



## Workshop on Litigation Management



Organized By: Indirect Taxes Committee

Jointly Hosted By: .....

| Date & Time | Venue |
|-------------|-------|
| .....       | ..... |

**Registration & Welcome address: 09:30 A.M. to 10:00 A.M.**

| Timing | Topics & Speakers |
|--------|-------------------|
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### DAY-1

|                              |  |
|------------------------------|--|
| 10.00 A.M.- 11:00 A.M.       | <i>About the course and importance of representation</i><br><i>Speaker: ... ..</i>                     |
| <i>Tea Break- 15 minutes</i> |  |
| 11.15 A.M. - 1:15 A.M.       | <i>Relevant statutory provisions under Indirect Taxes (Pre and Post GST)</i><br><i>Speaker: ... ..</i> |

**Lunch - 01.15 P.M TO 02.15 P.M**

| Timing                | Topics & Speakers  |
|-----------------------|--|
| 2:15 P.M. - 3:15 P.M  | <i>Importance of Legal Maxims and Phrases, such as:</i> <ul style="list-style-type: none"><li>➤ <i>Timeliness of agitation (vigilantibus doctrine)</i></li><li>➤ <i>Truthfulness of actions (clean-hands doctrine)</i></li><li>➤ <i>Mens rea not presumed, only proof not required</i></li><li>➤ <i>Bona fide view versus innocent/ignorant errors</i></li><li>➤ <i>Ignorance of law versus impossible law</i></li><li>➤ <i>Hearing and adjournment (audi alterim)</i></li><li>➤ <i>Applicability of authorities to litigant and to others</i></li><li>➤ <i>Re judicata, sub judice and re integra</i><br/><i>(maxims on Construction of Statutes to be excluded)</i></li></ul> <i>Speaker: ... ..</i> |
| 3:15 P.M. - 4:15 P.M. | <i>Introduction to concept of Administrative law:</i> <ul style="list-style-type: none"><li>➤ <i>Difference between Judicial Review and Appeal</i></li><li>➤ <i>Role of Writ Court</i></li><li>➤ <i>Interlocutory Applications and invoking 151 of CPC</i></li><li>➤ <i>Importance of Limitation in judicial remedy</i></li><li>➤ <i>Locus, maintainability and jurisdiction</i></li><li>➤ <i>Remedy sought to be within power of authority to grant</i></li><li>➤ <i>Legality of non-appealable orders</i></li></ul> <i>Speaker: ... ..</i>   |

*Tea Break- 15 minutes*

|                       |   |
|-----------------------|---|
| 4:30 P.M. - 5:30 P.M. | <p><i>Few relevant concepts of Evidence law such as:</i></p> <ul style="list-style-type: none"> <li>➤ <i>Fact and fact-in-issue</i></li> <li>➤ <i>Issues and framing of issues</i></li> <li>➤ <i>Onus, onus probandi and contra profirentum</i></li> <li>➤ <i>Assumed, presumed</i></li> <li>➤ <i>Proved, not proved and disproved</i></li> <li>➤ <i>Proof, degree of proof and not to be proved</i></li> <li>➤ <i>Facts, assumption, inference and findings</i></li> <li>➤ <i>Evidentiary value of books, private records, third-party's documents and contemporaneous records</i></li> <li>➤ <i>Summons – appearance and failure, statement and retraction, etc.</i></li> <li>➤ <i>Opinion of experts and CA certificate as proof of facts</i></li> <li>➤ <i>Electronic records and IT Act</i></li> </ul> <p><i>Speaker: ... ..</i></p> |
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## DAY-2

| Timing                                | Topics & Speakers   |
|---------------------------------------|---|
| 09.45 A.M. - 11.15 A.M                | <p><i>Advisory role during litigation including search, seizure, audit, investigation etc.</i></p> <p><i>Speaker: ... ..</i></p>                        |
| <i>Tea Break- 15 minutes</i>          |   |
| 11.30 A.M. - 1.00 P.M                 | <p><i>Handling representation before the <b>adjudicating authority</b> with practical tips and illustrations</i></p> <p><i>Speaker: Adv. ... ..</i></p> |
| <b>Lunch – 01.00 P.M TO 02.00 P.M</b> |   |
| Timing                                | Topics & Speakers   |
| 2.00 P.M.- 3.45 P.M.                  | <p><i>Handling litigation before the <b>appellate authority</b> with practical tips and illustrations</i></p> <p><i>Speaker: ... ..</i></p>             |
| <i>Tea Break- 15 minutes</i>          |   |
| 4.00 P.M. - 5.15 P.M.                 | <p><i>Litigation strategy and role of dress code, craft and logistics in aiding success</i></p> <p><i>Speaker: ... ..</i></p>                           |

## DAY-3

| Timing                                | Topics & Speakers   |
|---------------------------------------|---|
| 9:45 A.M. - 11.30 A.M.                | <p><i>Drafting and pleadings and its importance; advantage of command over language</i></p> <p><i>Speaker: ... ..</i></p>   |
| <i>Tea Break- 15 minutes</i>          |   |
| 11.45 A.M. - 1.15 P.M.                | <p><i>Drafting audit reply and other correspondence during audit and investigation; brief and to-the-point but not disclosing defence</i></p> <p><i>Speaker: ... ..</i></p> |
| <b>Lunch – 01.00 P.M TO 02.00 P.M</b> |   |
| Timing                                | Topics & Speakers   |
| 2.00 P.M. - 3.30 P.M                  | <p><i>Drafting of reply to SCN (analysis of SCN, evidence and grounds); identifying missing elements in SCN</i></p> <p><i>Speaker: .....</i></p>                            |

|   |   |
|---|---|
| <i>Tea Break- 15 minutes</i>  |   |
| <b>3.45 P.M. - 5.15 P.M.</b>  | <i>Drafting of appeal to Tribunal including form, statement of facts, grounds, prayer and verification; common errors to avoid</i><br><b>Speaker: .....</b> |
| <b>DAY-4</b>  |   |
| <b>Timing</b>   | <b>Topics &amp; Speakers</b>  |
| <b>9.45 A.M. - 11.00 A.M.</b>   | <i>Mock Hearing (adjudication/first appellate authority)</i><br><b>Speaker: ... ..</b>  |
| <i>Tea Break- 15 minutes</i>  |   |
| <b>11.15 A.M. - 1.00 P.M.</b>   | <i>Mock Hearing (adjudication/first appellate authority)</i><br><b>Speaker: .....</b>   |
| <b>Lunch - 01.00 P.M TO 02.15 P.M</b>   |   |
| <b>2.15 P.M. TO 3.15 P.M.</b>   | <i>Mock Tribunal</i><br><b>Speaker: .....</b>   |
| <i>Tea Break- 15 Minutes</i>  |   |
| <b>3.30 P.M. TO 4.30 P.M.</b>   | <i>Mock Tribunal</i><br><b>Speaker: .....</b>   |
| <b>4.30 P.M. TO 5.30 P.M</b>  | <i>Ethical practices and integrity</i><br><b>Speaker: .....</b>   |
| <b>Programme Chairman</b><br>CA. Madhukar N Hiregange<br>Chairman, Indirect Taxes Committee<br>+91 0120-3045954<br><a href="mailto:idthc@icai.in">idthc@icai.in</a> | <b>Programme Convener</b>   |
|   | <b>Programme Co-ordinator</b>   |
|   | <b>Contact for Registration</b>   |

**Limited Seats, registration will be on first come-first serve basis.**

1. **Fees:** For Members: Rs. ..../- per Delegate
2. **24 CPE Hours will be granted subject to attendance**
3. **Background Material for every participant**