



Giriraj Khandelwal &

Associates

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Volume 10

LAKSHYA

The monthly Newsletter

(Only for private circulation)



This newsletter covers the following:

- Compliance calendar under various laws for the month of April 2022.
- Important changes in law from FY 2022-23.
- Important Circulars/Notifications issued under various laws.
- Important Case Laws.
- National news updates.
- Financial news from around the Globe.
- Article on Sri Lanka's economic crisis.
- Snapshot of important financial indicators.

“The secret of business is to know something that nobody else knows.”

- ARISTOTLE ONASSIS

COMPLIANCE CALENDAR UNDER VARIOUS LAWS FOR THE MONTH OF APRIL 2022**ESIC, PF & PT PAYMENT & PT RETURN**

Nature of Payment/Return	Period	Particulars	Due Date
ESIC Payment	Mar-22	Monthly Payment for ESIC	15 th Apr 2022
Provident Fund Payment	Mar-22	Monthly Payment for Provident Fund	15 th Apr 2022
Provident Fund Return	Mar-22	Monthly Return for Provident Fund	25 th Apr 2022
Professional Tax Payment	Mar-22	Monthly Payment for Professional Tax Deducted	30 th Apr 2022
Professional Tax Return	Mar-22	Return filling for taxpayers liable to file monthly return	30 th Apr 2022

INCOME TAX

Form/Challan	Period	Particulars	Due Date
26 QB	Mar-22	Deposit of TDS amount under section 194-IA (Transfer of immovable property)	30 th Apr 2022
26 QC	Mar-22	Deposit of TDS amount under section 194-IB (Payment of rent by certain individual/HUF)	30 th Apr 2022
26 QD	Mar-22	Deposit of TDS amount under section 194-M (Payment to resident for carrying out any work in pursuance of contract or by way of professional fees)	30 th Apr 2022
	Mar-22	Monthly Payment of TDS/TCS by office of government	7 th Apr 2022
Form 16B	Feb-22	TDS certificate in relation to challan cum statement filed in Form 26 QB under section 194-IA	14 th Apr 2022
Form 16C	Feb-22	TDS certificate in relation to challan cum statement filed in Form 26 QC under section 194-IB	14 th Apr 2022
Form 16D	Feb-22	TDS certificate in relation to challan cum statement filed in Form 26 QD under section 194-M	14 th Apr 2022
Form No.3BB	Mar-22	Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of March 2022	15 th Apr 2022

Form No. 15CC	Jan to Mar-22	Quarterly settlement in respect of foreign remittances	15 th Apr 2022
Form 61A	Jan to Mar-22	Statement of financial transactions by depositories, registrars & share transfer agents for reporting of information relating to capital gains on transfer of listed securities or units of mutual funds	25 th Apr 2022
	Jan to Mar-22	Deposit of TDS when Assessing officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H	30 th Apr 2022
Form 24G	Mar-22	TDS/TCS paid without the production of a challan by an office of government	30 th Apr 2022
Challan No. ITNS-281	Mar-22	Date of deposit of tax deducted by an assessee other than an office of the government	30 th Apr 2022
Form 61	Oct to Mar-22	Date for e-filing of a declaration in Form No. 61 containing particulars of Form No.60 received during the period October 1,2021 to March 31,2022	30 th Apr 2022
Form 15G/15H	Jan to Mar-22	Uploading declarations received from recipients in Form 15G/15H during the quarter ending March, 2022	30 th Apr 2022

GOODS & SERVICE TAX

GSTR-Form	Particulars	Tax Period	Due date
GSTR-7	Monthly Return by TDS Deductor	Mar-22	10 th Apr 2022
GSTR-8	Monthly return by e-commerce operators liable to collect TCS	Mar-22	10 th Apr 2022
GSTR-1	Details of Outward Supplies for taxpayers liable to file monthly returns	Mar-22	11 th Apr 2022
	Details of Outward Supplies for taxpayers liable to quarterly returns	Jan-Mar 22	13 th Apr 2022
GSTR-6	Monthly Return by Input Service Distributor	Mar-22	13 th Apr 2022
CMP-08	Payment of GST for Jan to Mar 2022 by composition taxpayers	Jan - Mar 22	18 th Apr 2022
GSTR-3B	Taxpayers opted for monthly returns	Mar-22	20 th Apr 2022
	Taxpayers opted for QRMP scheme	Jan - Mar 22	22 nd Apr 2022
GSTR-5	Monthly Return by Non-Resident Foreign Taxpayers	Mar-22	20 th Apr 2022
GSTR-5A	Monthly Return by Non-Resident OIDAR Service Provider	Mar-22	20 th Apr 2022
ITC-04	Half yearly details of goods sent to & from job worker for Oct to Mar 22 for turnover above 5 Cr	Oct-Mar 22	25 th Apr 2022

ITC-04	Yearly details of goods sent to & from job worker for Apr-21 to Mar 22 for turnover upto 5 Cr	Apr 21-Mar 22	25 th Apr 2022
GSTR 11	Return for March 22 by the persons with Unique Identification Number (UIN) like embassies etc. to get refund under GST for goods and services purchased by them		28 th Apr 2022
GSTR 4	Yearly details of invoice wise Outward supplies & consolidated inward supplies by Composition Taxpayer	Apr-Mar 22	30 th Apr 2022
	Option for Opting for QRMP scheme for Apr to Jun 22 for taxpayer having turnover below 5 crores	Apr-Jun 22	30 th Apr 2022

ROC COMPLIANCE

Form	Particulars	Due date
MSME Form 1	A half yearly return with the registrar for outstanding payments to Micro or Small Enterprises	30 th Apr 2022

IMPORTANT APPLICABLE CHANGES IN VARIOUS LAWS FROM F.Y.2022-23

A. **INCOME-TAX**

- **Crypto Tax**

The 2022-23 Budget has brought in clarity concerning the levy of income tax on crypto assets. From 1st April 2022 crypto profit will be taxed at 30%.

- **Filing of updated Income Tax Return**

Taxpayers are allowed to file an updated return on payment of additional tax. This updated return can be filed within two years from the end of the relevant assessment year (AY), subject to payment of taxes.

- **NPS deduction to state government employees**

State government employees will now be able to claim tax benefit of 14 % on the National Pension System (NPS) made by their employer from financial year 2022-23.

- **Tax on Provident Fund interest**

Interest earned on an employee's contribution above Rs 2.5 lakh in a year will become taxable in the hands of the employee. In case of government sector employees, the monetary ceiling shall be Rs 5 lakh.

B. **GOODS & SERVICES TAX (GST)**

- **Businesses having turnover above Rs. 20 crores to generate B2B e-invoice**

Businesses (except certain specified) with a turnover of over INR 20 crore (in any of the preceding financial year beginning FY 17-18) will have to generate an electronic invoice for B2B transactions w.e.f from 1st April 2022.

IMPORTANT NOTIFICATIONS & CIRCULARS

1) Extension of validity of FCRA certificates

The Ministry of Home Affairs (MHA) vide the public notice no. II/21022/23(22)/2020-FCRA-III dated 24th March 2022 has extended the validity of FCRA certificates for all NGOs and other organizations from 31st March 2022 to 30th June 2022.

To view the circular [click here](#).

2) Extension of time limit for submission/uploading of online Annual Return for F.Y. 2020-21 under FCRA

The Ministry of Home Affairs (MHA) vide the public notice no. II21022/23(15)/2020-FCRA-III dated 31st March 2022 has extended the last date of submission of online annual returns in Form FC-4 for year 2020-21 up to 30th June 2022.

To view the circular [click here](#)

3) Extension of due date for filing Form 10AB

The CBDT vide the circular no. 8/2022 dated 31st March 2022 has decided that the application for registration or approval under Section 10(23C), 12A or 80G of the Income Tax Act, 1961 in Form 10AB, for which the last date for filing falls on or before 29th September 2022, may be filed on or before 30th September 2022.

To view the circular [click here](#)

4) Extension of due date for applicability of audit trail feature and filing of Form CSR-2

The Ministry of Corporate Affairs as per the notification dated 31st March 2022 has extended the implementation of the audit trail software to financial year commencing on or after April 1, 2023. Further, the due date for filing Form CSR-2 has been extended to 31st May 2022.

To view the circular [click here](#)

5) Extension of due date for linking PAN and Aadhar Card

The government has extended the due date for linking PAN and Aadhar Card upto **31st March 2023**. However, taxpayer who link the same by 30th June 2022 will have to pay a penalty of Rs.500/. Beyond that the penalty would rise to Rs.1,000.

To view the circular [click here](#)

IMPORTANT CASE LAWS

1. Reji Easow vs Income Tax Officer

Appeal Number: ITA No. 1557/Mum/2020

Date of Ruling: 8th March 2022

Judicial Level and Location: Income tax Appellate Tribunal Mumbai

Section Reference Number: 54

ITAT: Holds that date of possession is relevant for construing purchase for Sec 54

FACTS

- The assessee being an individual, a salaried employee sold his residential property in May 2014 and claimed exemption of Rs.79.92 lakh under Section 54 for AY 2015-16 against a property purchased for which the agreement was registered in February 2012.
- The assessee purchased the new property by availing a housing loan and utilized the sale proceeds for repaying the loan.
- Revenue denied the benefit on the grounds that Assessee did not purchase the new property within the period stipulated in the provision of sec 54 of the Income Tax Act, 1961 and considered the date of registration of the agreement as the date of purchase which was 2 years and 3 months prior to the sale of original asset. (i.e. February 2012)
- On appeal CIT(A) observed that the date of registration of the agreement was to be considered as date of purchase of new asset and denied Assessee's claim.

HELD AS UNDER:

- ITAT held that in respect of the new property, the allotment was made in July 2011 whereas Assessee had taken the physical possession in April 2016.
- Taking into consideration the stand of the lower authorities which was adopted for considering the date of registration as the date of purchase and on perusal of the agreement remarked that *"the purchaser/Assessee is put in possession only as a licensee and to that extent the purchaser/Assessee acquires interest in the premises/flat on entering into possession. Since by that date the purchaser/Assessee has already paid entire/majority of consideration for purchase, it can be said that the Assessee has on the date of taking such possession, purchased the property for the purpose of Section 54"*.
- Relying on the jurisdictional High Court ruling in **Beena K. Jain** wherein in the context of Section 54 it was held *"that for the purpose of determining the date of purchase of new residential house the relevant date is the date when the petitioner paid the full consideration amount on the flat becoming ready for occupation and obtained possession of the flat"*
- For the purpose of section 54, the sources of funds were quite irrelevant.
- Considering the facts and the judgements the bench remarked that nowhere it was mentioned that the funds received as consideration from the sale of original asset must be utilized for the purchase of the new residential house and thus held the Assessee eligible for benefit under Section 54.

2. Zee Fabrics v/s ACIT

Appeal Number: 1510/Mum/2019

Date of Ruling: 28th February 2022

Judicial Level and Location: Income tax Appellate Tribunal Mumbai

Section Reference Number: 40A(2)(a)

ITAT: Interest on unsecured loans from related parties at 18%, not 'excessive and unreasonable' considering business contingencies

FACTS

- Assessee being a Partnership Firm (engaged in the business of trading and wholesaler of fabric) paid interest on unsecured loans from related persons at 18% p.a. and from unrelated persons at 12% p.a.
- Revenue concluded that interest on the loans taken from the related persons at higher rate was excessive and unreasonable as per the provisions of Section 40A(2)(a) and thus disallowed the additional of 6% interest, expended over and above the 12%, effectively adding Rs.20.84 Lacs to Assessee's income.

HELD AS UNDER

- ITAT observed that the expenses with respect to related persons as envisaged under Section 40A(2)(a) shall not be excessive or unreasonable having regard to market value of the goods and services or facilities, although it did not explain what is 'fair market value'.
- Revenue had failed to demonstrate what method was adopted to determine the fair market value and additions were made based on the interest paid on similar loans availed from unrelated persons at a rate of 12%, remarked that it shall not have been the sole reliance for disallowance.
- ITAT held that the interest paid by the Assessee on unsecured loans during the relevant period cannot be said to be excessive or unreasonable as unsecured loans are without any security and are always availed for business contingencies and stated that the nature of business of Assessee warrants continuous amount of funds which cannot be always availed in the banks and the only spontaneous availability is from persons known to the Assessee.
- Considering the facts, the bench held that Revenue's argument that Assessee had paid 12% rate of interest to others, was inappropriate as the borrowing of money for higher rate of interest depended on the necessity of funds required in the functioning of business and remarked that the Revenue failed to make detailed enquiries as to the fair market rates and had not made any comparable with regard to prevailing market rate.

NATIONAL NEWS UPDATES

- 1) The gross GST revenue collected in **March 2022** is Rs **1,42,095 crore**, of which central GST is Rs 25,830 crore, states GST is Rs 32,378 crore, integrated GST is Rs 74,470 crore (including Rs 39,131 crore collected on import of goods) and Cess is Rs 9,417 crore (including Rs 981 crore collected on import of goods).
- 2) The Board of Directors of **PVR Limited** and **INOX Leisure Limited** approved an all-stock amalgamation of the two brands. The combined entity will be known as PVR INOX Limited, and the share exchange ratio will be three shares of PVR for 10 shares of INOX. However, the amalgamation is subjected to the approval of the shareholders, stock exchanges and SEBI.
- 3) **Jeweller Joyalukkas** plans to raise up to ₹2,300 crore from an initial public offering (IPO), the company said in a draft prospectus. The proceeds will be used to pay back some loans and to open new stores.
- 4) **Anil Ambani** stepped down from the board of Reliance Infrastructure and Reliance Power. The development comes over a month after the Securities and Exchange Board of India (SEBI) restrained him from associating himself with any listed public company.
- 5) India has agreed to urgently provide a consignment of diesel to **Sri Lanka** as it faces a shortage amid an economic crisis. Indian Oil Corporation will reportedly send 40,000 tonnes of diesel to Sri Lanka soon.
- 6) **Emami** announced that it has acquired the popular prickly heat powder brand **Dermicool** from FMCG major Reckitt Benckiser Group for a total consideration of ₹432 crore.
- 7) The Centre has informed the Parliament that it has so far seized assets worth ₹19,111 crore, belonging to fugitives **Vijay Mallya, Nirav Modi** and **Mehul Choksi**. It further said that the three of them have defrauded public sector banks to the tune of ₹22,585.83 crore. It added that assets worth ₹15,113.91 crore have been restored to the public sector banks.
- 8) Japan's **Suzuki Motor Corporation** has announced its plans to invest around ₹10,440 crore to locally manufacture battery electric vehicles (BEV) and BEV batteries in Gujarat.
- 9) **GAIL (India) Limited** said that it will buy back about 5.7 crore shares for Rs. 1,083 crores at the rate of Rs.190/share.
- 10) **Axis Bank** will acquire Citibank's India consumer business, which includes credit cards, wealth management, retail banking and consumer loans, for \$1.6 billion (over ₹12,100 crore) in an all-cash deal.

FINANCIAL NEWS FROM AROUND THE GLOBE

- 1) Crisis-ridden Sri Lanka announced that it was defaulting on its external debt of around \$51 billion pending a bailout from the International Monetary Fund, with whom talks are scheduled this month.
- 2) **Waterstones**, Britain's biggest bookseller, bought **Blackwell's**, an independent chain specializing in academic tomes, for an undisclosed sum.
- 3) The **Federal Reserve** raised its benchmark interest rate by a quarter percentage point, lifting it to a target range of 0.25-2.50% which is the first increase since 2018.
- 4) **Intel** announced plans to invest \$36bn for making and designing chips in Europe. At least \$19 bn will be spent on establishing a '**Silicon Junction**' in Germany for advanced chipmaking.
- 5) The **Chinese government** set an annual GDP growth target of 5.5% which is considered to be the lowest target in the past 30 years.
- 6) The British government-imposed sanctions on **Roman Abramovich** and six other oligarchs suspected of having links with Vladimir Putin. The government took over the control of Chelsea Football club which Mr. Abramovich owns.
- 7) **Amazon** approved a 20 for 1 stock split and announced a share buyback of up to \$10 bn. The move is an effort to boost the company's stock market performance.
- 8) Due to rise in the crimes in the cyber space, Google has agreed to pay \$5.4 bn to **Mandiant**, a company that specializes in identifying threats and tracking down perpetrators.
- 9) **Warren Buffet** has sent Berkshire Hathaway's share prices soaring following an \$11.6bn cash acquisition of Alleghany, an insurer in the conglomerate's largest deal in six years.
- 10) **Alibaba**, a Chinese e-commerce giant, increased its share buyback programme to a record \$25bn after slowing growth and a crackdown by Beijing on the tech sector.
- 11) **Credit Suisse**, a Swiss bank, said that it could be forced to pay more than \$500m in damages in a lawsuit brought by the former Georgia prime minister, Bidzina Ivanishvili. The ruling about the same will be decided in a Bermudan court.
- 12) The share price of the air space giant **Boeing**, fell after one of its 737-800 jets crashed in southern China with 132 people on board, raising concerns about the company's safety record.
- 13) Gas prices surged by nearly a third after President Vladimir Putin ordered Russia's central bank to push for ruble payments for natural gas purchases from countries it deems hostile, including America, Britain and members of the European Union.
- 14) **Saudi Aramco**, the world's biggest oil producer, said that it will invest up to \$50bn a year to boost the production after more than doubling its annual net income in 2021 to \$110bn.

SRI LANKA ECONOMIC CRISIS DECODED

When Gotabaya Rajapaksa became president of Sri Lanka in 2019, he inherited an economy in bad shape. Terrorist attacks and political crises had hit the country hard. Growth was at its lowest since 2001. Tourist arrivals—a big source of foreign currency—were down by nearly a fifth after steadily rising for a decade.

The new president quickly got to work. He cut taxes and started printing money. Inflation duly rose, tax collections plummeted, and the budget deficit widened. Further, tourism was hit by an even greater shock

The island country of Sri Lanka had faced several political and financial crisis over the past few years which resulted to an unrest in the economy as a whole. Critics say the roots of the crisis, the worst in several decades, lie in economic mismanagement by successive governments that created and sustained a twin deficit - a budget shortfall alongside a current account deficit. Twin deficits signal that a country's national expenditure exceeds its national income, and that its production of tradable goods and services is inadequate.

With the country's lucrative tourism industry and foreign workers' remittances sapped by the pandemic, credit ratings agencies moved to downgrade Sri Lanka and effectively locked it out of international capital markets. The pandemic, coupled with bombings, led to a fall in tourism revenues approximately from \$7.5 billion in 2019 to \$2.8 billion in 2021. This is when the Tourism sector was contributing around 10% of the country's GDP.

With inflation already high and the government's prestige on the line, the central bank resisted a devaluation, instead burning through its foreign-exchange reserves. Dollars became hard to come by, impeding imports. That, in turn, led to shortages of diesel and cooking gas. The lack of fuel also crippled electricity generation which, because of a drought that has diminished output from hydropower plants, is increasingly dependent on oil and coal. The electricity board initiated rolling blackouts in February of up to seven-and-a-half hours a day. Many small businesses stopped work, unable to cope with gas shortages, power cuts and rising prices.

The main reason for the island nation's fall is the depletion of its forex reserves. Sri Lanka is one of the most heavily import dependent country. Sri Lanka's foreign exchange reserves dropped 16.1 per cent to \$1.93 billion in March from a month earlier, the central bank said. An estimated \$8.6 billion in debt payments are due in 2022.

A blanket ban on chemical fertilizers by the administrator from 2021 crippled the agriculture sector, which contributed around 8% to the GDP. Tea cultivation and its exports were, severely hit by the ban on chemical fertilizers.

❖ IMPACT OF THE CRISIS ON THE LIVES OF COMMON PEOPLE

The crisis for imports in turn had an impact on the daily necessities of the common people as well as the businesses. The prices of cooking gas and diesel skyrocketed due to impending imports. Prices rose by more than 15% year-on-year in February, a 13-year high. Food prices leapt by more than 25%, double the rate six months earlier. The cost of everything has shot up, including basics such as lentils, milk powder, sugar and wheat flour. Fares on planes, trains, buses and even autorickshaws have surged. State-mandated prices of dozens of medicines, including paracetamol, have been raised by 29%. The most shocking increases are for fuel. On March 12th the state-run oil-and-gas body pushed up the price of petrol by 43.5% and that of diesel by 45.5%. A kilogram of rice cost 500 Sri Lankan rupees and Sugar 290 rupees. In INR this is approximately Rs.126 and Rs.73 respectively. The prices

of medicines such as paracetamol and others have also been raised by 29%. Citizens have to stand in queues for hours even to get essential commodities. Troops are deployed at state-run stations to help in distribution. The administration had to cancel the school examinations due to shortage of ink and paper.

❖ EFFECTS OF THE RUSSIA-UKRAINIAN WAR

The Russia-Ukraine war going on, has affected the Sri Lanka economy because in Sri Lanka many tourists come from Russia and Ukraine throughout the year. The ongoing war has dented their arrivals, which has affected the tourism sector. Sri Lanka earned \$3.6 billion from tourism in 2019 from the visitors of Russia, Ukraine, Poland, and Belarus.

Sri Lanka exported its tea to these two nations and imported almost half its countries wheat and sunflower oil from them. However, this caused oil prices to spike.

❖ A RAY OF HOPE

Sri Lanka has reached out to India and China, in addition to the IMF, the World Bank and the Asia Development Bank, for debt relief.

India set up lines of credit worth over \$2.5 billion, including a \$500 million line for fuel aid that will run dry this month.

The Sri Lankan government is hopeful that the foreign exchange situation will improve soon with the materialization of envisaged inflows from the bilateral partners, as well as non-debt creating foreign currency inflows in the coming days.

CONCLUSION

India's island neighbor has brought upon itself a severe burden. However, it remains to be seen whether the desperate political measures like a new cabinet, resignation of lawmaker and changing bank chief will help Lanka salvage the economy that's neck-deep in crisis.

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SNAPSHOT OF THE FINANCIAL MARKETS

- Rupee has depreciated a bit in the month of March 2022 against USD, on 31st March 2022 the rupee had settled at **Rs.75.92/-** against the closing value of **Rs.75.49/-** on 28th February 2022.
- Due to rising tensions amid the Russia-Ukraine conflict, the brent crude oil prices have risen to **\$107.30/barrel** as on 31st March 2022 as compared to **\$100.99/barrel** on 28th February 2022.
- The summary of Indices is as follows:

Indices	February 2022 (Closing Value)	March 2022 (Closing Value)	Percentage change during the month
NIFTY 50	16,794	17,464	3.98%
SENSEX	56,247	58,564	4.11%
BANK NIFTY	36,205	36,371	0.45%

- The summary of performance of global indices the has been given below:

Indices	February 2022 (Closing Value)	March 2022 (Closing Value)	Percentage Change during the month
NASDAQ COMPOSITE	13,751	14,352	4.37%
NIKKEI 225	26,527	27,821	4.87%
SHANGHAI	3,462	3,252	(6.06%)
DAX	14,461	14,414	(0.32%)
KOSPI	2,699	2,757	2.14%

- The summary of performance of various crypto currencies have been given below:

Crypto's	February 2022 (Closing Value) IN USD	March 2022 (Closing Value) IN USD	Percentage Change during the month
BITCOIN	43,193	45,544	5.44%
ETHEREUM	2,919	3,280	12.37%
DOGECOIN	0.1330	0.1370	3%

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