

MAKING MARCH MEANINGFUL

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MMM

BY

PPP

Planning Precaution Prevention

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Income Tax – From Provision to Planning



Year-End Tax Planning – Key Focus Areas (March Closing)

March is a **critical period** for tax planning & compliance alignment
Review **TDS obligations**, provisions & exemptions
Assess impact of **recent regulatory changes**
Minimise tax exposure & avoid year-end disallowances

Key Focus Areas:

Section 194T – TDS on partner payments
MAT & MAT Credit strategy (before 2026 changes)
Tax harvesting opportunities
Buyback timing considerations
MSME impact – Section 43B(h)
CSR & Trust compliance (85% application rule)



Section 194 T

A Silent Year-End Disallowance
Trigger



Section 194T – A Silent Year-End Disallowance Trigger

Applicability & Coverage



Section: 194T



Applicable to: Any Firm (including LLP)



Payee: Partner of the firm



Threshold : ₹20,000* per partner per FY



Rate of TDS: 10%

***Note: 20,000 is aggregate for all payments not separately for interest, bonus etc.**

Nature of Payments Covered

TDS required on **any sum paid or credited to partner** in the nature of:

- Salary
- Remuneration
- Commission
- Bonus
- Interest

Important

Covers all types of interest, including:

- Interest on capital
- Interest on loan given by partner



Practical Issue – Profit Linked Remuneration

Situation:

- Partner remuneration linked to firm's profitability.
- Profits determined only after closing books.

⚠ Partners cannot obtain a lower or nil deduction certificate under Sec 197 for Sec 194T

Implication:

- Profit must be finalized before:
30th April (Due date for March TDS deposit)

Compliance Requirement:

- Calculate final remuneration
- Record TDS liability in March books
- Deduct TDS
- Deposit by 30th April

⚠ **Year-end closing discipline becomes critical.**

Compliance Risk Areas

- Non-deduction on interest on partner's loan
- Missing deduction on year-end remuneration entries
- Incorrect assumption that capital credit is exempt
- Delay in book finalization impacting TDS timeline



Practical Issue – Profit Linked Remuneration

Timing & Cash Flow Structuring

Avoid March-only remuneration credit

If fixed, distribute quarterly

Smooth TDS outflow and deposit obligations

Prevent liquidity strain at year end

Partnership Deed Governance

Review remuneration clause structure

Amend deed if it permits only annual appropriation

Ensure limits comply with Section 40(b) of the Income-tax Act, 1961

Compliance Infrastructure

Obtain TAN (if not already registered)

Ensure quarterly Form 26Q filing capability

Validate 40(b) computation working

Review impact in loss years

Partner-Level Tax Synchronization

Deduction timing impacts advance tax liability

Risk of interest under 234B / 234C if misaligned

Coordinate firm's deduction calendar with partner's tax projections

Disallowance & Litigation Exposure

Non-deduction may trigger disallowance u/s 40(a)(ia)

Year-end provisioning without deduction is high risk

Maintain computation sheets and support documentation



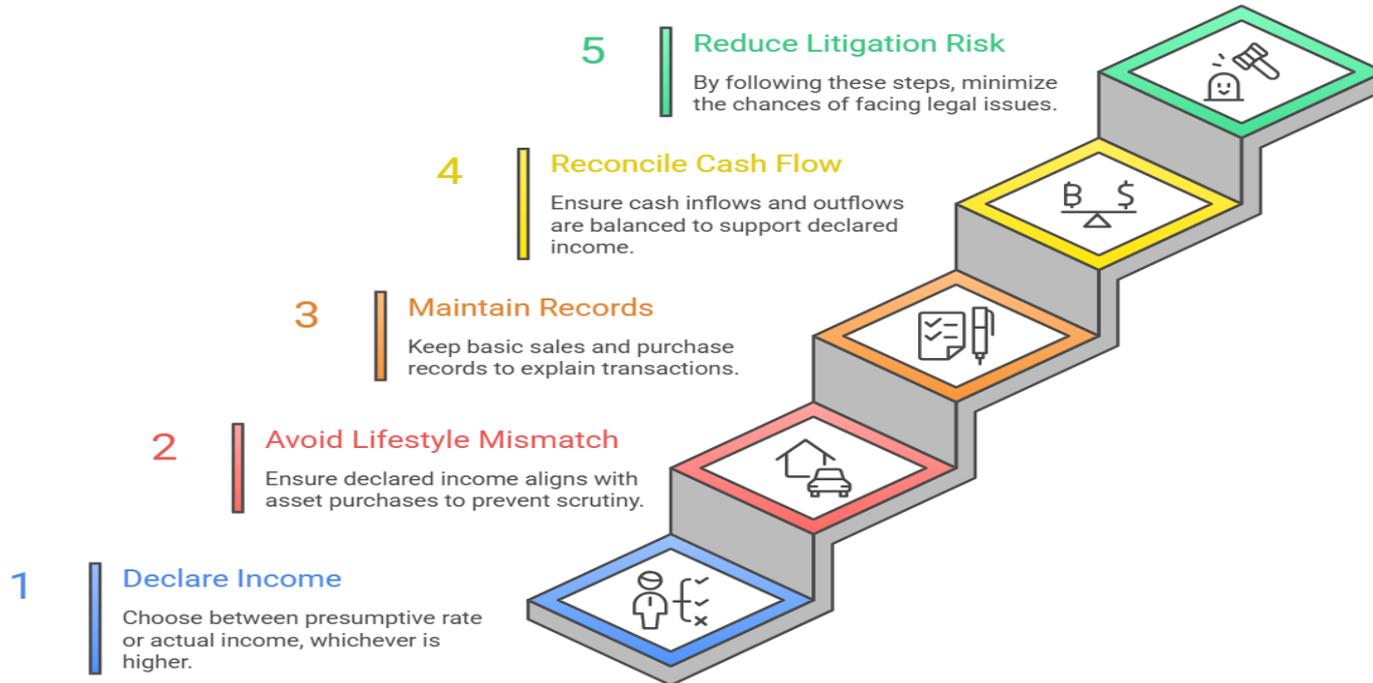
44AD/ADA Income

Alert Points



How to declare income under 44AD/ADA?

Navigating Presumptive Taxation





Non-Corporate Entities

Comparison Table: Key Changes

Aspect	Previous Format	New Format (2024)
Layout Structure	Horizontal "T-format"	Vertical format with comparative columns
Financial Formats	Capital, Sundry Debtors & P&L Account	Owners' Fund Trade, Receivables & Statement of Profit and Loss
Classification	Not mandatory to classify as current/non-current	Mandatory current/non-current classification
Note References	Optional, often missing	Mandatory for every line item
Comparatives	Often missing	Mandatory
Disclosures	Basic compliance, if any	Detailed disclosures as per Entity level and business applicability

Note: When preparing comparative financial statements under the ICAI Guidance Note, figures for previous years must be regrouped and reclassified to align with the prescribed formats.

Year-End Precaution & Compliance Note

■ For Non-Corporate Entities

- Applicability & Format Compliance (Qualification as NCE, Vertical format, Regrouping)
- Entity Level Classification (Level I–IV) (Based on Turnover & Borrowing)
- Key Balance Sheet Precautions (Disclosure of Owners Fund, Borrowings, MSME)
- Statement of Profit & Loss Precautions (Separate Line Items – Partners Remuneration)
- Notes to Accounts & Disclosures (Significant Accounting Policies, Item > 1% of TO)
- Auditor's Responsibilities (Non Compliance- Qualification, Obtaining MRL)



87A Rebate

A Common Pitfall



Common Pitfall- 87A Rebate

I will show ₹12 lakh income from HUF and pay no tax.

No, rebate under Section 87A of the Income-tax Act, 1961 is not available to HUF.

What ? Not even for HUF?

Yes, it is available only to a resident individual. No corporates, no HUF.





MAT CREDIT

Reassessing MAT in Light of 2026 Changes



Reassessing MAT in Light of 2026 Changes

Position Before 1-4-2026

- MAT @ **15% of book profits** (except IFSC)
 - Applicable only under old regime
 - If MAT > normal tax → MAT payable
 - Excess MAT carried forward 15 years
 - MAT credit adjustable against future normal tax (no % cap except difference rule)
- 👉 MAT was a timing difference tax, not a permanent cost.



Position After 1-4-2026

- MAT rate **reduced to 14%**
- No fresh MAT credit going forward
- MAT paid under old regime becomes final tax
- Existing MAT credit:
 - Usable only under new regime till 15th year from year of credit
 - Domestic company → Set-off restricted to 25% of tax liability
 - Foreign company → Set-off only when normal tax > MAT



Reassessing MAT in Light of Budget 2026 Changes – What Strategy to Adopt?

1 Optimized MAT Credit Usage

- If already having huge MAT Credit
- Manage MAT income to minimise excess MAT credit in FY 2025–26.
- Plan Profit to maximize utilization of existing MAT credit within the year.

2 If MAT Credit is NIL / Minimal

- Consider opting out of MAT by shifting to Section 115BAA / 115BAB (Alternative Tax Regime Tax Rate@22%)
- Avoid exposure to future MAT becoming final tax

3 If MAT Credit is Substantial

- Do not continue in old regime mechanically for FY 2026–27.
- Evaluate structured migration to Section 115BAA
- Plan phased utilisation (25% restriction applies)

4 If Large Brought Forward Loss / Unabsorbed Depreciation Exists

- Compare benefit of continuing under normal provisions vs opting u/s 115BAA
- Assess impact on future taxable income absorption
- Ensure regime shift does not accelerate tax outflow
- Take projection-based decision (not rate-based)



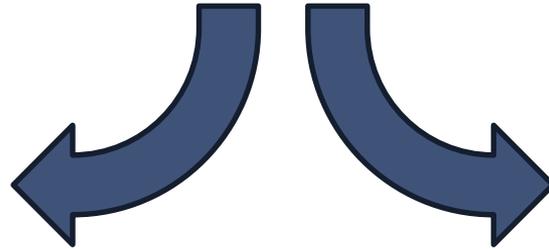
Tax Harvesting

Max Your Exemptions Before They Expire

Tax Harvesting– How Tax Harvesting Works?

Utilization of Exemption Limits

- Utilize available LTCG exemption threshold (**₹1.25 lakh**) before 31-3-2026 **u/s 112A**
- Book gains within exemption limit
- Re-enter investment (subject to market strategy)



Loss Harvesting Strategy

- Identify unrealized capital losses (equity / MF)
- Book losses before year-end
- Set-off against current year capital gains
- Carry forward unabsorbed losses (if any)

Why 31 March Matters?

- Marks end of financial year
- All gains/ lossess must be booked before this date
- Determines tax liability for that FY



FORM 124

HRA Compliance Shift

Form 124 – HRA Compliance Shift

Form 124*

Where annual rent **exceeds ₹1,00,000,**

Mandatory disclosure of:

- Landlord PAN and details
- Amount of rent paid
- Relationship with landlord

*Note- Previously known as Form 12BB

- Relationship field enables system-based tracking of family rental arrangements through data analytics and cross-verification.
- Rent **to spouse / parents / relatives is not prohibited, but only genuine and properly documented** arrangements will withstand scrutiny.

Ensure Before 31-3-2026:

- Review all HRA claims **above ₹1 lakh.**
- Formalize rental agreements where missing.
- Ensure banking trail and landlord tax compliance.
- Avoid artificial or inflated arrangements within family, ensure Robust Documents.



INCORRECT ENTRIES IN 26 AS

Action Required for Mismatched
Income / TDS

Action Required for Mismatched Income / TDS

Contact the Deductor

Inform the deductor (bank/employer) and request revised TDS return filing

Submit a Response in AIS
Report discrepancy in Annual Information Statement (AIS) as "Not my income" / "Incorrect amount"

File ITR with Accurate Data

File ITR based only on actual income (revise return if already filed)

Resolve Tax Credit Mismatch

Submit rectification request if tax demand arises due to mismatch

File a Grievance

Escalate via grievance on e-filing portal if issue remains unresolved

Examples of TDS Mismatch

TDS Deducted but Not Reflected in 26AS

Situation:

- Company deducts ₹50,000 TDS on professional fees.
- Deposits late or files wrong return (wrong PAN quoted).

Result:

- TDS not appearing in deductee's Form 26AS.
- Deductee cannot claim credit.
- Tax demand raised in processing (143(1)).

Wrong Section Applied

Situation:

- Contractor payment ₹8,00,000.
- Deductor applies 194J (10%) instead of 194C (2%).

Result:

- Higher TDS deducted.
- Refund situation arises.
- Compliance confusion during assessment.

Examples of TDS Example

Short Deduction

Situation:

- Rent ₹10,00,000.
- TDS deducted @5% instead of 10% under 194I.

Result:

- Short deduction notice.
- Interest u/s 201(1A).
- Possible penalty exposure

PAN Inoperative Case

Situation:

- Professional fees ₹5,00,000.
- PAN inoperative.
- Deductor deducts @10% instead of 20%.

Result:

- Treated as short deduction.
- Demand + interest liability.

Misreporting in 26AS/ AIS/ TIS

Example-

- Contract payment = ₹10,00,000
- Correct section → 194C @ 2%
TDS = ₹20,000
- Wrongly deducted → 194J @ 10%
TDS = ₹1,00,000
- Excess TDS deducted = ₹80,000

Impact

On Deductee:

- Cash flow blocked
- Refund claim required in ITR
- Possible 26AS classification confusion

On Deductor:

Technically no short deduction (higher deducted)

However, section misclassification may lead to:

- Reporting issues
- Reconciliation mismatch
- Audit observation

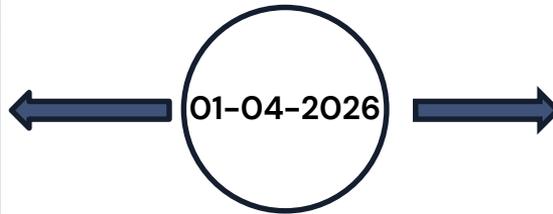


BUYBACK TIMING STRATEGY

Why Waiting May Save Tax

Buyback Timing Strategy– Why Waiting May Save Tax.

Particular	Tax Treatment
Buyback Proceeds	Taxable under IFOS (Slab Rate)
Cost of Acquisition	Allowed as Capital Loss
Capital Loss Rate	12.5%/ 20% (as applicable)
Practical Impact	Mismatch- High Slab Taxation, Lower Rate Set Off



Particular	Tax Treatment
Buyback Proceeds	Taxable under Capital Gains Only
Tax Base	Actual Capital Gain
Cost Allowed ?	Yes – Reduced from sale consideration
Character	Clean CG Taxation (no IFOS distortion)
Effective Rate for Promoters being:	Domestic Company: 22% Other than that : 30%

Case scenario:

Assumptions:

- Buyback consideration: ₹1,00,00,000
- Long-term holding

Buyback Timing Strategy– Why Waiting May Save Tax

Case	Promoter Type	COA	LTCG Available	Effective Tax BEFORE 1-4-26	Tax After 1-4-26
1	Individual 30%	Rs. 10 Lakh	No	Rs. 30 Lakh	Rs. 27 Lakh
2	Individual 30%	Rs. 10 Lakh	Yes	Rs. 28.75 Lakh	Rs. 27 Lakh
3	Individual 30%	Rs. 80 Lakh	No	Rs. 30 Lakh	Rs. 6 Lakh
4	Individual 30%	Rs. 80 Lakh	Yes	Rs. 30 Lakh (20L – 10L shield)	Rs. 6 Lakh
5	Company 22%	Rs. 10 Lakh	No	Rs. 22 Lakh	Rs. 19.8 Lakh
6	Company 22%	Rs. 10 Lakh	Yes	Rs. 20.75 Lakh	Rs. 19.8 Lakh
7	Company 22%	Rs. 80 Lakh	No	Rs. 22 Lakh	Rs. 4.4 Lakh
8	Company 22%	Rs. 80 Lakh	Yes	Rs. 12 Lakh	Rs. 4.4 Lakh

Buyback Timing Strategy– Why Waiting May Save Tax

Strategic Conclusion

- In majority cases, buyback after 1-4-2026 is beneficial
- Especially where:
 - Promoter is in 30% / 37% bracket
 - Corporate promoter under 22% regime
 - No substantial capital loss planning advantage

Planning Advisory

- If buyback is under consideration and timing is flexible –Evaluate deferring to post 1-4-2026.

However, evaluate carefully where:

- Significant carried forward capital losses exist
- Cash flow urgency
- MAT / DDT transitional aspects (if relevant)



YEAR END ALERT

Employee's Contribution to PF & ESI



Year End Alert – Employee's Contribution to PF & ESI

1

Ensure payment of Employee's contribution within due dates Prescribed under PF & ESI Laws. If Employee's contribution not deposited within due date, the amount will be permanently disallowed.

2

This strict position applies **only upto 31/03/2026**.



3

From 01/04/2026 onwards the deduction will be allowed even if the employee's contribution is deposited upto due date of filing Income Tax Return.



UPDATED RETURN

Strategy for Updated Return

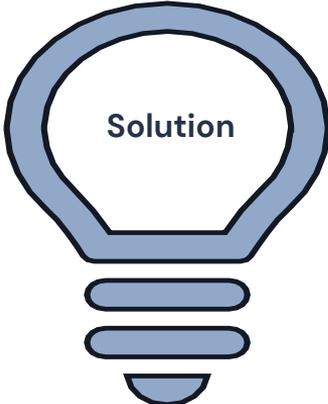
Strategy for Updated Return

Issue

Nil Income or Loss
ITR not filed by due date

Cannot File Updated Return
As no Additional Tax Liability

If showing higher income
Late fees u/s 234F will be attracted



Solution

Declare Casual
Income of nominal
Amount (say 100)

- Flat Tax rate on such income
- Creates Minimal Tax Liability
- Updated return filed
- No Fees under 234F
- Compliant & Cost effective strategy

▲ Alert

31/03/2026 is last date for filing updated return for A.Y 2020-21(70% interest)

Alert for filing Updated Return

Assessment Year	If filed on or before 31/03/2026	If filed After 31/03/2026
AY 2022-23	Not Possible	Not Possible
AY 2023-24	60% (falls in 24-36 months slab)	70% (moves to 36-48 months slab)
AY 2024-25	50% (12-24 months slab)	60% (24-36 months slab)
AY 2025-26	Window not yet open (opens 01-04-2026)	25% (within first 12 months after opening)



DEPRECIATION

Common Pitfall: Depreciation rate

COMMON MISTAKE MADE BY CLIENT: WRONG RATE FOR BUILDING DEPRECIATION

IDENTIFY BUILDING CLASSIFICATION



Identify building as **Residential** or **Commercial** for correct depreciation rate.



CHOOSE CORRECT DEPRECIATION RATE

- ✓ Follow Income Tax **classification** criteria
- ✓ Maintain supporting documents

CONSEQUENCES OF MISTAKES

AVOID SUCH PITFALLS



LESS DEPRECIATION CLAIMED

**Underclaimed
Depreciation**

Higher Tax Liability



MORE DEPRECIATION CLAIMED

**Overclaimed
Depreciation**

Adjustment, Interest,
Penalties





Deduction Withdrawal

Removal of Section 57

Removal of Section 57

Reduced Tax Efficiency

Borrowing to invest in shares/MFs is less tax-efficient as interest cannot offset passive income

Strategy Reassessment

Leverage-based strategies (margin funding, pledged loans) should be reviewed due to loss of tax set-off.



Strategies
that can be
Adpoted

Gross Dividend Taxation

Dividend/MF income should be planned on a gross basis; interest becomes a personal cost.

Portfolio Rebalancing

High-dividend leveraged portfolios may need shifting toward capital appreciation assets.

Focus on Capital Gains

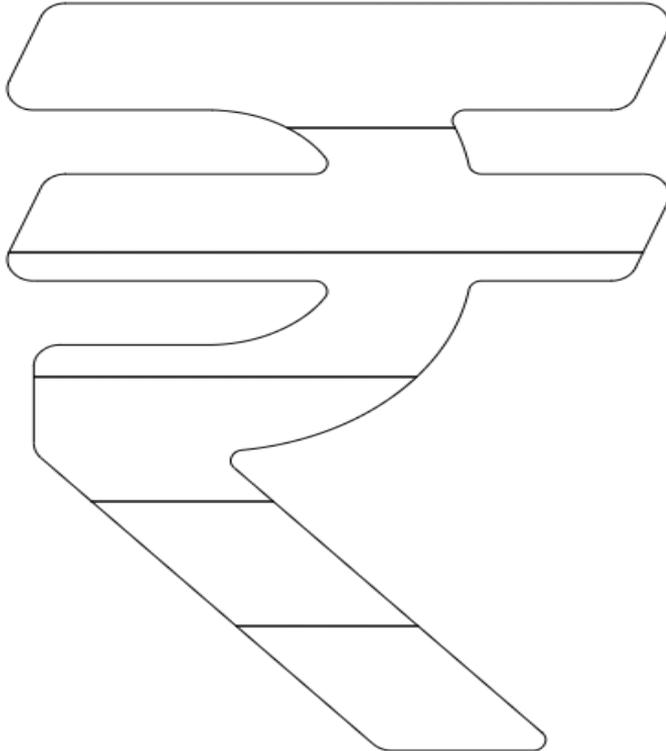
Capital gains planning becomes relatively more tax-efficient than dividend-based returns.



ADVANCE TAX

Strategic Advance Tax Management

Strategic Advance Tax Management



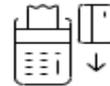
Insufficient Advance Tax

Deduct Extra TDS to Avoid interest



Missed Tax Payments

Pay interest on Late Payments



Related Firm Transactions

Make Extra TDS Payments to Group Firms



TDS Calculation

Ensure accurate TDS Deduction



TDS Deposit

Deposit TDS on Time



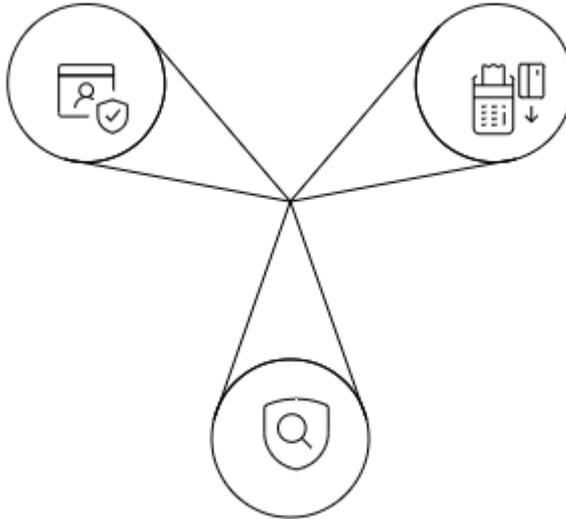
TDS Recalculation

Adjust Tax after TDS

TDS Compliance

Compliance Execution

Confirm that compliance is executed correctly



TDS Inclusion

Ensure all payments include TDS

26AS Verification

Verify that TDS is accurately reflected in 26AS



Section 194 M

Often ignored by Individuals

194M- Often Ignored by Individuals

Applicability & Coverage

- Section 194M applies when:
- Payer is **Individual or HUF**
- Not liable to tax audit under Section 44AB
- Threshold- Aggregate **Rs. 50 Lakhs** in a FY
- If PAN not furnished → **20%** (Section 206AA).

Nature of Payments Covered

- ▶ Contract work
- ▶ Commission (not insurance)
- ▶ Professional services

Compliance

- **No TAN required.**
- TDS to be deposited using Form 26QD.
- TDS certificate issued in Form 16D



TAX YEAR

Tax Year Instead of PY & AY



Comparison: Previous Year & Assessment Year VS Tax Year

Particulars	Income Tax Act, 1961	Direct Tax Code, 2025
Concept of Year	Two separate concepts: 1. Previous Year 2. Assessment Year	Single unified concept: Financial Year / Tax Year
Year of Earning Income	Previous Year	Tax Year
Year of Taxation / Filing	Assessment Year	Tax Year
Filing Terminology	Return filed in Assessment Year (following Previous Year)	Return filed for same Tax Year
Practical Complexity	Often confusing for non- professionals due to two different year references	Simplified and easier to understand One year reference only
Example	Income earned in FY 2024-25 Taxed in AY 2025-26	Income earned in FY 2024-25 Taxed in FY 2024-25 itself



PAN COMPLIANCE

PAN Operative Status- TDS/TCS compliance



PAN Operative Status- TDS/TCS compliance

For TDS/TCS Compliance-

If PAN is inoperative,

TDS shall be deducted at **Higher of :**

- Rate specified in the relevant section ;
- Or 20% (5% for 194Q)

TCS shall be deducted at **Higher of :**

- Twice the specified rate ;
- Or 5%

Reasons for Inoperative PAN:

- PAN not linked with Aadhaar
- Duplicate PAN
- Technical / Data mismatch issues
- Non-compliance or Government action

Special Attention- Property Transactions (Section 194IA)

For example: Mr A purchases immovable property of Rs 1 Cr

- Normal TDS Rate @ 1% ie Rs 1 lakh
- If the seller's **PAN is inoperative** – TDS increases to 20% ie Rs 20 lakhs

This creates major cash flow impact in real estate transactions for Mr A.



MSME

Changes in MSME

Regulatory Update

The Government of India has revised the MSME classification criteria **effective 1 April 2025**, increasing the investment and turnover thresholds.

Time Limit for making the payment-

If agreement exists- Payment within 45 Days

If no agreement- Payment within 15 Days

Category	Old Investment Limit	New Investment Limit	Old Turnover Limit	New Turnover Limit
Micro	Up to ₹1 Cr	Up to ₹2.5 Cr	Up to ₹5 Cr	Up to ₹10 Cr
Small	Up to ₹10 Cr	Up to ₹25 Cr	Up to ₹50 Cr	Up to ₹100 Cr
Medium	Up to ₹50 Cr	Up to ₹125 Cr	Up to ₹250 Cr	Up to ₹500 Cr

(Both investment and turnover criteria must be satisfied.)

Additional Structural Changes

Retail & wholesale trade enterprises eligible for Udyam registration. Classification continues to be based on PAN-linked data (IT + GST integration).

Automatic reclassification based on updated turnover/investment data.



Compliance Highlights

Impact on Section 43B(h)

Only Micro & Small Enterprises covered.

Medium enterprises remain outside 43B(h).

Revised thresholds may increase the number of vendors qualifying as MSE.

Form 3CD – Clause 22

Vendor classification must be updated as per revised limits.

Obtain fresh MSME declarations post 1 April 2025.

Review ageing exposure accordingly.

Financial Statement Disclosures

Reassess outstanding payable classification.

Update MSME disclosure notes under Companies Act.



Vendor Master Data Controls

- ✓ Revalidate Udyam certificates
- ✓ Update ERP tagging
- ✓ Perform MSME vendor mapping exercise
- ✓ Re-run ageing analysis

Strategic Takeaway for Professionals

The enhanced limits significantly expand MSME coverage.

Failure to update vendor classification may result in:

Incorrect 43B(h) disallowance computation

Inaccurate Form 3CD reporting

Increased assessment exposure



CSR EXPENDITURE

CSR Review and Planning before 31st March

CSR

Parameter	Requirement / Impact
Applicability (Sec 135)	Net Worth \geq ₹500 Cr OR Turnover \geq ₹1,000 Cr OR Net Profit \geq ₹5 Cr
CSR Obligation	Minimum 2% of average net profit (last 3 FY)
Profit Base	Computed as per Section 198 of Companies Act



CSR Review and Planning before 31st March

Identify Common Errors:

- NO CSR-1
- Provision without Spend
- Marketing as CSR
- Improper Classification

Should CSR Spend be Planned Before 31st March 2026?

If YES, Proper Planning:

- Deduction Alignment
- MAT Comparison
- Timing Optimisation
- Documentation

If NO, Risk of Mandatory Transfer:

- Transfer to Schedule VII Fund
- Section 135(6) Applies
- Lower Deduction/ Higher Tax

Result:

- Optimized Tax + Reduced Compliance Risk



NEW WAGE CODE

Impact of Wage Structure Changes –
Became effective from 21st November 2025
across India

Impact of Wage Structure Changes- Employer vs Employee

Employer Impact

(Strategic view)

Salary structure
HRA Component
PF Contribution
Gratuity Provision
CTC Impact
Payroll Compliance

Mandatory restructuring of pay components

Reduced flexibility in tax-efficient structuring

Increased statutory PF outflow

Increased actuarial liability & provisioning

Overall increase in employment cost

System reconfiguration & policy updates required

Employee Impact

(Financial view)

Shift toward higher fixed (basic) pay

Lower HRA exemption; possible higher taxable income

Higher retirement corpus accumulation

Enhanced long-term gratuity benefit

Possible reduction in immediate take-home salary

Greater transparency in salary components

Impact of New Wage Code on Employer's Statutory Costs

Statutory Components	Impact on Employer
Provident Fund (PF)	<ul style="list-style-type: none">• Higher employer contribution (12%)• Increased hiring cost
Gratuity	<ul style="list-style-type: none">• Larger gratuity provision• Higher actuarial liability
Bonus	<ul style="list-style-type: none">• Higher minimum payout (8.33%)• Increase in annual bonus cost
Leave Encashment	<ul style="list-style-type: none">• Increased provision requirement• Higher liability for unused leaves
ESIC	<ul style="list-style-type: none">• May increase (for lower wage bands)• Applicable on higher gross pay

Income Tax Impact on HRA Reduction

- ✓ Lower HRA → lower HRA exemption possible.
- ✓ Higher taxable salary in some cases.

But:

- ✓ PF & gratuity benefits increase.



TRUST

Precautions Suggested for Trusts



Trust

85% Application Requirement – Critical Compliance

- Trust must apply minimum 85% of income to charitable/religious purposes in the same FY. Shortfall becomes taxable unless properly accumulated.
- **Action Point:** Conduct a provisional computation before 31 March and ensure adequate application.

Accumulation (If 85% Not Applied)

If 85% income is not applied:

- Pass trustee resolution stating purpose.
- File **Form 10** within due date.
- Invest only in permitted modes.
- **Ensure that the bank balance reflects the accumulated amount and funds remain earmarked for the specified purpose.**

Risk: Non-compliance may lead to denial of exemption and taxation.

Best Practice: Keep clear earmarking or separate bank account.



Example of Taxation of Capital Gain in the hands of Charitable Trust

ABC Charitable Trust (registered u/s 12AB) sells a piece of land during FY 2025–26.

Facts –

* Sale Consideration: ₹1,00,00,000

* Indexed Cost of Acquisition: ₹60,00,000

Capital Gain = Sale Consideration – Indexed Cost

$$= ₹1,00,00,000 - ₹60,00,000 \\ = ₹40,00,000$$

Reinvestment by Trust

Out of ₹1 crore received:

* ₹70,00,000 reinvested in construction of new charitable building

* Remaining ₹30,00,000 retained

Exempt Capital Gain = Capital Gain × (Amount Reinvested / Net Consideration)

$$= ₹40,00,000 \times (\₹70,00,000 / ₹1,00,00,000) \\ = ₹28,00,000 \text{ calendar with partner's tax projections}$$

Total Capital Gain: ₹40,00,000
Less: Exempt u/s 11(1A): ₹28,00,000

🏠 Taxable Capital Gain: ₹12,00,000

Any Questions?



Thank You

THANK YOU

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