

CERTIFIED FACILITATION CENTRES UNDER ACES PROJECT OF THE CBEC

Frequently Asked Questions (FAQs)

Q.1 Who can be certified as a Facilitation Centre?

A.1 Any member holding a certificate of practice, any sole proprietorship concern of a practicing member or a firm of chartered accountants fulfilling the following eligibility criteria can be certified as a Facilitation Centre:

- (i) the member and each partner (in case of a partnership firm) applying for Certificate to become Facilitation Centre under the ACES Project should be holding a valid certificate of practice issued by ICAI;
- (ii) the member and each partner (in case of a partnership firm) should possess experience of at least one year in practice;
- (iii) the member and any partner (in case of a partnership firm) should not have been held guilty of professional misconduct under Chartered Accountants Act, 1949 during three years immediately preceding the date of application;
- (iv) the member and any partner (in case of a partnership firm) should not be facing any enquiry or investigation by the CBEC for any violation as communicated by the CBEC to the ICAI;
- (v) the member / firm should have specified infrastructure facilities.

Q.2 What is the specified infrastructure facility required to be eligible to operate as a CFC?

A.2 The applicant must have the following minimum physical and technical infrastructure/ facilities:

- (i) Office space measuring a minimum of 100 sq. ft. and equipped with at least two counter seats for service and four-five waiting seats;
- (ii) Two Pentium Class-IV PCs with colour monitors and minimum 1 GB RAM, USB ports, floppy disk drive, and CD writer;
- (iii) A desk-jet or laser printer;
- (iv) A flat bed scanner (above 600 DPI);
- (v) Broadband internet connectivity or higher;
- (vi) Dependable power supply arrangements including UPS;
- (vii) Fax and phone facility;
- (viii) At least one trained person who can operate the system;

The Computer system should be equipped with the following software:

- a. Windows 2000 / Windows XP;
- b. Web browser IE 6.0 or above, Netscape 6.2 & above;
- c. Adobe Reader V.7.0.5;
- d. Java Runtime Environment (JRE);
- e. PDF Converter and Anti-virus Software;
- f. HDD 80 GB or more;
- g. MS Excel 2003 or above.

Q.3 What are the services that a CFC is required to provide?

A.3 A CFC is required to provide facilitation services to enable e-filing of returns and other documents specifically:

- data entry of returns;
- data entry of forms other than returns;
- scanning of documents and conversion to PDF format;
- laser printing (B & W);
- uploading returns and other documents with ACES;
- attaching documents with e-Form;
- viewing documents.

Q.4 Is there any specified fee that a CFC is required to charge?

A.4 Yes. The maximum fees that a CFC can charge are specified below:

Data entry of returns (filling up of e-returns)	Rs.50/- per page subject to a maximum rate of Rs.600/- per return
Data entry of forms other than returns	Rs.100/- per page
Scanning of documents and conversion to PDF format	Rs.5/- per page
Laser Printing (B & W)	Rs.5/- per page
Uploading returns with ACES	Rs.200/- per return
Attaching documents with e-Form	Re.1/- per page
Viewing documents	Rs.50/- per 30 minutes
Apply for and procurement of DSC for users	Rs.100 per DSC

Use of DSC by CFC operator to facilitate e-filing for the client along with Disclaimer	Rs.20 for each signature use
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- Q.5 Can a CFC provide any service other than the services listed above?
- A.5 Yes, a CFC is free to provide any other service to any service seeker.
- Q.6 Can a CFC determine its own charges for providing services other than those listed in 4 above?
- A.6 Yes. For any service, which is not specified in point 4 above, CFC is free to fix its own charges.
- Q.7 How does a member/firm apply for obtaining the Certificate to be a Facilitation Centre under ACES Project?
- A.7 Any member/firm fulfilling eligibility criteria should fill up the application form for issuance of Certificate available on the website www.icaai.org. This form can be filled online.
- Q.8 Is any fee payable with the application for issuance of the Certificate ?
- A.8 Yes. A member is required to pay application fee of Rs.1000 towards administration charges to the ICAI. The same can be paid through net banking or by credit card online.
- Q.9 What is the process that would follow after an application is made to the ICAI online?
- A.9 After filling the application and making payment online, the applicant will need to take print out of the duly filled form after intimation of application number by the ICAI, sign it (all partners will have to sign the application form, in case the applicant is a partnership firm) and send it to IT-EDP, "ICAI Bhawan", Post Box. No. 7100, The Institute of Chartered Accountants of India, IP Marg, New Delhi - 110 002 superscribing the envelope with "CFC (ACES)". The applicant may, in addition, also scan and email the application to cfcaces@icaai.org. ICAI will verify the application and if it is found to be valid as per the prescribed criteria, Certificate will be issued to the applicant. It will be sent electronically to the email address provided by the applicant.
- Simultaneously, the information will be sent to the CBEC who will issue user name and password to the CFC which will be sent to the email address provided by the applicant. The CFC can then log into the ACES site using the user name and password and be able to facilitate electronic filing of Central Excise and Service tax returns and other documents of the tax payers.
- Q.10 Can a Certificate once issued be suspended?
- A.10 Yes. A Certificate issued by the ICAI can be suspended if:

- CFC is found to be not complying with the prescribed criteria / qualification; or
- Individual/proprietor/any partner of the firm is found to be guilty of professional misconduct by the ICAI or the CBEC; or
- if it is found, either by ICAI or the CBEC, that the CFC is not diligently discharging its functions or fulfilling the obligations.

Any action which leads to a CFC being held as ineligible to practice will also lead to suspension or even cancellation of the Certificate. Decision of CBEC will be final and binding on all in this regard.

Q.11 Can a Certificate, once issued, be cancelled?

A.11 Yes. For the same reasons for which the Certificate is suspended, the Certificate can also be cancelled.

Q.12 What happens when a Certificate is suspended or cancelled?

A.12 The CFC will not be able to provide any services during the period the Certificate is suspended. The CBEC will deactivate the user name and password granted to the CFC. Similarly, CFC will not be able to provide services when the Certificate is cancelled. The CFC whose Certificate is cancelled is required to submit all the original documents collected by it to the concerned Range Officer of Central Excise / Service tax, obtain acknowledgement for submission of documents from the concerned Range Officer and submit the same to the ICAI. The ICAI will intimate the same to the CBEC.

Q.13 Can a CFC be closed if the CFC so desires?

A.13 Yes. CFC has option to close down but is required to give at least one month's notice to the ICAI as also the CBEC.

Q.14 What is the procedure to be followed if the CFC chooses to close down and gives notice of one month to the ICAI and the CBEC?

A.14 The CFC will surrender the Certificate to the ICAI and submit all the original documents collected from the clients to the concerned Range Officer of Central Excise / Service tax. It will obtain an acknowledgement to this effect and submit the same to the ICAI. The ICAI will thereupon declare the closure of the CFC.

User id and password of the CFC would be blocked from the day specified by the CFC for closure.

Q.15 What is the validity of the Certification?

A.15 The Certificate will take effect from the date of its issue and will be valid for a period of one year or till such time till the Scheme is modified or withdrawn or the Certificate is suspended or cancelled.

Q.16 Are there any obligations on a CFC?

- A.16 Yes. The following are the obligations of the CFC:
- (i) The CFC shall appropriately display the Certificate issued by ICAI.
 - (ii) It will provide services on payment basis and the service charges shall not exceed the amount indicated in the schedule of charges indicated in the Scheme and it must prominently display the details of service charges chargeable by the it in respect of various services mentioned in point 4 above.
 - (iii) It will ensure that the all the facilities are in good working condition at all times and reliable connectivity is maintained.
 - (iv) It will undertake work on behalf of its client, after obtaining legally valid authorization on behalf of the management of the client, the original copy of which should be kept by the CFC on records for at least a period of five years, or such other period as may be prescribed by the CBEC, from time to time, for verification by the authorized persons of the CBEC/ICAI. It will be the responsibility of the CFC to take all due and reasonable care to ensure that the person on whose instructions, he/she carries out work in ACES, is duly authorized by the client to do so.
 - (v) Before uploading documents on behalf of its clients to the ACES website, the CFC will take signature of the authorized person on each page of the hard copies of the documents to be uploaded and keep copies in their records for at least a period of five years, or such other period as may be prescribed by the CBEC, from time to time, for verification by the authorized persons of the CBEC/ICAI.
 - (vi) It will not use the user name and password of its clients for transactions in ACES and shall always use its own user name and password or its own valid DSC, as and when permitted to be used by the CBEC, for carrying out transactions on behalf of its clients in ACES. In case of any dispute, the decision of the CBEC shall be final.
 - (vii) It will be responsible for proper and legally valid operation of the Digital Signature Certificate (DSC), during the validity period of the DSC, issued by a Certification Agency, if such service has been facilitated by CFC to the end-user.
 - (viii) It will keep accounts of all statutory fees / payments in respect of the services provided by it.
 - (ix) It may be subject to inspection by persons authorized by the CBEC or the ICAI, as and when required, and during the inspection or enquiry, it shall provide full co-operation including providing statements, relevant records /documents for inspection and if required, allow them to take the original records/documents, against acknowledgement, after retaining attested copies for their own use. The ICAI and the CBEC can also take any other

legal action, as it may deem fit and proper, against the CFC, under any other law, rule, regulation or scheme in force.

- (x) In case of a partnership firm, any change in constitution shall be intimated to the ICAI forthwith and in case of admission of a partner, the firm shall submit a duly signed undertaking (as mentioned in the application form) by the new partners within a period of 30 days from the date of admission of the partner. In case of change in the member in charge of CFC, intimation shall be sent immediately and till such time as the same is sent, the Certificate and user name and password may be suspended.
- (xi) In case the CFC chooses to close down, it will do so with one month's notice to the CBEC and the ICAI and:
 - (i) shall surrender the Certificate to the ICAI;
 - (ii) submit the documents collected from the clients to the concerned Range Officer of Central Excise/ Service tax and obtain acknowledgement thereof and submit the copy of such acknowledgement to the ICAI whereupon, the user name and password allotted by the CBEC to the CFC will be cancelled.

Q.17 What if an CFC makes any default in providing service or is found to be non compliant with any of the requirements of the Scheme?

A.17 A CFC would render itself liable to disciplinary jurisdiction of the ICAI.