

FORM B

PROOF OF CLAIM BY OPERATIONAL CREDITORS EXCEPT WORKMEN AND EMPLOYEES

(Under Regulation 7 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

28th December, 2023

To

Adv. Kamal Ahuja
The Interim Resolution Professional / Resolution Professional
D-251, Ground Floor, Defence Colony, New Delhi-110024.

From

Income Tax Officer, Ward-14(3), Delhi.
Room No. 305, Central Revenue Building,
I.P. Estate, New Delhi-110002.

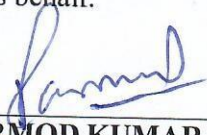
Subject: Submission of proof of claim.

Madam/Sir,

The Income Tax Officer, Ward-14(3), New Delhi, hereby submits this proof of claim in respect of the corporate insolvency resolution process in the case of M/s KLM Holdings Private Ltd. (U74899DL1995PTC066795). The details for the same are set out below:

PARTICULARS	
1. NAME OF OPERATIONAL CREDITOR	INCOME TAX OFFICER, WARD-14(3), NEW DELHI.
2. IDENTIFICATION NUMBER OF OPERATIONAL CREDITOR (IF AN INCORPORATED BODY PROVIDE IDENTIFICATION NUMBER AND PROOF OF INCORPORATION. IF A PARTNERSHIP OR INDIVIDUAL PROVIDE IDENTIFICATION RECORDS* OF ALL THE PARTNERS OR THE INDIVIDUAL)	N.A.
3. ADDRESS AND EMAIL ADDRESS OF OPERATIONAL CREDITOR FOR CORRESPONDENCE	ROOM NO. 305, CENTRAL REVENUES BUILDING, I.P. ESTATE, NEW DELHI-110002. delhi.ito14.3@incometax.gov.in
4. TOTAL AMOUNT OF CLAIM (INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)	Tax = Rs.2,38,79,520/- Interest = Rs.2,00,58,797/- TOTAL = Rs.4,39,38,317/-



PARTICULARS		
5.	DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED.	(1) INCOME TAX COMPUTATION SHEET AND DEMAND NOTICE DATED 28.12.2016. (2) COPY OF FORM 36 (APPEAL MEMO) (3) ACKNOWLEDGEMENT SLIP FOR FILING AT INCOME TAX APPELLATE TRIBUNAL.
6.	DETAILS OF ANY DISPUTE AS WELL AS THE RECORD OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS	REVENUE APPEAL NO. ITA No. 8252/DEL/2019 PENDING WITH I.T.A.T., DELHI, BENCH-"C".
7.	DETAILS OF HOW AND WHEN DEBT INCURRED	VIDE ASSESSMENT ORDER U/s 143(3) DATED 28.12.2016, TAX DEMAND WAS DETERMINED.
8.	DETAILS OF ANY MUTUAL CREDIT, MUTUAL DEBTS, OR OTHER MUTUAL DEALINGS BETWEEN THE CORPORATE DEBTOR AND THE CREDITOR WHICH MAY BE SET-OFF AGAINST THE CLAIM	NONE
9.	DETAILS OF: a. any security held, the value of security and its date, or b. any retention of title arrangement in respect of goods or properties to which the claim refers	NONE NONE
10.	DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN	PLEASE REMIT DD FAVOURING "INCOME TAX OFFICER, WARD-14(3), DELHI"
11.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	(1) INCOME TAX COMPUTATION SHEET AND DEMAND NOTICE DATED 28.12.2016. (2) COPY OF FORM 36 (APPEAL MEMO) (3) ACKNOWLEDGEMENT SLIP FOR FILING AT INCOME TAX APPELLATE TRIBUNAL.
Signature of operational creditor or person authorised to act on his behalf.		
Name in BLOCK LETTERS		PARMOD KUMAR YADAV
Position with or in relation to creditor		INCOME TAX OFFICER, WARD-14(3), DELHI.
Address of person signing		WARD-14(3), ROOM NO. 305, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002.

*PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India

Parmod Kumar Yadav
Income Tax Officer
Ward-14(3), Room No.305,
C.R. Building, New Delhi

DECLARATION

I, PARMOD KUMAR YADAV posted as "INCOME TAX OFFICER, WARD-14(3), DELHI", currently residing at G-135, Phase-1, Sector-110, Gurugram, Haryana-122017, hereby declare and state as follows:-

1. M/s KLM Holdings Pvt. Ltd., the corporate debtor was, at the insolvency commencement date, being the 14th day of December, 2023, actually indebted to me in the sum of **Rs.4,39,38,317/-**.
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:
 - (1) INCOME TAX COMPUTATION SHEET AND DEMAND NOTICE DATED 28.12.2016.
 - (2) COPY OF FORM 36 (APPEAL MEMO)
 - (3) ACKNOWLEDGEMENT SLIP FOR FILING AT INCOME TAX APPELLATE TRIBUNAL.
3. The said documents are true, valid and genuine to the best of my knowledge, information and belief and no material facts have been concealed therefrom.
4. In respect of the said sum or any part thereof, neither I nor any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following:

NONE

Date : 28th December, 2023

Place : New Delhi.



VERIFICATION

I, Parmod Kumar Yadav, Income Tax Officer, Ward-14(3), Delhi the claimant hereinabove, do hereby verify that the contents of this proof of claim are true and correct to my knowledge and belief and no material fact has been concealed therefrom.

Verified at NEW DELHI on this 28th day of December, 2023

(Signature of the claimant)

[Note: In the case of company or limited liability partnership, the declaration and verification shall be made by the director/manager/secretary and in the case of other entities, an officer authorised for the purpose by the entity].

Parmod Kumar Yadav
Income Tax Officer
Ward-14(3), Room No.305,
C.R. Building, New Delhi

Parmod
(Signature of the claimant)
Parmod Kumar Yadav
Income Tax Officer
Ward-14(3), Room No.305,
C.R. Building, New Delhi

Parmod
(Signature of the claimant)

ITA 8252 / DEL / 2019

PAN: AABCK8593Q Assessment Year : 2014-15
Filed on : 17/10/2019 Case type : DBC Bench : D

Appellant

ITO ward-14(3)
New Delhi

Address Details

-, New Delhi
State : Delhi
Pin : 110002
Mobile No :
Email Id :

Respondent

KLM Holdings Pvt. Ltd.
New Delhi PAN: AABCK8593Q

405, Ring Road Mall, Mangalam Place, Sector-3
Rohini, New Delhi
State : Delhi
Pin : 110085
Mobile No :
Email Id :

Appealed order & Assessment Details

Income-Tax authority passing the order appealed against
: CIT(A)-5 New Delhi

Date of order (Appealed Order Date) : 16/07/2019

Section and sub-section under which the order is passed
: 250

Date of service or communication of the order :
22/08/2019

Section and sub-section under which the
original order is passed : 143(3)/144

Assessment Order
Date:

Assessed in (State) Assessed in (District) :
: Delhi 0

Income Fee & Payment Details

Income Return : Income Assessed :
-602477 72997523

Tax/Penalty/Interest demanded by the AO :
73600000

Tax Effect of present
appeal :
23879520

Enclosures

Form 36 *

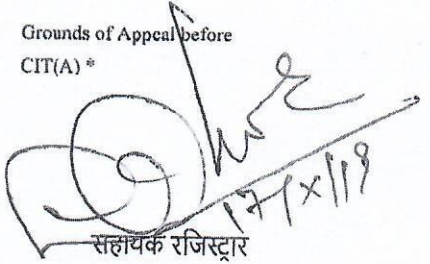
Grounds of Appeal before ITAT Order of CIT(A) u/s.
* 250 *

Grounds of Appeal before
CIT(A) *

Limitation Certificate and Letter of
Authority *

Assessment Order u/s.
143(3)/144 *

Form 35


17/10/19
सहायक रजिस्ट्रार
Assistant Registrar



8252
- 17/10/2019

F. No. ITO/Ward /14(3)/2019-20/547

Office of the
Income Tax Officer,
Ward 14(3), New Delhi.
Dated: 17.10.2019

To

The Assistant Registrar,
ITAT, Lok Nayak Bhawan,
Khan Market,
New Delhi.

Sir/Madam,

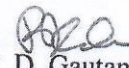
Sub: Filing of appeal u/s 253(2) of the I.T. Act, 1961 –regarding

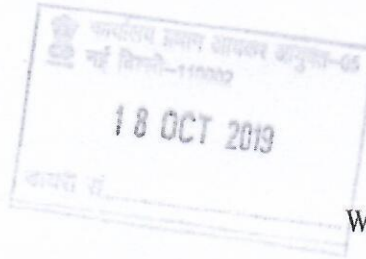
Please find enclosed herewith an appeal u/s 253(2) of the I.T. Act, 1961 in the case of **M/s KLM HOLDINGS PVT LTD** (PAN:-AABCK8593Q) for the A.Y. 2014-15 containing the following documents /papers:-

1. Form No.36 (in triplicate), along-with the original ground of appeal and authorization of Pr. Commissioner of Income Tax, Delhi-5 verified in the prescribed manner.
2. Order of the Commissioner of Income Tax (Appeal)-5, New Delhi (in triplicate) including original order.
3. Copy of order u/s 144/143(3) of the I.T. Act, 1961 (in triplicate).
4. Form No.35 (Ground of appeal) filed by the Respondent before the CIT (Appeals).

Encl: As above.

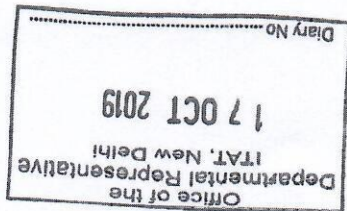
Yours Sincerely,


(P. D. Gautam)
Income Tax Officer,
Ward 14(3), New Delhi.




Copy to:-

1. The ITO (HQ)/Pr. CIT-5, New Delhi.
2. The Departmental Representative, ITAT, New Delhi.



ds


Income Tax Officer,
Ward 14(3), New Delhi.



Form No. 36

[See rule 47(1)]

Form of appeal to the Appellate Tribunal

In the Income-tax Appellate Tribunal.....

Appeal No.....of.....

The I.T.O. Ward 14(3), New Delhi Versus **M/s KLM Holdings Pvt. Ltd**
APPELLANT **RESPONDENT**

Appellant's Personal Information	Name /designation of the Appellant (as applicable)		P. D. Gautam, Income Tax Officer, Ward- 14(3), Delhi
	PAN (if available)		NA
	TAN (if applicable)		NA
	Complete address for sending notices		Income Tax Office, Ward- 14(3), Delhi, Room No. 305, 3 rd Floor, C. R. building, I. P. Estate, Delhi
	State		Delhi
	Pin Code		110002
	Phone No. with STD code/ Mobile No.		011-23708362
	Email Address		delhi.ito14.3@incometax.gov.in
Respondent's Personal Information	Name or designation of the Respondent (as applicable)		M/s KLM Holdings Pvt. Ltd.
	PAN (if available)		AABCK8593Q
	TAN (if applicable)		NA
	Complete address for sending notices		M/s KLM Holdings Pvt Ltd, 405, Ring Road Mall, Mangalam Place, Sector- 3, Rohini, New Delhi- 110085
	State		Delhi
	Pin Code		110085
	Phone No. with STD code/ Mobile No. (if available)		NA
	Email Address (if available)		NA
Appeal Details	1	Assessment year in connection with which the appeal is preferred	2014-15
	2	Total income declared by the assessee for the assessment year referred to in item 1	(-) Rs. 6,02,477/- (Loss)
	3	Details of the order appealed against	
		a Section and sub-section under which the order is passed	144/143(3) of the IT Act
		b Date of order	16.07.2019
		c Date of service or communication of the order	22.08.2019
	4	Income-tax Authority passing the order appealed against	CIT (Appeal)- 05, Delhi
	5	The State and District in which the jurisdictional Assessing Officer is located	Delhi
6	Section and sub-section under which the original order is passed	144/143(3) of the IT Act	



Amounts disputed in appeal	7	If appeal relates to any assessment: -		
		a	Total income as computed by the Assessing Officer for the assessment year referred to in item 1	Rs. 7,29,97,523/-
		b	Total amount of additions or disallowances made in the assessment	Rs. 7,36,00,000/-
		c	Amount disputed in appeal	Rs. 7,36,00,000/-
	8	If appeal relates to any penalty:-		
		a	Total amount of penalty imposed as per order	NA
		b	Amount of penalty disputed in appeal	NA
	9	If appeal relates to any other matter:-		
		a	Amount disputed in appeal	NA
Grounds of Appeal	10	Grounds of Appeal		Tax effect relating to each Ground of appeal (see note below)
		1.	Whether Ld. CIT (A) was legally justified in deleting the addition of Rs. 7,36,00,000/- made by the AO on account of unexplained share premium u/s 68 of the IT Act 1961.	Rs. 2,38,79,520/-
		2.	That the appellant craves leave to add alter, amend or forego any ground (s) of the appeal raised above at the time of hearing.	-
		Total tax effect (see note below)		Rs. 2,38,79,520/-
Appeal filing details	11	Whether there is any delay in filing of appeal (if yes, please attach application seeking condonation of delay)		No
	12	Details of Appeal Fees Paid		
		BSR Code	Sl. No.	Amount

Signed

(Authorized representative, if any)

Name:

Designation:

Signed

(Appellant)

Name: P. D. Gautam

Designation: Income Tax officer,

Ward- 14(3)

Form of verification

I, **P. D. Gautam**, the appellant, do hereby declare that what is stated above is true to the best of my information and belief.

Place: Delhi

Date: 17.10.2019

Signature

Name: P. D. Gautam

Designation: Income Tax Officer



INCOME TAX COMPUTATION FORM

PAN	AABCK8593Q	Status	Domestic Co. in
Asmt Year	2014-15		which public is not
Name	M/S KLM HOLDINGS PRIVATE LIMITED		substantially
Address	405 RING ROAD MALL MANGLAM FLACE ROHINI SECTOR 3 NEW DELHI 110085	Residential Status	interested Resident
		D&CR No	
		Order U/s	143 (3)
		Read/With Sec	
		Date of Order	28/12/2016

	Amount (Rs.)
1. Income from Salary	
2. Income from House Property	
3a. Income from non-speculative business	
3b. Income from speculative business	7,29,97,520
3c. Profit and gains from specified business	
4a. Short term capital gains (u/s 111A)	
4b. Short term capital gains (Others)	
4c. Long term capital gains (With Indexation)	
4d. Long term capital gains (Without Indexation)	
4e. Total long term capital gains	
5a. Income from other source other than from owning Race	
5b. Winning from lotteries/ crossword puzzles etc.	
5c. Income from owning race horses	
5d. Total income from other sources	
6. Total of five heads of income	7,29,97,520
+-----Detail income after current year losses-----+	
!7a. Current year loss adjusted against Salary Income	!
!7b. Current year loss adjusted against House Property Income	!
!7c. Current year loss adjusted against business Income	!
!7d. Current year loss adjusted against Short Term Capital Gain	!
!7e. Current year loss adjusted against Long Term Capital Gain	!
!7f. Current year loss adjusted against Other Sources Income	!
!7g. Total Current Year Loss Adjustment	!
!8 Total Income remaining after Current year loss adjustment	7,29,97,520!
+-----Detail income after Brought Forward losses-----+	
!9a. Brought forward Loss Adjusted Against House property	!
!9b. Brought forward Loss Adjusted Against Business Income	!
!9c. Brought forward Loss Adjusted Against Short Term Capital Gain	!
!9d. Brought forward Loss Adjusted Against Long Term Capital Gain	!
!9e. Brought forward Loss Adjusted Against Other Sources	!
!9f. Total Brought Forwarded Loss Adjustment	!
+-----	
10. Gross Total Income	7,29,97,520
11. Miscellaneous Incomes	
12. Deductions under Chapter VIA	
13. Assessed Income	
14. Agricultural Income	7,29,97,520
15. Aggregate Income	
16. Deemed Income U/s 115JB (MAT INCOME)	7,29,97,520
17. Deemed income u/s 115JC (AMT INCOME)	16,15,207



INCOME TAX COMPUTATION FORM

TAX CALCULATION

1. Gross Tax	
2. Rebate	2,18,99,256
3. Surcharge	
4. Education Cess	10,94,963
5. Tax credit u/s 115JAA/115JD	6,89,827
6. Relief u/s 89(1) / u/s 90 / u/s 91	
7. Net Tax	
8. Interest u/s 234A	2,36,84,046
8a. Delay Period	14,19,630
9. Interest u/s 234B	6
10. Interest u/s 234C	78,07,965
11. Gross Demand	3,29,11,641

TAXES PAYMENT DETAILS

1. TDS/TCS	
2. Advance Tax	23,556
3. Self Assessment Tax	0
4. Regular Assessment Tax	0
5. Amount already refunded	0
6. Total Tax paid	23,556

DIVIDEND DISTRIBUTION TAX DETAILS

1. Additional Income Tax And Interest Payable on Distributed Profits	0
2. Additional Income Tax And Interest Paid	0

FINAL DETAILS

1. Total tax and Interest Payable	32888085
2. Interest u/s 244A	0
3. Interest made u/s 244A recovered	
4. Delay period attributable to Assessee	
5. Interest u/s 234D	
6. Interest u/s 220	

DEMAND/REFUND

1. Net amount payable/refundable	3,28,88,090
In Words Rupees: THREE CRORE TWENTY EIGHT LAKH EIGHTY EIGHT THOUSAND AND NINETY ONLY.	

D&CR No

86/30

Kingh

Signature of the UDC/TA
Name of the UDC/TA

J. Dayama
Signature of the Officer
AO Code DELW03503
WARD 14 (3), DELHI

आयकर अधिकारी / Income Tax Officer
कॉ. बार्ड-14(3), सी. आर. बिल्डिंग
Co. Ward-14(3), C. R. Building
नई दिल्ली / New Delhi



Notice of Demand under Section 156 of the Income Tax Act, 1961

STATUS :	COMPANY
PAN No. :	AABCK8593Q

To,

M/s KLM Holdings Pvt. Ltd.
405, Ring Road Mall, Manglam Palace,
Rohini, Sector-3, New Delhi-110085



1. This is to give your notice that for the assessment year **2014-15** a sum of **Rs. 3,28,88,090/-** details of which are given below/reverse has been determined to be payable by you. **(144/143(3) of the Act)**
2. The amount should be paid to the Manager, authorized Bank/State Bank of India, Reserve Bank of India at New Delhi **within 30 days** of the service of this notice. The previous approval of the Deputy Commissioner of Income-tax has been obtained for allowing a period of less than 30 days for the payment of the above sum. A challan is enclosed for the purpose of payment.
3. If you do not pay the amount within the period specified above, you shall be liable to pay simple interest at one-half percent for every month or part of a month from the date commencing after end of the period aforesaid in accordance with Section 220(2).
4. If you do not pay the amount of the tax within the period specified above, penalty (which may be as much as the amount of tax in arrear) may be imposed upon you after giving you a reasonable opportunity of being heard in accordance with Section 221.
5. If you do not pay the amount within the period specified above, proceedings for the recovery thereof will be taken in accordance with Section 222 to 229, 231 and 232 of the Income-tax Act, 1961.
6. If you intend to appeal against the assessment/fine/penalty, you may present and appeal under Part-A of Chapter-XX of the Income-tax Act, 1961, to the Deputy Commissioner of Income-tax (Appeals) / **Commissioner of Income-tax (Appeals) - 5, New Delhi** within thirty days of the receipt of this notice, in Form No. 35, duly stamped and verified as laid down in that form.
7. The amount has become due as a result of the order of the Deputy Commissioner of Income-tax (Appeals) / Commissioner of Income-tax (Appeals)/Chief Commissioner or Commissioner of Income-tax u/s _____ of the Income-tax Act, 1961.

If you intend to appeal against the aforesaid order, you may present an appeal under Part-B of Chapter-XX of the said Act to the Income-tax Appellate Tribunal _____ within sixty days of the receipt of the order, in Form No. 36, duly stamped and verified as laid down in that form.

Place: New Delhi

Date: 28.12.2016

DSCR.No. - 86/30

Assessing Officer

Address:

J. Jayaram
28.12.16

NOTES:

1. Delete inappropriate paragraphs and words.
2. If you wish to pay the amount by cheque, the cheque should be drawn in favour of the Manager, authorized bank/State Bank of India/ Reserve Bank of India.
3. If you intend to seek extension of time for payment by installments, the application for such extension, or as the case may be, permission to pay by installments, should be the Assessing Officer before the expiry of the period specified in paragraph 2. any request after the expiry of the said period will be not be entertained in view of the specific provisions of Section 220(3).



आयकर अधिसूचिका / Income Tax Officer
क. वार्ड-14(3), सी. आर. बिल्डिंग
Co. Ward-14(3), C. R. Building
नई दिल्ली / New Delhi