

Price ₹ 300/- per copy

No. MCS/149/2019-21 / R.N.I. No. MAHENG/2012/47041 - Total Pages: 176

THE CHAMBER'S JOURNAL

Vol. VIII | No. 2
November 2019

Your Monthly Companion on Tax & Allied Subjects

Charitable Organisations

Part I



(N.G.O / N.P.O)



Log on to The Chamber's revamped website

www.ctconline.org

Online payment for programmes
can be done through website



A Monthly Journal of
**The Chamber of
Tax Consultants**



Contents

Editorial

Vipul B. Joshi5

From the President

Vipul K. Choksi.....7

SPECIAL STORY

Charitable Organisations (N.G.O/N. P. O) – Part I

Introduction, Concept and

Role of NGO's in India – S. N. Inamdar..... 11

Obligatory spend on CSR – Whether

diverted by overriding title? – S. N. Inamdar.... 15

Charity and Charitable Purpose and Controversies of proviso

to section 2(15) – Hitesh R. Shah..... 19

Income, Application, Accumulation and Deficit – Vipin Batavia.....32

Charitable Trusts – Business, depreciation and prohibition as to application of income in a certain manner

– Anil Sathe40

Formation and Management of a Trust – Shailesh Bandi.....46

Property held under the Trust, Voluntary Contribution, Anonymous donations and Grants

– Tushar Doctor & Zankhana Mehta.....54

Computation of Income of Trust – Capital Gains u/s. 11(1A), Investment u/s. 11(5) and Disallowance of Application of Income u/s. 11(1)

R.W. 40(a)(ia)/40A(3)/40A(3a)
– Rahul Hakani67

Hot Spot

Concept of Mutuality in light of Calcutta Club's Judgment and its implication under GST

– Abhishek Deodhar & Rushil Shah.....78

Direct Taxes

Supreme Court – Keshav Bhujle..... 92

High Court – Paras S. Savla, Jitendra Singh,
Nishit Gandhi.....95

Tribunal – Neelam Jadhav, Neha Paranjpe &
Tanmay Phadke..... 100

International Taxation

Case Law Update

– Tarunkumar Singhal & Dr. Sunil Moti Lala..... 105

Indirect Taxes

GST Gyan – Recent changes in the GST Law

– Ashit Shah..... 115

GST – Recent Judgments & Advance Rulings

– Naresh Sheth & Jinesh Shah..... 124

Service Tax – Case Law Update

– Rajiv Luthia & Keval Shah..... 135

Corporate Laws

Company Law Update

– Makarand Joshi..... 145

Other Laws

FEMA Update & Analysis

– Mayur Nayak, Natwar Thakrar
& Pankaj Bhuta..... 150

Accounting and Auditing

In Focus – Issue of Audit Reports and Certificates for Special purposes – Process and Documentation Aspects

– Ashutosh Pednekar 157

Best of The Rest – Rahul Sarda..... 163

The Chamber News

– Ketan L. Vajani & Haresh P. Kenia..... 167