

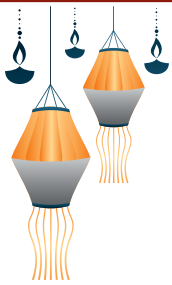


## All India Federation of Tax Practitioners

215, Rewa Chambers, 31, New Marine Lines,  
Mumbai 400 020. Tel.: 22006342/43/49706343  
E-mail: aiftpho@gmail.com | Website: www.aiftponline.org

# AIFTP TIMES

Volume 14 | No. 11 | November 2023



Happy  
*Diwali*  
and  
*Prosperous New Year*



### FORTHCOMING PROGRAMMES

| Date & Month               | Programme   | Place     |
|----------------------------|---|-----------|
| 1st to 30th November, 2023 | Foundation Month Celebration                            | All Zones |
| 3rd November, 2023         | Ordinary General Meeting & Election (Eastern Zone)      | Cuttuck   |
| 4th & 5th November, 2023   | Foundation Day Celebration & Conference (Northern Zone) | Varanasi  |
| 4th November, 2023         | National Executive Committee Meeting                    | Varanasi  |
| 6th November, 2023         | Ordinary General Meeting & Election (Northern Zone)     | Varanasi  |
| 25th November, 2023        | Ordinary General Meeting & Election (Western Zone)      | Mumbai    |
| 2nd and 3rd December, 2023 | Two Day Tax Conference (Southern Zone)                  | Kochi     |
| 2nd December, 2023         | Ordinary General Meeting & Election (Southern Zone)     | Kochi     |
| 22nd December, 2023        | Ordinary General Meeting                                | Kolkata   |
| 23rd & 24th December, 2023 | National Convention (Eastern Zone)                      | Kolkata   |

**NOTE:** Detailed programmes will be uploaded on our website and will be circulated on WhatsApp and mail, as and when the same are announced.

### FOR ANY QUERIES MEMBERS MAY CONTACT ANY OF THE FOLLOWING OFFICE BEARERS

| Name                    | Designation        | Mobile     | E-mail                       |
|-------------------------|--------------------|------------|------------------------------|
| PANKAJ GHIYA, ADV.      | National President | 9829013626 | pankajghiyajapur@gmail.com   |
| NARAYAN P. JAIN, ADV.   | Deputy President   | 9830951252 | npjainadv@gmail.com          |
| RAJESH MEHTA, CA.       | Secretary General  | 9827036956 | rajeshmehta_indore@yahoo.com |
| VINAY KUMAR JOLLY, ADV. | Treasurer          | 9414043300 | jolly0450@yahoo.com          |



aiftppofficial



@AIFTPINDIA



@allindiafederationoftaxpra9283



+91 98678 96342

## Activities held in the month of October, 2023

|   |   |
|---|---|
| 6th to 8th<br>October, 2023<br>NZ<br>Chandigarh       | First ever AIFTP's Interzone Sports Meet (AIFTP Premier League), Chandigarh in association with Chandigarh Branch of NIRC of ICAI, Chandigarh Tax Bar Association, The District Taxation Bar Association, Panchkula and District Tax Bar Association, Mohali<br>The inauguration of the said Conference was by Hon'ble Mr. Justice Rajesh Bindal, Judge, Supreme Court of India as Chief Guest.<br>AIFTP Premier League has included sports like Cricket, Badminton, Chess, Carom and Table Tennis. The arrangements at Chandigarh in an International Level Cricket Ground of Punjab Cricket Association was wonderful.<br>The said Sports event was attended by more than 300 participants.   |
| 13th to 15th<br>October, 2023<br>CZ & NZ<br>Khajuraho | National Tax Conference & RRC organized was organised in association with MPTLBA & TBPA at Hotel Chandela 5*, Khajuraho.<br>The said Conference was inaugurated by Mr. Lokesh Jatav, Commissioner, State GST, Madhya Pradesh as Chief Guest and Shri M. Srinivasa Rao, Past President, AIFTP as Guest of Honour. Technical sessions were also organized.<br>Site seeing were arranged for all the participants.<br>More than 150 participants attended the conference & RRC all over the country.   |
| 26th to 29th<br>October, 2023<br>WZ<br>Virtual        | Padma Vibhushan Dr. N. A. Palkhivala Memorial National (Virtual) Tax Moot Court and Research Paper Competition 2023 was organized in jointly with Income Tax Appellate Tribunal Bar Association (ITATBA) & Goods & Service Tax Practitioners' Association of Maharashtra (GTSPAM) in association with Maharashtra National University – Mumbai (MNU-Mumbai)<br>The Chief Guest for the Inaugural function was Hon'ble Mr. Justice C. V. Bhadang, President, ITAT. and Guest of Honours were Hon'ble Mr. G. S. Pannu, Vice President, ITAT and Hon'ble Mr. Pramod S. Tarare, President, the Maharashtra Sales Tax Tribunal.<br>Similarly, the Chief Guest for the Valedictory function would be Hon'ble Justice Shri Nitin M. Jamdar, Judge Bombay High Court and Guest of Honours would be Hon'ble (Dr.) Justice Neela Kedar Gokhale, Judge, Bombay High Court, Hon'ble Justice Shri Piyush Agrawal, Judge, Allahabad High Court and Hon'ble Justice Dr. Anita Sumanth, Judge, Madras High Court.<br>Around 75 college throughout the Country have participated in the Virtual Moot Court Competition. Around 300 students have participated in the Research Paper Competition and around 10 professionals have participated in the Research Paper Competition for Professionals. |
| 26th October,<br>2023<br>CZ                           | Webinar on Opportunities in Labour Law & Beyond organized in association with The Rajasthan Tax Consultant's Association, Jaipur on Zoom App.<br>CA. Sunil Kumar, Jaipur was speaker and CA. Satish Kumar Gupta, Jaipur was Programme Director. The said webinar was well attended by participants.   |
| 28th &<br>29th October,<br>2023<br>CZ                 | Alwar National Tax Conference & RRC organized was organised jointly with Tax Bar Association, Alwar at Sariska Tiger Camp Resort, Sariska, Alwar.<br>The said Conference was inaugurated by Shri Pankaj Ghiya, National President, AIFTP as Chief Guest. Technical sessions were also organized.<br>Site seeing were arranged for all the participants.<br>More than 100 participants attended the conference & RRC.  |

### NOMINATION / BID FOR AWARDS 2023

Dear Members,

Please find below the link, wherein Nominations / Bids for AIFTP Awards (2023) have to be submitted on or before 15th November, 2023.

<https://aiftponline.org/wp-content/uploads/2023/01/Awards%20for%202023%20with%20Annexure.pdf>

Concerned Members are requested to file their Nominations for AIFTP Awards (2023) on or before last date.

Regards,

For AIFTP

Pankaj Ghiya

National President

9829013626

## Photo Gallery of activities in the month of October 2023





## Photo Gallery of activities in the month of October 2023



# National Convention 2023

You are cordially invited to

**“Gyan Ganga”**

National Convention of AIFTP

Theme : CHANGING DIMENSIONS IN TAX PRACTICE

On 23rd and 24th December 2023

with EOGM & Election on 22nd Dec. 2023 from 2 PM

Venue : Hotel Fairfield by Marriot, Monarch Banquet Hall CB 218, CB Block (New Town) Action Area 1C, Kolkata 700156

**In Association with**



**Knowledge Partner**

**INSTITUTE OF CHARTERED  
ACCOUNTANTS OF INDIA (EIRC)**



| Regn. Contribution   | For Hotel Room booking  | Alternate Hotel<br>(Walking distance from Hotel Fairfield)  |
|--|---|---|
| <p>Till 20th October 2023 ₹ 4500/-<br/>(For Spouse ₹ 4000/-)<br/>From 21st October 2023 onwards<br/>Regn. Contribution ₹ 5000/-<br/>(For Spouse ₹ 4500/-)<br/><i>Delegate Fee Payable to :</i><br/><b>Calcutta Tax Association</b><br/>Union Bank of India (Ezra Street<br/>Branch, Kolkata-1)<br/>Current A/c No. 007011010000113<br/>IFSC: UBIN0800708<br/><b>Note :</b> Pickup facility available at<br/>Kolkata Airport on 22nd Dec. 2023.<br/>Kindly e-mail your travel detail with Air<br/>Ticket to mailkolntcair@gmail.com</p> | <p><b>LIMITED ACCOMODATION</b><br/>Shri Ram Multicom Pvt. Ltd.<br/>C/o. Hotel Fairfield by Marriot<br/>State Bank of India, New Town Rajarhat<br/>Br.<br/>A/c No. : 38953732417 • IFSC Code :<br/>SBIN0005112<br/><b>Contact Sales Manager</b><br/>Ms. Rishu Kheria • (M) 76050 86808<br/>Per Day charges (Twin Bed incl.<br/>Breakfast) ₹ 4500 plus GST ₹ 540/- =<br/>₹ 5040/-</p> | <p>JALSA, A Boutique Hotel (Limited<br/>Rooms) CA-69 New Town, Action Area-<br/>1<br/>Street No. 199 (Near Novotel Hotel)<br/>Kolkata-700156, Email : Jalsainn2022@<br/>gmail.com<br/>Tariff Rs. 2600/- + 12% GST = Rs.<br/>2912/-<br/>(Double bed with Breakfast)<br/>Contact Person<br/>Mr. Animesh Nath, (M) 9749089134<br/>Payable to JALSA, HDFC Bank<br/>Ltd., Branch : Burrabazar A/c No.<br/>50200065521555, IFSC : HDFC0000219</p> |

Accommodation Help Desk

Please inform after Regn. & Hotel booking to :

Mr. Madhusudan Kakra (Secretary-Legal Relief Society)

Mobile : 9831725033 • E-mail : mskakra@gmail.com

Google Form

[https://docs.google.com/forms/d/e/1FAIpQLScS8lLmxlo5bDmpm4yh\\_XJG33JKqauCuiXFe-1dMjCDaLVO34A/viewform?vc=0&c=0&w=1&flr=0](https://docs.google.com/forms/d/e/1FAIpQLScS8lLmxlo5bDmpm4yh_XJG33JKqauCuiXFe-1dMjCDaLVO34A/viewform?vc=0&c=0&w=1&flr=0)

Other Nearby Hotels



Please book through



|  |   |   |
|--|---|---|
| <p>• <b>LEMON TREE PREMIER</b><br/>Premises No. 30-III, BG-9 Service<br/>Road, New Town Kolkata-700156<br/>Phone : (033) 6813-9900</p> | <p>• <b>NOVOTEL HOTEL</b><br/>CF-II, Action Area 1C New Town<br/>Kolkata-700156<br/>Phone : (033) 4032-3333</p> | <p>• <b>PRIDE PLAZA HOTEL</b><br/>Street No. 72, BG 12 Action Area - 1,<br/>AD-5, New Town Kolkata-700156<br/>Phone : (033) 4025-9999</p> |
|--|---|---|

Dear Sir,

We are glad to inform you that we are organising **26th National Convention - 2023** to be held at **Hotel Fairfield by Marriot, CB 218, CB Block (New Town) Action Area 1C, Kolkata 700156** on **23rd and 24th Dec. 2023** (with EOGM & Election on 22nd Dec. 2023 from 2 pm to 7 pm).

Eminent dignitaries including Hon'ble Judges of Supreme Court and Calcutta High Court have consented to grace the Convention. Speakers from various parts of the country will address the 6 Technical Sessions and Brainstorming Session. The delegates from all over India will participate.

We humbly request you to kindly help us by making generous contribution/ releasing ad in Souvenir

/ booking Stall / Standees/ Logos in Backdrop and inserting your logo in newspaper ads for the Convention. Please also register your delegates to participate in the Convention to take benefit of expert deliberations on Income Tax as well as GST and other Allied laws.

| Sl. No. | Timing Tentative       | Programme of 22nd December 2023 at Monarch Hall |
|---------|------------------------|---|
| 1       | 1.00 p.m. to 1.45 p.m. | Lunch for NEC Members                           |
| 2       | 2.00 p.m. to 7.00 p.m. | EOGM & Election                                 |
| 3       | 7.00 p.m. to 7.30 p.m. | Tea Break                                       |
| 4       | 7.30 p.m. to 8.30 p.m. | Award Night                                     |
| 5       | 8.30 p.m. onwards      | New NEC Members Meeting & Dinner                |

#### PLEASE CONTACT

|  |  |  |  |  |   |
|--|--|--|--|--|---|
| <b>Adv. Pankaj Ghiya</b><br>National President<br>M : 9829013626 | <b>Adv. D.K. Gandhi Imm.</b><br>Past President<br>M : 9810216801 | <b>Adv. Narayan Jain National</b><br>Dy. President<br>M : 9830951252 | <b>Adv. R.D. Kakra</b><br>Chairman,<br>Conv. Comt.<br>M : 9831052151 | <b>Adv. Sandip Choraria</b><br>Conv. Secretary<br>M : 9830022880       |   |
| <b>CA Rajesh Mehta</b><br>Secretary General<br>M : 9827036956    | <b>Adv. V.K. Jolly</b><br>Treasurer<br>M : 9414043300            | <b>Adv. Vivek Agarwal</b><br>National VP -<br>(EZ)<br>M : 9433207785 | <b>Adv. Pradosh Pattnaik</b><br>Jt. Secretary (EZ)<br>M : 9337103745 | <b>Adv. Basudeb Chatterjee</b><br>Zone Chairman (EZ)<br>M : 8092611232 | <b>Adv. Devesh Poddar</b><br>Zone Secretary<br>(EZ)<br>M : 9430790657 |

#### Looking Forward To Welcome You

|  |   |   |  |  |
|--|---|---|--|--|
| <b>Adv. Samir Jani</b><br>V.P. (WZ)            | <b>Adv. C. Sanjeeva Rao</b><br>V.P. (SZ)                          | <b>Adv. Dr. Naveen Rattan</b><br>V.P. (NZ)    | <b>CA Anil Mathur</b><br>V.P. (CZ)                   |  |
| <b>Adv. Nitin Gautam</b><br>Jt. Secretary (WZ) | <b>Adv. M.V.J.K. Kumar</b><br>Jt. Secretary (SZ)                  | <b>Adv. Anuj Bansal</b><br>Jt. Secretary (NZ) | <b>Adv. Dr. Hemant Modh</b><br>Jt. Secretary (CZ)    |  |
| <b>Adv. Sandeep Agarwal</b><br>Chairman (CZ)   | <b>Adv. O. P. Shukla</b><br>Chairman (NZ)                         | <b>Adv. G. Baskar</b><br>Chairman (SZ)        | <b>Adv. Ashvin Acharya</b><br>Chairman (WZ)          |  |
|  |   |   |  |  |
| <b>CA Debayan Patra</b><br>Chairman-ICAI EIRC  | <b>CA Rajesh Kr. Agrawal</b><br>President-DTPA                    | <b>CA D.S. Agarwala</b><br>IPP-DTPA           | <b>CA Sumit Binani</b><br>President-ACAE             | <b>CA P.D. Rungta</b><br>IPP-ACAE                                  |
| <b>CA Madan Maroti</b><br>President-CTA        | <b>Dr. Adv. Mamta Binani</b><br>President-MSME Dev.<br>Forum (WB) | <b>CA K.N. Gupta</b><br>Secretary, CCI PF     | <b>CA Nitesh More</b><br>President-Views<br>Exchange | <b>CA Girdhari Sharma</b><br>Sr. Vice President-<br>Views Exchange |

#### Convention Sub-Committees

**Finance :** CA Sajjan Sultania M 98300 37498 • **Dignitaries Co-ordination :** CA Madan Maroti M 98310 48621

**Souvenir :** CA P.R. Kothari M 98300 81816 • **Reception :** Adv. N.D. Saha M 98300 44321

**Accommodation :** Adv. M.S. Kakra M 98317 25033 • **Venue :** Adv. Arvind Agarwal M 98310 26660 & CA Indu Chatrath M 98310 48516

#### AND CONVENTION TEAM



### PROGRAMME SCHEDULE

| Saturday, 23rd December, 2023 |  |
|-------------------------------|--|
| 9.00 AM to 9.30 AM            | REGISTRATION & TEA   |
| 9.30 AM TO 12.00 AM           | INAUGURAL SESSION  |
|                               | Inauguration by Chief Guest Hon'ble Mr. Justice Rajesh Bindal* Judge, Supreme Court of India   |
|                               | • Guest of Honour : Hon'ble Mr. Justice T. S. Sivagnanam, Chief Justice, Calcutta High Court   |
|                               | • Release of Convention Souvenir & AIFTP Awards Felicitation of Past National Presidents & Senior Tax Professionals.                       |
| 12.00 AM to 1.30 PM           | FIRST SESSION  |
|                               | • TOPIC : Panch Pran Tax Doctrine- Applicability in Assessment, Re-Assessment and Appeals.   |
|                               | • Chairman : Sr. Adv. Ganesh Purohit, Past President, AIFTP  |
|                               | • Speaker : Sr. Adv. Sumit Nema, Indore  |
|                               | • Convenor : CA Jinesh Vanzara, Kolkata  |
| 1.30 PM to 2.30 PM            | L U N C H B R E A K  |
| 2.30 PM to 4.00 PM            | SECOND SESSION   |
|                               | • TOPIC : Fake Invoices and Its Litigation   |
|                               | • Chairman : Adv. P.C. Joshi, Past President, AIFTP  |
|                               | • Speakers : CA S. Venkataramani, Bengaluru ; Adv. Mukul Gupta, Ghaziabad  |
|                               | • Convenor : Adv. Sanjeev Kumar Anwar, Muzaffarpur   |
| 4.00 PM to 5.30 PM            | THIRD SESSION  |
|                               | • TOPIC : Implications of Money Laundering Act   |
|                               | • Chairman : Hon'ble Mr. Justice R.V. Easwar, Chennai, Former Judge, Delhi High Court  |
|                               | • Speaker : Adv. Aditya Ajgaonkar, Mumbai  |
|                               | • Convenor : Adv. G. Baskar, Chairman, AIFTP (SZ), Chennai   |
| 5.30 PM to 6.00 PM            | T E A B R E A K  |
| 6.30 PM Onwards               | Awards Ceremony Musical Programme Fellowship & Dinner  |
| Sunday, 24th December 2023    |  |
| 9.00 AM to 9.30 AM            | REGISTRATION & TEA   |
| 10.00 AM to 11.30 AM          | FIRST SESSION  |
|                               | • TOPIC : Recent Changes in Taxation of Charitable Trusts and Succession Planning  |
|                               | • Chairman : Sr. Adv. Premlata Bansal, Past President, AIFTP   |
|                               | • Speaker : Dr. CA Girish Ahuja, New Delhi   |
|                               | • Convenor : CA A.K. Srivastava, Delhi   |
| 11.30 AM to 1.00 PM           | SECOND SESSION   |
|                               | • TOPIC : Search & Seizure under GST & Income Tax - Rights of Department including rights of Arrest vis-a vis Rights of Taxpayers /Dealers |
|                               | • Chairman : Adv. D.K. Gandhi, IPP, AIFTP  |
|                               | • Speaker : CA Abhay Desai, Gujarat; Adv. Mahendra Gargieya, Jaipur  |
|                               | • Convenor : Adv. Sandip Choraria, Kolkata, Adv. Sandeep Agarwal, Kolkata  |
| 1.00 PM to 1.40 PM            | L U N C H B R E A K  |

|                    |   |                     |                    |
|--------------------|---|---------------------|--------------------|
| 1.45 PM to 3.00 PM | THIRD SESSION   |                     |                    |
|                    | • TOPIC : Emerging Opportunities in Capital Market        |                     |                    |
|                    | • Chairman : Shri B.L. Mittal, CMD, Sasta Sundar, Kolkata |                     |                    |
|                    | • Speaker : Dr. Srikant Bawsay Wardha, Maharashtra        |                     |                    |
|                    | • Convenor : CA Madan Maroti, Kolkata                     |                     |                    |
| 3.00 PM to 4.30 PM | BRAIN TRUST SESSION (IT & GST)                            |                     |                    |
|                    | • Chairman : Shri M. Srinivasa Rao, Past President, AIFTP |                     |                    |
|                    | • Co-chairman : CA Rajesh Mehta, Indore                   |                     |                    |
|                    | • GST Panelists :   | CA Arun Agarwal     | Adv. Ishaan Patkar |
|                    | (45 minutes)  | CA Vikash Parekh    | Adv. R.K. Mishra   |
|                    | • I. Tax Panelists :                                      | Adv. S.M. Surana    | Adv. Paras Kochar  |
|                    | (45 minutes)  | Adv. Subash Agarwal | CA Anil Mathur     |
|                    |   | Adv. D.B. Patti     | CA Mohit Bhuteria  |
| 4.30 PM Onwards    | VALEDICTORY SESSION                                       |                     |                    |

### COMPLIMENTARY SIGHT SEEING

(For Outstation Delegates only)

on 23rd and 24th December 2023 at Convenient Time



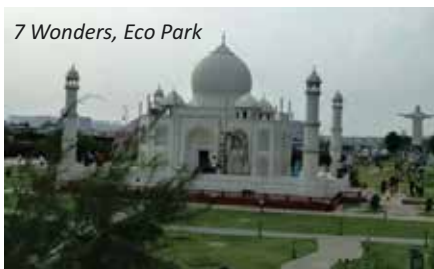
Kalighat



Barah Mahadev Dakshineswar



Ramkrishna Kali Dakshineswar



Taj Mahal



Colosseum



Pyramid of Giza



Great Wall of China



Victoria Memorial



Parasnath Temple, Belgachia



# ALL INDIA FEDERATION OF TAX PRACTITIONERS

## NOTICE OF ORDINARY GENERAL MEETING

October 31, 2023

NOTICE is hereby given that an Ordinary General Meeting as provided in Rule 10 of the Rules & Regulations of the All India Federation of Tax Practitioners will be held on **Friday, the 22nd December, 2023 at Hotel Fairfield by Marriot, CB 218, CB Block (Newtown) Action Area 1C, Kolkata – 700 156 (WB)** at 1.30 PM to transact the following agenda as prescribed in Rule 8.

### A G E N D A

1. Welcome address and opening remarks by the President, Mr. Pankaj Ghiya.
2. To confirm the proceedings of OGM held on 24th December, 2021 at Lucknow.
3. To confirm the proceedings of EOGM held on 3rd February, 2023 at Puri.
4. To elect 50 members to the National Executive Committee for the terms 2024 & 2025 in accordance with Rule 7(3) read with Rule 10(1) & 10(2) and Rule 14 of the Rules & Regulations.
5. To receive the report of the Chief Election Officer for the terms of 2024 & 2025 of AIFTP Election and declaration of election result.
6. To consider suggestions from the members in respect of rendering better service to the members and for overall progress of the AIFTP.
7. To transact any other business that may be raised with the permission of the Chair

For All India Federation of Tax Practitioners

Sd/-  
Rajesh Mehta  
Secretary General

### Notes.:

1. At the National Executive Committee meeting held on 21st August, 2023 at Shirdi, Mr. K. C. Kaushik, Advocate, Supreme Court, New Delhi has been appointed as the Chief Election Officer (2024 & 2025). The Chief Election Officer has already issued Notice for election in AIFTP Times for the month of October, 2023 at Page No. 11. This notice is issued consequent to the Notice issued by the Chief Election Officer.
2. Copy of the updated Memorandum of Association and Rules and Regulations can be obtained from the Head Office at Mumbai or downloaded from **Official website** of the Federation [www.aiftponline.org](http://www.aiftponline.org)  
Members are requested to read the same before filing the nomination form.
3. Nomination form can be downloaded from the website of the Federation w.e.f. 18th November, 2023 onwards or on request may be obtained from the Head Office at Mumbai from Saturday, 18th November, 2023 onwards.
4. Nominations are hereby invited for the membership of National Executive Committee from all eligible members in terms of amended Rules 10(1), 10(1A), 10(1B) and 14 subject to numerical limit (including women candidates) as provided in Rule 7(3) for each Zone. The number of members to be elected from each zone will have their contest amongst the candidates from that zone but all members from all zones will be eligible to vote for all the five zones.
5. **Any member who have already opted to be on the Zonal Managing Committee for the ensuing term shall not be eligible to file nomination for NEC, even if he/she has resigned from the Zonal Managing Committee. Requisite declaration to this effect shall be annexed with the nomination form.**
6. Nomination form duly filled in, affixed with photo, and requisite non-refundable deposit either by Cheque or through NEFT of Rs. 5,900/- (Including 18% GST), duly proposed and seconded MUST REACH addressed to the Chief Election Officer for the terms 2024 & 2025 of AIFTP Election at the registered office of the Federation on or before Saturday, 9th December, 2023 up to 5:00 PM. **(Kindly note Nomination Forms either received through E-mail / Whats App / Telegram or any electronic mode or received after 5.00 p.m. on 9th December, 2023 will not be considered).**

7. The Nomination Forms would be scrutinized by the aforesaid Chief Election Officer on Monday, 11th December, 2023 and would notify all valid and invalid nominations on the electronic media
8. Candidate may withdraw the nomination on or **before Saturday, 16th December, 2023 up to 5.00 PM** and Declaration of Final List of Candidates would be notified on the electronic media and conduct the election if warranted at Kolkata (West Bengal) at the time of OGM on Friday, **22nd December, 2023 between 2:00PM to 7:00PM.**
9. As per clause 10(3) of the Constitution of the Federation, the Chairman of the respective zone shall be ex-officio member of the National Executive Committee. Hence Chairman elect is not required to file the nomination for the National Executive Committee.
10. The Chief Election Officer declares that as per the membership of respective zones as on 1st November, 2023 maximum number of candidates who can be elected to NEC for the terms of 2024 and 2025 of the Committee as per rule 7(3) of the Constitution are as under: -

| Zones      | Entitlement (Max.) |
|------------|--------------------|
| Western -  | 14                 |
| Southern - | 12                 |
| Northern - | 07                 |
| Central -  | 07                 |
| Eastern-   | 10                 |
|            | ----               |
| Total -    | 50                 |
|            | == =               |

**One post in each Zone in NEC for the terms 2024 and 2025 shall be reserved for women candidate only.**

11. **As per Rule 10, clause 6 of the Constitution of the Federation, any individual life member or a representative of the Association member who is more than 5 years in practice as on 01.11.2023 and who has been a member of the Federation for at least two years as on 1st November, 2023 can only file the nomination for NEC.**
12. Existing members of the National Executive Committee who have not attended 50% of the meetings (Physical) held or at least two meetings (Physical) of the National Executive Committee whichever is less in a calendar year shall not be eligible for filing the nomination for the election for the terms 2024 & 2025 of AIFTP.
13. The National Executive at its first meeting after election shall elect from amongst its members the following Office Bearers for one calendar year i.e. for the year 2024 only, (Rule 10 Clause 4 read with clause 6 read with amended Rule 11), however the term of National Executive will continue to be that of two calendar years as per Rule 14.
  1. One President
  2. One Deputy President
  3. Five Vice Presidents (one from each zone)
  4. One Secretary General
  5. One Hon. Treasurer and
  6. Five Hon. Joint Secretaries (one from each zone)
14. All candidates are required to go through the AIFTP Election Rules, 2021 at  
<https://aiftponline.org/wp-content/uploads/2021/pdf/Amendments-Constitution-Rules-20-08-2021.pdf>  
 Election Code of Conduct at  
<https://aiftponline.org/wp-content/uploads/2021/pdf/election-code-conduct-20-08-2021.pdf>
15. Rules for election passed by National Executive Committee shall be applicable on the candidate for qualification/disqualifications and it shall be treated part and partial of the nomination form submitted by the concerned candidate and if any grievances to the members they can filed application before Chief Election officer after completion of election within 5 days and ultimately the decision of Chief Election Officer/Election Officer shall be binding on each members.
16. For further clarification the members may contact the Secretary General, Chairman of respective zone or Registered Office.

## ELECTION NOTICE FOR NATIONAL EXECUTIVE COMMITTEE OF ALL INDIA FEDERATION OF TAX PRACTITIONERS

1. Notice is hereby given that the Election for Fifty (50) members of the National Executive Committee of All India Federation of Tax Practitioners for the Terms of 2024 and 2025 will be held from 2.00 PM to 7.00 PM on Friday, 22nd December, 2023 at Banquet Hall, Hotel Fairfield by Marriot, CB 218, CB Block (Newtown) Action Area 1C, Kolkata – 700156 (WB), if necessary.
2. The Chief Election Officer declares that as per the membership of respective zones as on 1st November, 2023 maximum number of candidates who can be elected to NEC as per Rule 7(3) of the Constitution are as under: -

| <b>Zones</b> | <b>Entitlement (Max.)</b> |
|--------------|---------------------------|
| Western -    | 14                        |
| Southern -   | 12                        |
| Northern -   | 07                        |
| Central -    | 07                        |
| Eastern-     | 10                        |
|              | -----                     |
| Total -      | 50                        |
|              | ===                       |

One post in each zone in NEC shall be reserved for women candidate in terms of the Constitution and Rules and Regulations of AIFTP.

3. The Nomination Forms for the Elections shall be available on the Website of the All India Federation of Tax Practitioners, Mumbai ([www.aiftponline.org](http://www.aiftponline.org)) w.e.f. 18th November, 2023. The interested Candidates may download the Nomination Form from the website or get the Form typed and fill in the requisite details.
4. The nomination forms properly filled in neat handwriting or typed should be submitted either personally to the head office or through Registered Post / Speed Post / Courier Service at the address given below so as to reach latest by 5.00 PM Saturday, 9th December, 2023. (Kindly note Nomination Forms either received through E-mail / Whats App / Telegram or any electronic mode or received after 5.00 p.m. on 9th December, 2023 will not be considered).
5. Address on which the Nomination Forms have to be sent:-  
  
The Chief Election Officer (for the Terms 2024 & 2025)  
All India Federation of Tax Practitioners  
215, Rewa Chambers, 31, New Marine Lines, Mumbai – 400 020
6. The eligibility conditions as per constitution are as under:-
  - A. Only members of two years membership of AIFTP as on 1st November, 2023 and who have completed five years as on 01.11.2023 in practice are eligible to file the nomination.
  - B. Existing members of the National Executive Committee who have not attended 50% of the meetings (Physical) held or at least two meetings (Physical) of the National Executive Committee whichever is less in a calendar year shall not be eligible for filing the nomination for the election for the terms 2024 & 2025 of AIFTP.
  - C. Total (five) seats i.e. one (1) seat for each Zone, shall be reserved for women members only in the National Executive Committee for the terms 2024 and 2025 in terms of the Constitution and Rules and Regulations of AIFTP.
  - D. Though, the revised Election Notice is being issued today i.e. 31st October 2023 for its publication in the AIFTP Times but the Code of Conduct shall come into force from 01.11.2023 to till election process is over and members are requested to follow the said Code of Conduct strictly. Members are requested to either download or go through the said Code of Conduct and Election Rules from our website i.e. [www.aiftponline.org](http://www.aiftponline.org), which shall be treated part and partial of the nomination form submitted by the respective candidate.



- E. All nominations have to be accompanied by a payment of Rs. 5,900/- (Rupees Five Thousand Nine Hundred Only) (Including 18% GST) payable to the AIFTP's Account preferably via NEFT to an AIFTP's account or a Cheque drawn of said amount, which shall not be refundable except in case of withdrawal of candidature within the time prescribed, wherein an amount of Rs. 2,000/- (Rupees Two Thousand Only) shall be refunded and the rest amount of Rs. 3,900/- shall not be refunded and/or forfeited.
- F. Any member who have already opted to be on the Zonal Managing Committee for the ensuing term shall not be eligible to file nomination for NEC, even if he/she has resigned from the Zonal Managing Committee. Requisite declaration shall be annexed with the nomination form.

7. NEFT details:-

ALL INDIA FEDERATION OF TAX PRACTITIONERS  
BANK NAME: ICICI BANK LTD., MUMBAI FORT BRANCH  
ACCOUNT NO.: 623501161215  
SAVING ACCOUNT  
RTGS / NEFT CODE: ICIC0006235

8. The withdrawal of Nomination can be made by written communication addressed to the Chief Election Officer for the terms 2024 & 2025 so as to reach the Head Office by 5.00 PM Saturday, 16th December, 2023 at the postal address as mentioned above or by email on aiftpho@gmail.com
9. The list of Eligible candidates as per the Constitution of the AIFTP and Elections Rules framed shall be displayed on Monday, 11th December, 2023 on the Website of AIFTP i.e. [www.aiftponline.org](http://www.aiftponline.org).
10. The detailed election schedule is as under:

| Schedule  | Date       |
|---|------------|
| Availability of Nomination Form on website                  | 18/11/2023 |
| Last Date of Filing Nominations till 5 PM                   | 09/12/2023 |
| Scrutiny of Nomination Forms                                | 11/12/2023 |
| Declaration of Eligible Nomination Forms at 5 PM on website | 11/12/2023 |
| Withdrawal of Nominations till 5 PM                         | 16/12/2023 |
| Declaration of Final List of Candidates at 5 PM on website  | 17/12/2023 |
| Date of Elections, if necessary from 2 PM to 7 PM           | 22/12/2023 |

11. The Voting, if necessary, shall take place by Secret Ballot between from 2.00 PM to 7.00PM on Friday, 22nd December, 2023 to elect the Fifty (50) members of the National Executive Committee.
12. All candidates are required to go through the AIFTP Election Rules, 2021 at <https://aiftponline.org/wp-content/uploads/2021/pdf/Amendments-Constitution-Rules-20-08-2021.pdf>  
Election Code of Conduct at  
<https://aiftponline.org/wp-content/uploads/2021/pdf/election-code-conduct-20-08-2021.pdf>
13. The candidate for qualification/disqualification and/or any other grievance by the members, they can submit representation before the Chief Election Officer after completion of election process within 5 days and ultimately, the decision of the Chief Election Officer shall be final and binding on each member.

Sd/-  
Gautam Sharma  
Election Officer

Sd/-  
Prashanth G. S.  
Election Officer

Sd/-  
K. C. Kaushik  
Chief Election Officer

Dated at Mumbai, This the 31st October, 2023

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## Direct Taxes

Ms. Neelam Jadhav, Advocate, KSA Legal Chambers

### High Court:

**1. S. 154: Rectification of mistake - Apparent from records (Scope of provisions) – No mistake apparent on record for sec. 154 rectification if AO had initially accepted explanation of the Assessee.**

During the regular assessment u/s. 143(3), the AO issued a notice u/s. 142(1) to inquire about the seized cash. The assessee claimed that Rs.98,850 belonged to family members, and Rs.15,50,000 belonged to the partnership firm 'M'. The assessee argued that the cash found with him was already considered in the assessment of 'M' u/s. 153C. Accepting the assessee's explanation, the AO did not make any additions to the income during the assessment u/s. 143(3). Subsequently, AO found that 'M' did not accept cash of Rs.15,50,000 during their assessments for assessment years 2005-06 to 2011-12. He believed this was a mistake apparent on record and accordingly, initiated rectification proceedings u/s.154, by making an addition of Rs.15,50,000/- u/s. 69A. CIT (A) held that there was no mistake apparent on record, as AO had initially accepted assessee's explanation. The Tribunal also noted that the AO's rectification added an independent income element not considered earlier, making it not an apparent error. The Tribunal also confirmed that the documents found represented undisclosed transactions of 'M'. Consequently, the Tribunal deleted the addition made u/s. 154.

The Honorable Tribunal held that, when AO accepted contention regarding cash found in search proceeding while framing regular assessment, there was no mistake apparent on record and accordingly addition made in respect of said cash in rectification proceeding deserved to be deleted. (r.w.s. 69A)

*Pr. CIT v. Pravinbhai Jayantibhai Kapasi, TAX APPEAL NO. 421 of 2023 dt.05/09/2023 (Guj)(HC)*

**2. S. 276CC: Offence and prosecution - Failure to furnish return of income (Conditions precedent) - AO initiated prosecution u/s. 276CC for not filing return of income within due time, since, there was no penalty or assessment against assessee in view of subsequent orders passed by competent authority, entire criminal proceedings were to be quashed.**

The Complaint was filed by opposite party no.2, alleging that during a search operation u/s. 132, incriminating documents related to assessee were found. Despite several notices and opportunities, assessee failed to file income-tax returns, leading to a show-cause notice u/s. 276CC for initiating prosecution proceedings. The Assessee submitted that for block assessment period, refund was found to be due to assessee and refunds were already adjusted against outstanding demand of assessee.

The Court held that, when there was no demand, filing of prosecution itself was bad in law and to allow to continue proceeding will amount to abuse of process of law. The amount in question had already been set aside. There was no penalty or assessment against assessee in view of subsequent orders passed by competent authority entire criminal proceedings against assessee were to be quashed.

*Gunwant Singh Saluja v. CR.M.P. NO. 1244 of 2017, dt.10/10/2023 (Jharkhand)(HC)*

### Tribunal:

**3. S. 10(37): Capital gains - Compensation received for acquisition of land - transfer of agricultural land (Land acquisition) - not exempt if it falls under 'Fourth Schedule' of RFCTLARR Act, 2013.**

The assessee company, engaged in the real estate business, had e-filed its return of income for relevant assessment year declaring an income of Rs. Nil and had claimed capital gain on transfer of lands acquired under National Highway Authority Of India Act, 1956 and sought exemption for this gain under both section 10(37) of it act, and section 96 of RFCTLARR ACT.

The Pr. CIT set aside assessment order u/s. 263 on ground that AO had failed to appreciate provisions of RFCTLARR ACT, 2013 and had summarily accepted assessee's claim of exemption concerning capital gain on transfer of lands - sub-section (1) of section 105 of RFCTLARR ACT, 2013 states that provisions of this act shall not apply to enactments relating to land acquisition specified in 'fourth schedule,' subject to sub-section (3) of section 105 which allows for applicability of certain provisions of RFCTLARR ACT, 2013 to 'fourth schedule' enactments, provided central government issues a notification specifying exceptions or modifications. An office memorandum dated 6-6-2019 issued by CBDT clarified that section 96 of RFCTLARR Act, 2013 did not apply to cases where land acquisition was made under entities mentioned in 'fourth schedule' of act.

The Honorable Tribunal held that, compensation received by assessee-company for acquisition of its lands under NHAI Act, 1956, which falls under 'fourth schedule,' was not exempt under RFCTLARR ACT, 2013. S. 10(37), which provides tax exemption, was applicable only to Individuals and HUFs and assessee-company did not qualify for this exemption. Hence, order u/s. 263 has been correctly passed by the CIT. (r.w.s. 263 and s. 96 and 105 of the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013. (AY 2017-18)

*Heritage Buildcon (P) Ltd. v. Pr. CIT, ITA No. 35 TO 37(RPR) of 2022 (Raipur)(Trib.)*



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| Central   | 0         | 1483       | 25          | 0         | 1508  |
| Eastern   | 6         | 2190       | 37          | 0         | 2233  |
| Northern  | 0         | 1561       | 21          | 2         | 1584  |
| Southern  | 1         | 2399       | 24          | 4         | 2428  |
| Western   | 5         | 2956       | 38          | 3         | 3002  |
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Printed by Kotecha Mitesh Ashwin Published by Kotecha Mitesh Ashwin on behalf of All India Federation of Tax Practitioners (name of owner) and Printed at Finesse Graphics & Prints Pvt. Ltd., 309, Parvati Industrial Premises, Sun Mill Compound, Lower Parel, Mumbai - 400 013. (name of the printing press with address) and published at All India Federation of Tax Practitioners, 215 Rewa Chambers, 31, New Marine Lines, Mumbai - 400 020 (full address of the place of publication). **Editor: Vanjara Kishor Dwarkadas.**

To

**Posted at Mumbai Patrika Channel Sorting Office  
Mumbai - 400 001.**

**Date of Publishing : 1st of every month.**

**Date of Posting : 3rd & 4th of every month.**

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