

SpiceJet given three weeks' time to settle row, stay on air

SC warns airline of liquidation if it fails to pay \$24 million due to Credit Suisse

KRISHNADAS RAJAGOPAL
New Delhi, January 28
The Supreme Court on Friday gave air carrier SpiceJet three weeks to resolve its dispute over the non-payment of more than \$24 million to a Swiss company towards maintenance, repairs and overhaul of aircraft engines and components.

"What is this? Why are you not paying up? Are you taking advantage because you are a busy airline... Do you want to run or close the show?" Chief Justice NV Ramana asked SpiceJet, represented by senior advocate Harish Salve.

The Bench, also comprising Justices AS Bopanna and Hima Kohli, proceeded to give a short reprieve to the airline by staying the publication of a Madras High Court

order to wind up the company.

'Serious offer'

The court has stayed the High Court order for three weeks so that the airline can work out a "serious offer" to the satisfaction of Credit Suisse AG, a Zurich-based stock corporation, which was assigned the right to receive the payments due to SR Technics.

"This is a serious matter, if you don't want to run the airline, we will declare it insolvent and go for liquidation," the CJ addressed Salve.

The senior lawyer, as soon as the hearing started, sought a three-week adjournment of the case.

"We are working something out. Give us three weeks. We will have a serious



Earlier, the Madras HC had dismissed the airline's appeal against a single judge order to wind up the company

offer," Salve submitted to the Bench.

Senior advocate KV Vishwanathan, for the Zurich corporation, countered that the offer made now by the airline was "not even worth mentioning". However, Vishwanathan agreed on behalf of the corporation to wait for three more weeks.

The court, in its order, noted that the airline was trying to resolve the dispute and

granted three weeks' time while ordering the stay of the high court order. It adjourned the case.

The case

Earlier, a Division Bench of the Madras High Court had dismissed the appeal by SpiceJet against a single judge Bench order of December 6 to wind up the company.

The Division Bench had concluded in favour of the arguments made by Credit Suisse AG that the air carrier had not made out any ground to entertain the appeal.

However, the Division Bench had acquiesced to SpiceJet's request to continue to stay the single judge order. It had extended the interim stay till January 28 as the air carrier had already deposited \$5 million in court.

The airline had then approached the Apex Court for relief.

PROMOTION QUOTA FOR SC/ST

SC says it is for the States to collect quantifiable data

PRESS TRUST OF INDIA
New Delhi, January 28

The Supreme Court on Friday refused to "lay down any yardstick" for granting reservation in promotion to Scheduled Castes (SCs) and Scheduled Tribes (STs) in government jobs.

A three-judge bench headed by Justice Nageswara Rao said States are obligated to collect data on inadequacy of representation of SCs/STs.

"On the basis of arguments, we have divided submission into six points. One is yardstick. In the light of Jarnail Singh and Nagaraj, we have said we cannot lay down any yardstick.

"With respect to the unit for collecting quantifiable data, we have said that the State is obligated to collect quantifiable data," said the bench, which also comprised Justices Sanjiv Khanna and BR Gavai.

The Apex Court said the collec-

tion of information regarding inadequacy of representation of SCs/STs cannot be with reference to the entire service or class but it should be relative to grade/category of posts to which promotion is sought.

"Cadre, which should be the unit for collection of quantifiable data in relation to promotional posts, would be meaningless if data pertaining to the representation of SC/STs is with reference to the entire service," the three-judge bench said.

Test of adequacy

With regard to proportionate representation and test of adequacy, the top court said it has not gone into this aspect and has left it to the States to assess inadequacy of representation of SC/STs in promotion of post by taking into account relevant factors. The Supreme Court had reserved its verdict on October 26, 2021.

Mullaperiyar dam: It's time to review safety, says CWC

PRESS TRUST OF INDIA
New Delhi, January 28

A "fresh review" of the safety of 126-year-old Mullaperiyar dam is now due and is required to be undertaken, the Central Water Commission (CWC) and the supervisory committee have told the Supreme Court.

In a status report filed in the top court, the CWC and the supervisory committee have said aspects pertaining to the safety of dam were carried out during 2010-2012 by the empowered committee constituted under the Supreme Court's directions in 2010.

14 meetings held

It said the committee, based upon the investigations, tests and studies carried out by apex national organisations and specialist expert agencies, had arrived at a conclusion that Mullaperiyar dam was found to be safe in all respects — hydrologically, structurally and seismically.

The status report said that in addition to the study, the supervisory committee had also

visited the dam during the annual meetings held at the project site. Till date, 14 meetings have been held, the last one being on February 19, 2021, it said.

"However, a fresh review of the safety of the Mullaperiyar dam is now due and is required to be undertaken," it added.

The status report said that in a recent meeting held on December 8, 2021, Kerala had expressed displeasure on the "erratic spillway shutter operation" and the release downstream by Tamil Nadu.

"Tamil Nadu submitted that as the rainfall data was made available to them by Kerala on daily basis and not on an hourly basis as envisaged from installing telemetry system, they don't have sufficient time for making decisions in advance," it said.

The committee has requested Kerala to expedite installation of such telemetry stations. "However, Kerala has not yet acted on its commitment to install the telemetry stations," it said.

Row over recruitment process: Railways defends two-stage computer-based test

OUR BUREAU
New Delhi, January 28

The high-power committee comprising senior officials to look into the concerns of candidates related to the Indian Railways recruitment process has already started receiving representations. This, even as senior Railway Recruitment Board (RRB) officials are meeting groups of students to take their submissions, according to a statement released by the Ministry of Railways on Friday.

Railway Minister Ashwini Vaishnaw has assured candidates and students that all their problems will be resolved with utmost sensitivity, the statement added.

Centre defends test

At the same time, the Railway Ministry also circulated a detailed explanation defending the two-stage computer based test conducted as part of its recruitment process and elaborated on

its reason for allowing graduates to apply for posts that require lower qualifications.

Applicants, who broke into a rampage earlier this week in States including Bihar and UP, have opposed the decision to hold the RRB-NTPC exam in two stages arguing that the second stage for final selection amounts to "cheating" those who appeared and cleared the first stage.

'First stage for screening'

In response to the concerns raised by candidates over the 2-stage Computer Based Test (CBT) conducted as part of recruitment process, Railways said it was done because in situations where number of candidates exceeded one crore, it was advisable to conduct CBT in two stages with the first stage for screening the candidates for the second stage.

The second stage could then be conducted with limited candid-

ates which would ensure that extensive normalisation is not involved and the final merit is more fair, another statement by the Ministry said.

On complaints regarding some names appearing more than once in the list of short-listed candidates, the Railways said since the second stage consisted of CBT of five different levels and a candidate can be shortlisted for more than one, the lists would have some names appearing in more than one list.

Responding to concerns that graduate candidates were getting undue benefit of applying for both graduate and 10+2 level posts, Railways said the integration was done to save time and effort. "Also standards have been kept of 10+2 level so as to not put disadvantage to 10+2 level students and it is only in CBT 2 that standards will be different across levels," the release said.

DPIIT invites varsities, R&D bodies to set up tech centres

AMITI SEN
New Delhi, January 28

Looking to promote a "vibrant and balanced" intellectual property rights (IPR) system in the country, the Department for Promotion of Industry and Internal Trade (DPIIT) has invited educational institutions, R&D facilities and IP facilitation centres to apply to the government for setting up Technology and Innovation Support Centres (TISCs) under a programme assisted by the World Intellectual Property Organisation

(WIPO). "TISCs can play a crucial role in improving technology access in a developing country as these can facilitate technology transfer and contribute to technology-based solutions to social and economic issues faced by communities worldwide. The DPIIT is looking forward to a good response from institutions," an official told *BusinessLine*.

Interested organisations have been asked to apply with the Cell for IP Promotion and Management

(CIPAM), the designated National Focal Point (NFP) for establishing and developing TISCs in collaboration with the WIPO, by February 28, in a public notice issued by the DPIIT.

"Organisations, institutions and associations that would like to promote creativity, innovation, entrepreneurship, knowledge sharing, exchange of best practices, capacity building, and generation and commercialisation of IPs, can consider hosting a TISC," the notice said.

CIPAM has already helped establish 10 TISCs in India.

Access to information

The DPIIT has now sent an open invitation to all universities, colleges, other educational institutions, State Science Councils, R&D institutions, Patent Information Centres (PICs) and Intellectual Property Facilitation Centres (IPFCs) with the necessary means and infrastructure to fulfil the above mandates, to apply.

According to WIPO, its TISC programme provides

innovators in developing countries with access to locally based, high quality technology information and related services, helping them to exploit their innovative potential and to create, protect, and manage their IPRs.

The DPIIT clarified that neither the WIPO nor the NFP (CIPAM) is obligated to provide funds to the host institution for setting up and running of the TISC. Institutions are allowed to raise funds from other sources, it said.

Leaders of today & tomorrow



Prime Minister Narendra Modi and Defence Minister Rajnath Singh pose for a photograph with cadets from the National Cadet Corps during the PM's NCC rally in New Delhi on Friday. AFP

GST on developed plot of land: Gujarat's AAAR affirms 'aye'

SHISHIR SINHA
New Delhi, January 28

Applicability of GST on plot of land with sewerage line, electricity pole, water line etc. continue to confuse developers. The Gujarat Appellate Authority for Advance Rulings (GAAAR) has affirmed Authority for Advance Rulings (AAR) tax to be levied, contrary to rulings by Goa and Madhya Pradesh's AAR.

In the present matter, Surat-based Dipesh Anilkumar Naik, appealed before the GAAAR against the AAR ruling which held that the sale of a developed plot is not equivalent to the sale of land, but tantamount to the rendering of service and would be subject to levy of GST.

Super built-up area Vs plot

GAAAR observed that in the activity of plot development, leveling the land, boundary wall, roads, underground cables and pipelines, sewerage lines, landscaped gardens, water harvesting system, etc. are



also offered in some schemes. Sale of such sites is done to end customers who may construct houses/villas in the plots. The sellers charge the rate not on the actual measure of the plot, but the super built-up area that includes the facilities. Thus, in effect, the seller is collecting charges towards the land as well as the common amenities.

"The above facts clearly indicate that sale of developed plot is not equivalent to sale of land but is a different transaction," GAAAR said while adding the transaction will attract 18 per cent GST. Earlier, Goa AAR, in a 2021 ruling, had said selling plots with electric poles, drainage lines and approach roads will be simply selling of land and

thus not attract GST. The Madhya Pradesh AAR also took the similar view when its clarification was sought in Bhopal Smart City Development Corporation Ltd.

According to Harpreet Singh, Partner with KPMG in India, with two favourable rulings by AARs and one adverse ruling by Appellate AAR, developers would find difficult to decide which one to follow.

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Particulars	CONSOLIDATED		
	QUARTER ENDED		PERIOD ENDED
	DECEMBER 31, 2021 (Unaudited)	DECEMBER 31, 2020 (Unaudited)	DECEMBER 31, 2021 (Unaudited)
Total Income from Operations	5,082.90	3,821.91	13,687.80
Net Profit / (Loss) for the period (before Tax, Exceptional and/or Extraordinary items)	1,181.78	802.21	3,042.79
Net Profit / (Loss) for the period before tax (after Exceptional and/or Extraordinary items)	1,150.73	864.63	2,936.45
Net Profit / (Loss) for the period after tax (after Exceptional and/or Extraordinary items) - attributable to the Owners of the company	1,008.54	803.67	2,538.22
Total Comprehensive Income for the period [Comprising Profit / (Loss) for the period (after tax) and Other Comprehensive Income (after tax)] - attributable to the Owners of the company	1,173.27	962.22	2,796.04
Equity Share Capital	671.74	663.32	671.74
Earnings Per Share (of Rs. 5/- each)			
1. Basic	7.57	6.07	19.16
2. Diluted	7.21	5.75	18.26
Particulars	STANDALONE		
	QUARTER ENDED		PERIOD ENDED
	DECEMBER 31, 2021 (Unaudited)	DECEMBER 31, 2020 (Unaudited)	DECEMBER 31, 2021 (Unaudited)
Total Income from Operations	3,147.47	2,713.62	9,056.34
Net Profit / (Loss) for the period (before Tax, Exceptional and/or Extraordinary items)	499.81	699.68	1,926.86
Net Profit / (Loss) for the period before tax (after Exceptional and/or Extraordinary items)	499.81	699.68	1,926.86
Net Profit / (Loss) for the period after tax (after Exceptional and/or Extraordinary items) - attributable to the Owners of the company	396.81	665.91	1,503.44
Total Comprehensive Income for the period [Comprising Profit / (Loss) for the period (after tax) and Other Comprehensive Income (after tax)] - attributable to the Owners of the company	567.03	771.58	1,781.05
Equity Share Capital	671.74	663.32	671.74
Earnings Per Share (of Rs.5/- each)			
1. Basic	2.98	5.02	11.35
2. Diluted	2.84	4.76	10.81

NOTES :

- The standalone and consolidated financial results for the quarter and period ended December 31, 2021 were approved by the Board of Directors at its meeting held on January 27, 2022. The statutory auditors have conducted a limited review of the above standalone and consolidated financial results. These financial results are prepared in accordance with the Indian Accounting Standards (Ind-AS) as prescribed under Section 133 of the Companies Act, 2013 read with Rule 3 of the Companies (Indian Accounting Standards) Rules, 2015 and relevant amendment rules thereafter.
- Based on the "Management Approach" as defined under Ind AS 108 Operating Segments, the Company's performance is evaluated and resources are allocated based on an analysis of various performance indicators by a single business segment i.e. 'Software Product License & related services'.
- The outbreak of Coronavirus (COVID-19) pandemic globally is causing a slowdown of economic activity. The Company has considered the possible effects that may result from COVID 19 on its operations including but not limited to its assessment on the carrying amount of trade receivables, revenue accrued not billed, goodwill on consolidation, intangible assets and intangible assets under development. In developing the assumption relating to the possible future uncertainties in the global conditions because of the pandemic, the Company as on date of approval of these financial results has used various information, as available. The Company has performed sensitivity analysis on the assumptions used and based on current indicators of future economic conditions, the Company expects to recover the carrying amount of these assets. The impact of the global health pandemic may be different from that estimated as at the date of approval of these standalone and consolidated financial results and the Company will continue to closely monitor any material changes to future economic conditions.
- Employee benefit expenses for the period ended December 31, 2021 in consolidated financial results includes aggregate employee stock based compensation of INR 85 million for quarter ending December 31, 2021 and INR 326 Million for the period ending December 31, 2021 (Includes a credit of INR 92 Million towards waiver of a loan obtained by Intellect Design Arena Inc from Bank of America, NA under the Paycheck Protection Program during quarter ended June 2021, as such loan proceeds were used to retain workers and paying payroll costs).
- The Indian Parliament has approved the Code of Social Security, 2020 ('Code') which relates to the contributions by the Company towards Provident Fund and Gratuity. The effective date from which the changes are applicable is yet to be notified and the relevant rules are yet to be framed. In view of this, impact if any, of the changes will be assessed and accounted in period of notification of the Code.
- For more information, kindly visit company's website, i.e. www.intellectdesign.com or stock exchanges website www.nseindia.com or www.bseindia.com.

For Intellect Design Arena Limited

Sd/-
Arun Jain
Chairman & Managing Director

Place : Chennai
Date : January 27, 2022