeding such month by such class of registered persons having aggregate turnover of more than ₹1.5 crore in the preceding financial year or the current financial year.

# Due dates for furnishing of FORM GSTR-3B for the months of April, May and June, 2019

Government of India vide Notification No. 13/2019 – Central Tax dated March 7, 2019 specified that the due date for filing the return in FORM GSTR-3B for each of the months from April, 2019 to June, 2019 shall be 20th day of the month succeeding such month.





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Further, the liability towards tax, interest, penalty, fees or any other amount payable under the said the Act shall be discharged not later than the last date on which he is required to furnish the said return as specified above.

# New scheme for supplier of services with a tax rate of 6% w.e.f April 1, 2019

Government of India vide Notification No. 2/2019-Central Tax (Rate) dated March 7, 2019 notified Composition scheme in case of intrastate supply of goods or services or both, at the rate along with the conditions specified below:

Description of supply	Rate %	Conditions		
First supplies of goods or	3	1.	Supplies are made by a registered person:	
services or both up to an aggregate turnover of		a)	whose aggregate turnover in the preceding financial year was ₹50 lac or below;	
₹50 lac made on or after		b)	who is not eligible to pay tax under sub-section (1) of section 10;	
the 1st day of April in		c)	who is not engaged in making any supply which is not leviable to tax;	
any financial year, by a registered		d)	who is not engaged in making any interstate outward supply;	
person		e)	who is neither a casual taxable person nor a non-resident taxable person;	
		f)	who is not engaged in making any supply through an electronic commerce operator who is required to collect tax at source under section 52; and	
		g)	who is not engaged in making supplies of:	
		•	Ice cream and other edible ice, whether or not containing cocoa.	
		•	Pan masala	
		•	Tobacco and manufactured tobacco substitutes	
		2.	Where more than one registered persons are having same PAN, central tax on supplies by all such registered persons is paid at the given rate.	
		3.	The registered person shall not collect any tax from the recipient nor shall he be entitled to any credit of input tax.	
		4.	The registered person shall issue, instead of tax invoice, a bill of supply.	
		5.	The registered person shall mention the following words at the top of the bill of supply, namely: 'Taxable person paying tax in terms of Notification No. 2/2019-Central Tax (Rate) dated 07.03.2019, not eligible to collect tax on supplies."	

Description of supply	Rate %	Conditions	
		6. Liability to pay central tax at the rate of 3% on all outward supplies notwithstanding any other notification issued under section 9 or section 11 of said Act.	
		7. Liability to pay central tax on inward supplies on reverse charge under sub-section (3) or sub-section (4) of section 9 of said Act.	
		Explanation: For the purposes of this notification, the expression "first supplies of goods or services or both" shall, for the purposes of determining eligibility of a person to pay tax under this notification, include the supplies from the first day of April of a financial year to the date from which he becomes liable for registration under the said Act but for the purpose of determination of tax payable under this notification shall not include the supplies from the first day of April of a financial year to the date from which he becomes liable for registration under the Act.	

It may be noted that while computing aggregate turnover in order to determine eligibility of a registered person to pay central tax at the rate of 3%, value of supply of exempt services by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount, shall not be taken into account.

Comment: Another welcome relief to Service Providers that is modelled on the SSI-scheme under Central Excise laws. Exemption runs from April 2019 till Turnover reaches ₹50 lac.

This is an optional facility through a rate notification that is 'notwithstanding' any other rate notification issued. That is, this notification overrides 11/2017-CT(R). As it is optional, registered person should carefully consider the conditions before opting for the same.

This facility and composition under section 10 operate as mutually exclusive. Thus, traders and manufacturers of goods and restaurant service providers who are eligible for composition (even if not opted) will not enter this facility. Relief in case of interest income is welcome but the condition of liability to pay tax under 9(4) is a sure surprise. And it seems to give a clue that 9(4) in its amended form might get notified before April 1, 2019 so as to maintain harmony with this notification.

# **Banking update**

# Trade Credit policy: the revised framework

 The External Commercial Borrowings (ECB) and Trade Credits already notified on December 17, 2018. (Notification No. FEMA.3R/2018-RB dated December 17, 2018).





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- The new ECB framework was issued on16/01/2019 (A. P. (DIR Series) Circular No. 17).
- The Trade Credit framework based on the aforementioned notified regulation is being issued now (RBI/2018-2019/140 A.P. (DIR Series) Circular No. 23, Dated-13.03.2019).
- 4. Trade Credits can be raised under the automatic route up to the amount specified in this circular.
- 5. The amended Trade Credit policy will come into force with 13.03.2019.
- 6. Trade Credits (TC) refer to the credits extended by the overseas supplier, bank, financial institution and other permitted recognised lenders for maturity, as prescribed in this framework, for imports of capital/ non-capital goods permissible under the Foreign Trade Policy. Depending on the source of finance, such TCs include suppliers' credit and buyers' credit from recognised lenders.
- All-in-cost includes rate of interest, other fees, expenses, charges, guarantee fees whether paid in foreign currency or INR. Withholding tax payable in INR shall not be a part of all-in-cost.
- Approval route: TC can be raised either under the automatic route or the approval route. Under the approval route, the prospective importers are required to send their requests to the Reserve Bank of India through their Banks for examination.
- 9. **Automatic route:** For the automatic route, the cases are examined by the banks.
- Special Economic Zone & Free Trade Warehousing Zone: They shall have the same meaning as assigned to them in Special Economic Zones Act 2005.



Basically, proceedings under Section 138 (Dishonour of cheque) of the Negotiable Instrument Act, 1881 is of civil nature but has been given criminal outcome. Image: rawpixel on pixabay

 Trade Credit Framework: TC can be raised in any freely convertible foreign currency or Indian Rupee, as below:

Sr. No.	Parameters	FCY denominated TC	INR denominated TC			
1	Forms of TC	Buyers' Credit and Suppliers' Credit				
2	Eligible borrower	Person resident in India acting as an importer				
3	Amount under automatic route	Up to USD 50 million or equivalent per import transaction				
4	Recognised lenders	For suppliers' credit: Supplier of goods located outside India.				
		For buyers' credit: Banks, financial institutions, foreign equity holder(s) located outside India and financial institutions in International Financial Services Centres located in India.				
		Note: Participation of Indian banks and non-banking financial companies (operating from IFSCs) as lenders will be subject to the prudential guidelines issued by the concerned regulatory departments of the Reserve Bank of India. Further, foreign branches/subsidiaries of Indian banks are permitted as recognised lenders only for FCY TC.				
5	Period of TC	The period of TC, reckoned from the date of shipment, shall be up to 3 years for import of capital goods. For non-capital goods, this period shall be up to 1 year or the operating cycle whichever is less.				
6	All-in-cost ceiling per annum	Benchmark rate plus 250 bps spread.				
7	Exchange rate	Change of currency of FCY TC into INR TC can be at the exchange rate prevailing on the date of the agreement between the parties concerned for such change or at an exchange rate, which is less than the rate prevailing on the date of agreement, if consented to by the TC lender.	For conversion to Rupee, exchange rate shall be the rate prevailing on the date of settlement.			
8	Hedging provision	The entities raising TC are required to follow the guidelines for hedging, if any, issued by the concerned sectoral or prudential regulator in respect of foreign currency exposure. Such entities shall have a boardapproved risk management policy.	The overseas investors are eligible to hedge their exposure in Rupee through permitted derivative products with AD Category I banks in India. The investors can also access the domestic market through branches/subsidiaries of Indian banks abroad or branches of foreign banks with Indian presence on a back-to-back basis.			
9	Change of currency of borrowing	Change of currency of TC from one freely convertible foreign currency to any other freely convertible foreign currency as well as INR is freely permitted.	Change of currency from INR to any freely convertible foreign currency is 'not' permitted.			

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- 12. Trade Credits in Special Economic Zone (SEZ)/Free Trade Warehousing Zone (FTWZ)/Domestic Tariff Area(DTA): TC can be raised by a unit or a developer in a SEZ including FTWZ for purchase of non-capital and capital goods within an SEZ including FTWZ or from a different SEZ including FTWZ.
- 13. Further, an entity in DTA is also allowed to raise TC for purchase of capital / non-capital goods from a unit or a developer of a SEZ including FTWZ.
- TC transactions in respect of SEZs and DTAs as permitted above should also be in compliance with applicable provisions of SEZ Act, 2005.
- For TC transactions related to SEZ, date of transfer of ownership of goods will be treated as TC date.
- 16. As there will be no bill of entry for sale transactions within SEZ, the inter unit receipt generated through NSDL can be treated as an import document.
- Security for trade credit: Bank guarantees may be given by the bank, on behalf of the importer, in favour of overseas lender of TC not exceeding the amount of TC.
- 18. Period of such guarantee cannot be beyond the maximum permissible period for TC.
- TC may also be secured by overseas guarantee issued by foreign banks / overseas branches of Indian banks.
- 20. Issuance of such guarantees i.e. guarantees by Indian banks and their branches/

- subsidiaries located outside India will be subject to compliance with the provisions contained in Master Circular No.DBR.No.Dir.BC.11/13.03.00/2015-16 dated July 1, 2015 on "Guarantees and Coacceptances."
- For the purpose of raising TC, the importer may also offer security of movable assets (including financial assets) / immovable assets (excluding land in SEZs) / corporate or personal guarantee for raising TC.
- TC should also comply with FDI/FII/SEZ policy/ rules/ guidelines.
- 23. Monthly reporting: banks are required to furnish details of TCs like drawal, utilisation, and repayment of TC approved by all its branches, in a consolidated statement, during a month.
- 24. Each TC may be given a unique identification number by the bank.
- 25. Suppliers' credit beyond 180 days and up to one year/three years from the date of shipment for noncapital/capital goods respectively, should also be reported by the banks.
  - 26. Quarterly reporting: Banks are required to report quarterly also about all TC.
  - 27. Role of bank: While the primarily responsibility of ensuring adherence to the TC policy lies with the importer.
  - 28. The banks are also expected to ensure compliance with applicable parameters of the TC.





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- As the Reserve Bank has not prescribed any format or manner in which TC arrangements/loan agreements are to be documented.
- 30. Bank may consider any document to satisfy themselves with the underlying TC arrangement.
- 31. Bank should ensure that there is no double financing.
- 32. Bank should also ensure that for import of noncapital goods, the period of TC, as applicable, is lower of operating cycle or one year.
- 33. You are also requested to refer RBI/FED/2018-19/67 FED Master Direction No.5/2018-19, March 26, 2019.
- 34. Those members, who wish to use Trade Credit for financing their businesses should carefully study this circular. We also suggest that necessary help from your bank may be availed.

# **Companies Act and legal**

# Whether proceedings under Section 138 (Dishonour of cheque) of the Negotiable Instrument Act, 1881 be considered as civil or criminal in nature

The nature of proceedings under Negotiable Instrument
Act is still under a grey patch and ambiguous
owing to the different views of the Court.

The Hon'ble Delhi High Court in the matter of Bhajanpura Cooperative Urban Thrift and Credit Society Ltd. v/s. Sushil Kumar, MANU/DE/2084/2014 held that proceedings under section 138 of NI Act, 1881 primarily is of quasi-civil and criminal in nature.

In M/s Meters and Instruments Pvt. Ltd. & Anr. V. Kanchan Mehta, (2018) 1 SCC 560, the Supreme Court observed that the offence under section 138 is primarily a civil wrong and the purpose of the provision is predominantly compensatory. The penal element is mainly for the purposes of enforcing the compensatory element.

The Hon'ble Supreme Court in Kaushalya Devi Massand v. Roopkishore Khore, (2011) 4 SCC 593 had held that the gravity of a complaint under the Negotiable Instrument Act, 1881 cannot be equated with an offence under the provisions of the Indian Penal Code, 1860 ("IPC") or other criminal offences. As per the Hon'ble Supreme Court, "an offence under Section 138 NI act is almost in the nature of a civil wrong, which has been given criminal overtones."

In Damodar S. Prabhu v. Sayed Babalal, it was held by the Apex Court that section 138 is actually in the nature of a civil wrong which has been given criminal implications. This is because the interest of the complainant is the

recovery of the money and not sending the accused behind bars.

Conclusion: Basically, proceedings under Section 138 (Dishonour of cheque) of the Negotiable Instrument Act, 1881 is of civil nature but has been given criminal outcome.

### Corporate social responsibility: comply or explain

As per the Companies Act, 2013, every company of 'specified' categories has to announce a Corporate Social Responsibility (CSR) policy. The specified categories includes every company having net-worth of ₹500 crore or more or turnover of ₹1,000 crore or more or net profit of ₹5 crore of more during the immediately preceding financial year.

Specified categories of companies are required to spend at least two per cent of their average net profits made during the three immediately preceding financial years, in pursuance of their CSR policy towards the specified activities.

During the process, there was a debate as to whether the spending requirements must be made mandatory, but the law adopts a "comply-or-explain" approach. Hence, while there is no obligation to mandatory spend the prescribed

share of profit towards the CSR, there is a requirement for companies that do not comply to explain the reasons for non-compliance. These requirements, enshrined under section 135 of the Companies Act and in the Companies (Corporate Social Responsibility Policy Rules), 2014 came into effect on and from April 1, 2014.

Conclusion: There is no compulsion for the specified companies to spend share of profits towards CSR activity but the companies not complying with the same need to explain reason of non-compliance.

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