

# Income Tax Expert Study Group Meeting 19

AUGUST

1<sup>st</sup>

2026

SATURDAY

1430 hrs – 2030 hrs



Lecture Hall 2  
India International  
Centre (Annexee)  
40, Max Mueller Marg,  
New Delhi

PMLA & Benami Law & its Interplay with Income Tax Act – Case Study, Discussion and Analysis

## EXPERTS LEADING DISCUSSION



**Adv. (CA.) Ajay Wadhwa**  
President - Delhi ITAT  
Bar Association



**Adv. Ratnesh Awasthi**  
Advocate  
Delhi High Court



**CA (Dr) Raj Chawla**  
Former Central Council  
Member - ICAI

SCAN ME



REGISTER NOW

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|                                      | Amount<br>incl. GST |
|--------------------------------------|---------------------|
| <b>AICAS &amp; CFO World Members</b> | <b>790</b>          |
| <b>Chartered Accountants</b>         | <b>890</b>          |
| <b>Others</b>                        | <b>990</b>          |

REGISTRATION  
& QUERIES



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# PROGRAMME SCHEDULE

**14:30 – 15:00 hrs**

**Registration & Arrival Tea / Coffee**

**15:00 – 15:10 hrs**

**Lighting of Lamp, Saraswati Vandana & Introduction to Topic**

**15:10 – 16:20 hrs – Session 1**

## **Prevention of Money Laundering Act, 2002 (PMLA)**

### **Coverage**

- Evolution of PMLA, Object and Scheme of the Act
- Important Definitions:
  - Proceeds of Crime
  - Scheduled Offence
  - Money Laundering
  - Property
  - Beneficial Owner, etc.
- Ingredients of Section 3
- Punishment under Section 4
- Scheduled Offences
- Important Supreme Court and High Court Judgments
- **Search, Survey, Seizure & Arrest under PMLA**
- Powers of ED
- Search of premises
- Search of person
- Freezing of property
- Retention of records
- Arrest provisions
- Rights of the accused
- Statements recorded under Section 50
- Evidentiary value
- **Discussion**
- Whether statements can be retracted
- Cross-examination
- Constitutional safeguards
- Landmark Judgments
- **Attachment and Confiscation of Property**
- Provisional attachment
- Confirmation by Adjudicating Authority
- Burden of proof
- Bona fide purchaser
- Rights of third parties
- Trial before Special Court
- Confiscation



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## PROGRAMME SCHEDULE

### 16:20 – 17:00 hrs – Session 2

#### Benami Transactions (Prohibition) Act, 1988

##### Coverage

- Evolution of 1988 Act
- 2016 Amendment
- Present position of Law

##### Definitions

- Benami Property
- Benamidar
- Beneficial Owner
- Fiduciary Capacity
- Exemptions

##### Authorities

- Initiating Officer
- Approving Authority
- Adjudicating Authority
- Appellate Tribunal

##### Attachment Proceedings

- Confiscation
- Penalty
- Prosecution

##### Important Supreme Court judgment

including *Union of India v. Ganpati Dealcom Pvt. Ltd. (2022)*



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### 17:00 – 17:30 hrs – Session 3

#### Interface of Income-tax, GST, PMLA and Benami Law

##### Coverage

- Bogus purchases
- Accommodation entries
- Shell companies
- GST fake invoices
- Hawala transactions
- Cash deposits
- Search assessments
- Black money cases
- Whether every addition attracts PMLA?
- Recent judicial developments

##### Practical Litigation Tips

- Reply to ED Notice
- Objections to Attachment
- Appeal before Appellate Tribunal
- Bail under PMLA
- Writ before High Court



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# PROGRAMME SCHEDULE

**17:30 – 18:00 hrs**

**Networking Tea / Coffee with Snacks**

**18:00 – 20:00 hrs – Session 4**

## Case Studies: Discussion & Analysis

- Whether tax evasion amounts to money laundering?
- Whether addition under section 69A automatically results in PMLA?
- Can ED investigate before completion of assessment?
- Whether acquittal in predicate offence ends PMLA proceedings?
- Can agricultural income be treated as proceeds of crime?
- Whether Benami proceedings and Income-tax proceedings can run simultaneously?
- Rights/liability/responsibility of the legal heirs.
- What if cash found during the search ?
- What if excessive jewellery found in the locker ?
- What if a person involved in accommodation entries?
- Position of beneficiaries when Dummy directors found?
- Whether fake GST invoices resulting into PMLA proceedings. If yes, whether one party or both the parties will be held responsible.



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Delhi High Court



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**20:00 – 20:30 hrs**

**Questions & Answers**

**Vote of Thanks & National Anthem**