



All India Federation of Tax Practitioners

(An Association of Advocates, Chartered Accountants & Tax Practitioners of India)

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Date.....

March 23, 2021

To,
Shri Ravi Shankar Prasad,
The Hon'ble Minister of Law and Justice,
Government of India,
New Delhi

Subject : Request to fill the pending vacancies of the Hon'ble Members in the Income-tax Appellate Tribunal.

Respected Sir,

We wish to bring it to your honours kind attention, that The Hon'ble Income tax Appellate Tribunal (ITAT) has 63 benches at 27 stations across the Country and a sanctioned capacity of 126 members.

On July, 06, 2018 an advertisement was issued by the Central Government seeking appointment of 21 Judicial Members and 16 Accountant Members. Accordingly, the search cum selection committee made its recommendations in November 2019.

Thereafter, the Central Government notified the Tribunal, Appellate Tribunal and other Authorities (Qualification, Experience and Other Conditions of Service of Members) Rules, 2020. The said rules were challenged on Constitutional Grounds.

The Hon'ble Supreme Court in the case of **Madras Bar Association v. UOI & Anr 2020 SCC OnLine SC 962** passed an order dated November 27, 2020 directing the Union of India to appoint Judicial Members and Accountant Members to the Hon'ble ITAT, *inter alia*, within a period of 3 months.

The period of 3 months expired on February 27, 2021.

As on date, the Hon'ble ITAT consists of only 78 Members, i.e., 40 Judicial Members and 38 Accountant Members. Therefore, 48 positions are vacant. By the end of the calendar year 2021 the





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vacancy will rise to 54 positions. Further, as of January 2021, the pendency before the Hon'ble ITAT was 78,754 appeals.

Therefore, with a view to fill the vacancy in the Hon'ble ITAT and thereby improve the efficiency of the Tribunal, We request your Honours to kindly address the pending vacancies.

Trust our requests shall be acceded to.

Thanking You.

Yours sincerely,
For All India Federation of Tax Practitioners

M. Srinivasa Rao,
National President.

**CC : 1. Hon'ble Shri Anoop Kumar Mendiratta,
Law Secretary of India**

**2. Hon'ble Justice Mr. P. P. Bhatt,
President, ITAT**

