

Shri Yeshwant U. Chavan, I.R.S.
Asst. Commissioner of Incometax,
Circle 1(2), Hyderabad.

आई. टी. एन. एस.-65
I. T. N. S.-65

WEALTH TAX आयकर विभाग
INCOME TAX DEPARTMENT

- M/s.M&M Associates** 1987-88
- निर्माणी का नाम
Name of assessee
1-10-72/2/3.
 - पता
Address
Begumpet,
Hyderabad - 500 016.
 - एच.ए.एन.जी.आई.आर. नं.
P.A.N./G. I. R. No. M-622/AC 1(2)
 - जिला/वार्ड/सर्कल
District/Ward/Circle AC 1(2)/HYD
 - स्थिति
Status
A.O.P. (TRUST)
(क) यदि हि.अ.कु. है तो क्या कर की उच्च दर लागू होती है?
(a) If HUF, is higher rate of tax applicable?
(ख) यदि कम्पनी है तो
(b) If company, whether
(i) देशी/अन्य
Domestic/Others
(ii) जनता का पर्याप्त रूप से हितबद्ध/जनता का पर्याप्त रूप से हितबद्ध नहीं
Public substantially interested/Public not substantially interested.
(iii) औद्योगिक/गैर औद्योगिक
Industrial/Non-industrial
(iv) धारा 108/धारा 108 से भिन्न
Section 108/other than section 108
 - निर्धारण वर्ष
Assessment year
1987-88
 - क्या निवासी/निवासी किन्तु मामूली तौर पर निवासी नहीं/अनिवासी
Whether Resident/Resident but not Ordinarily resident/Non-resident.
Resident
 - लेखा विधि
Method of accounting
-
 - पूर्व वर्ष
Previous year.
31/07/1986
 - कारबार/कारबारों की प्रकृति
Nature of Business(es)
-
 - सुनवाई की तारीख/तारीखें
Date(s) of hearing
-
 - आदेश की तारीख
Date of order
31/03/1992
 - किस धारा तथा उपधारा के अधीन निर्धारण किया गया
Section and sub-section under which the assessment is made.
16(f)

निर्धारण आदेश
ASSESSMENT ORDER

Notice U/S 17(1) was issued on 27/03/89 and served on the assessee on 15/06/89. In response to notice Shri Ajay Mehta CA appeared on behalf of the assessee on 26/03/92 and filed a letter dated 26/03/92.

As per the letter the assessee Trust has negative wealth as per Balance Sheet already filed alongwith the I.T>Returns for relevant year. However no returns was filed by the assessee hence the assessment is completed ex-parte, on merits.

P.T.O.

In view of the information available the net taxable wealth is computed as under.

Net taxable wealth : NIL

Closed as 'ND' :

Yeshwant U. Chavan
(Yeshwant U. Chavan)
Asst. Commissioner of Incometax,
Circle 1 (2) : Hyderabad.

Copy to the assessee.

54

Notice u/s 17(1A) of I.T Act

आई.टी.ए. नं. 34
ITNS-34

**आयकर अधिनियम, 1961 की धारा 148 के अधीन सूचना
Notice under Section 148 of the Income Tax Act, 1961**

स्वाकी सेवा सं०.....**M:622**
P. A. N.....

.....का कार्यालय
Office of the.....

सेवा में,
To.

तारीख.....**22.3.81**
Date.....

M/S M & M Associates
.....**1-10/2/3 Mode Building**
.....**Bogumpele Sec' Road**

मुझे मेरे पास ऐसा विश्वास करने का कारण है कि निर्धारण वर्ष 19.....**87**.....19.....**88**.....के लिए कर से प्रभावी
आयकी मात्रा.....

.....की मात्रा जिसके सम्बन्ध में आय पर आयकर निर्धारित किया जाना है.....आयकर अधिनियम, 1961 की धारा 147 के अन्वय में
अनुसार निर्धारण से छूट गई है।

Whereas I have reason to believe that your income
the income ofin respect of which you are assessable

chargeable to tax for the assessment year 19.....19.....has escaped assessment within the meaning of Section 147
of the Income tax Act, 1961.

17(1A) of I.T Act

इसलिए मैं उक्त निर्धारण वर्ष की आय को निर्धारण / पुनः निर्धारण करने का प्रस्ताव करता हूँ और इसके द्वारा आपसे अपेक्षा करता हूँ कि
हानि/अवमूल्य मोक/पुनः संश्लेषित

इस सूचना के तात्काल होने की तारीख से 30 दिनों के अन्दर उक्त निर्धारण वर्ष की निर्धारण योग्य वर्षीय आय /.....
की मात्रा, जिसके सम्बन्ध में आयकर निर्धारण किया जाता है, कि बिबरणी निर्धारित फार्म में प्रस्तुत करें।

I, therefore, propose to assess/re-assess the income for the said assessment year and I hereby require
re-compute loss/depreciation allowance
you to deliver to me within 30 days from the date of service of this notice, a return in the prescribed
form of your income for the said assessment year.
the income ofin respect of which you are assessable

यह सूचना आयकर माहवचन...../केन्द्रीय प्रत्यक्ष कर बोर्ड से आवश्यक समाधान प्राप्त करके जारी की गई है।

This notice is being issued after obtaining the necessary satisfaction of the Commissioner of Income-tax.....
/the Central Board of Direct Taxes.

(सचिव/अधीक्षक)
(Signature of Officer)

HL

नाम **ASSISTANT COMMISSIONER**
वर्ग **CIRCLE-I (4), HYDERABAD.**
Designation.....

P. T. O.
5.5.80

2/27/1576189



नोट : 1. यदि आपको विवरणी कर्म करने में कोई कठिनाई हो या आप अपनी आयकर क्षमिता से सम्बन्धित किसी क्लियर का स्पष्टीकरण चाहते हो तो कृपया इनके संपर्क स्थापित करें :—

- जन संपर्क अधिकारी
- आयकर अधिकारी (मुख्यालय)
- आयकर अधिकारी बार्ड/सर्कल
- निरीक्षीय सहायक आयकर आयुक्त सर्कल

Note : 1. If you feel any difficulty in the matter of filling in the return form or desire clarification on any other matter pertaining to your income-tax liability, you may please contact the :

- Public Relations Officer
- Income-tax Officer, (Headquarters)
- Income-tax Officer, Ward/Circle
- I. A. C. Circle

2. कम्पनीयों के लिए निर्धारित कर्म, फॉर्म नं० 1 है।

कम्पनीयों से निम्न अन्य निर्धारितियों के मागते में निर्धारित कर्म साधारणतया कर्म सं० 2 है। यदि 'वेतनों', 'प्रतिभूतियों पर व्याज' और 'अन्य स्रोतों से आय' में से किसी एक शीर्ष या एक से अधिक शीर्षों के अन्तिम प्रचार्य आय से निम्न कोषित की जाने वाली और कोई अन्य न हो, अथवा कर्मों, व्यक्तियों के संयुक्त व्यक्तियों के विकासों के क्षेत्रों तक ही सीमित हो अथवा जो 'गृह सम्पत्ति से आय' या / और 'पूजी अधिसूचना', शीर्ष के अन्तिम प्रचार्य ही, तो ऐसी दशा में यदि वह चहते तो कर्म संख्या 3 में अपनी विवरणी दे सकता है।

एक सादा कर्म संख्या इसके साथ संलग्न है। यदि यह आपके लिए उपयुक्त न हो तो आप आयकर अधिकारी से इसकी स्थल कर उपयुक्त कर्म ले सकते हैं।

2. The prescribed form in the case of Companies is Form No. 1.

In the case of assesses other than companies the prescribed form is ordinarily form No. 2. However, if the assessee has no income to declare other than what is chargeable under one or more of the heads, "Salaries", "Interest on securities" and "Income from other sources", confined shares from firms, association of persons, or bodies of individuals or is chargeable under the head "Income from house property" or/and "Capital gains", he may furnish the return in Form No. 3.

A blank form No. is enclosed herewith. If this is not suitable to your case you may exchange it for the appropriate form from the Income-tax Officer.

To assess the residue corpus assessable u/s 21(1A) of the Act in respect of the residue corpus relating to MFM Associates trust for the AY 19-87-88

5-9-22/1 B. S. Nagar, Hyderabad-500 463. I. A. T.-23
 Adarshnagar, Hyderabad-500 463. I. A. T.-23
 सुनवाई के स्थगन की सूचना का प्रपत्र
 Form of Notice adjournment of hearing

(B)

19.....19.....की सं०.....

ITA No. 1803-1804/14/19 19

अपीलाधी
 आवेदक
 M & M Associates
 Appellant
 Applicant
 Secbad
 बराम
 ITO, I-ward
 Respondent
 Secbad
 प्रत्यधी

सेवा में
 To M/s M & M Associates
 5-4-187/3 & 4
 Karbala Maidan
 Secunderabad
 आवेदक/Applicant
 अपीलाधी/Appellant
 प्रत्यधी/Respondent

आपको इसके द्वारा सूचित किया जाता है कि उपर्युक्त मामले
 की सुनवाई के लिए स्थगित
 कर दी गई है।
 You are hereby informed that the hearing of the above
 case has been adjourned to 15/11/95

आवेदने से, आदि
 By order, etc.

[Signature]
 अधीक्षक
 Superintendent
 मुख्य लिपिक
 Head Clerk

LP on 02/08/95

तारीख
 Date 3/10

आयकर अपील अधिकरण
 Income-tax Appellate Tribunal

प्रभासमुटेक-15 सिविल/93-94-भासमुटेक-(सी-12)-
 16-12-93-45,000.
 GIPTC-15 Civil/93-94-GIPTC-(C.12)-16.12.93-45,000.

M/S. MODI BUILDERS

1. M/s. Modi Builders is a Registered partnership firm constituted vide Deed of Partnership dated 01-04-1980.
- 2.1. From 02-04-81 there is a change in partnership. The partners from 02-04-81 are Sri Satish Modi (HUF with ~~Sham~~ ^{Sham}) 5% and M & M Associates (A Family Determined ~~Share~~ ^{Trust}) represented by Shri Mahesh Desai, with 95% share.
- 1.2. The partnership is dissolved with effect from 01-08-84.
- 1.3. On dissolution the business is taken over as a going concern by M & M Associates.
2. The business of firm M/s. Modi Builders is that of developers and Builders of Real Estate.
3. The details of Income/Loss Returns is assessed as under:

Asst. Year	Return filed on	Income/Loss Returned	Income/Loss Assessed	Remarks
1981-82	30-10-81	17,230	17,730	Assessment Completed u/s. 143 (3)
1982-83	24-07-82	10,284	10,284	Assessment Completed u/s. 143(3) Accounting year changed from Financial Year to Year Ending 31-07-1981.
1983-84	31-10-83	(-)1,49,771	8,02,322	On Appeal reduction Loss determined at Rs.1,24,391/- . Return is belated.
1984-85	31-10-84	(-)8,15,353	(-) 1,43,157	Appeal pending before CIT (Appeals). Return is belated.
1985-86	30-07-85	(-)7,56,495	95,070	Appeal pending before Deputy Commissioner of Income Tax (Appeals)
1986-87	Firm dissolved and M & M Associates has taken over the firm has going concern.			

1. As the returns are filed by the firm after the due date, whether the partners can take the benefit of carry forward of their Share of Loss.

M/s. M & N ASSOCIATES

1. Vide Deed of Trust dated 31-01-1981, M & N Associates was created for the benefit of family members of Shri Satish Manilal Modi and Shri Kantilal Desai. As per clause 4 & 5 of the Trust Deed, the beneficiaries and their shares are known and determinate. The income of each beneficiary till they attain the age of majority is to be accumulated and added to Trust fund as defined in clause 2(a).
2. The Trust through the Trustee joined as a partner with 95% share in firm M/s. Modi Builders. As per assessments completed in case of M/s. Modi Builders the share of the Trust for assessment year 1982-83 to 1985-86 is given in Annexure - A.
3. From 01-08-1984 the firm M/s. Modi Builders is dissolved and is taken over as a proprietary concern by the Trust. For year ending 31-07-1985 relating to Assessment year 1986-87 return is filed on 26-01-1987 as against the due date of 30-06-1986. Loss of Rs. (-) 7,14,257/- is declared.
 - 3.1. Assessment completed u/s. 143(1) determining income of Rs. 13,92,168/-.
 - 3.2. Appeal filed against the order made u/s. 143(1) is pending before CIT (Appeals). The assessee is likely to have substantial relief in appeal. On disposal of appeal, the loss for the year will be around Rs. 6.25 lakhs.
4. For Assessment year 1987-88 without taking the benefit of the carry forwarded of losses, return is filed on 31-07-1987 (due date 30-06-1987) on income of Rs. 35,163/-. Under the provisions of section 161(1A) tax at maximum marginal rate is paid. On income of Rs. 35,163/-, tax of Rs. 17,580/- is paid. The assessment is pending.
5. For Assessment year 1988-89 return is filed on 17-01-1989 (due date 30-06-1988) on total income of Rs. 23,844/-, without considering the carry forward of losses of earlier years.

5.1. A fresh stand is taken by the Trust at the time of filing the return for Assessment year 1988-89. It is claimed that even after the introduction of section 161(a) the business income of the trust is to be apportioned amongst the beneficiaries in the share known and determinate and the tax at maximum marginal rate payable, if any, will be in the hands of the beneficiaries. No taxes is to be paid by the Trust as such.

6. The following further facts are to be considered.

a) The net loss in each year has been apportioned amongst the beneficiaries in the respective shares and adjusted to their personal accounts in the books of the trust. As a result the ~~accounts~~ of the beneficiaries show a huge debit balance on account of the ~~accumulated~~ losses. In view of this factual position, the ~~Commissioner~~ requires opinion on the following points:

- a) Whether the share of the loss of the Trust from M/s. Modi Builders for Assessment year 1981-82, 82-83 and 83-84 can be claimed as set off against the future income.
- b) Whether the loss of the trust for Assessment year 1986-87 (on the appeal being allowed) can be claimed as set off towards the income for Assessment year 1987-88 onwards.
- c) Whether the trust is right in taking the stand that even after the introduction of the section 161(a) no tax is leviable in the hands of the Trust, but only the beneficiaries can be charged at the maximum marginal rate on their share. In such a case whether the beneficiaries can claim the benefit of carry forward of the earlier years losses.

M/S. M & M ASSOCIATES

ANNEXURE - 'A'

Assessment Year	Due date of filing the return	Return filed on	95% of Income/loss	95% Share Income/loss as per assessment of the firm
(1)	(2)	(3)	(4)	(5)
1982-83	30-06-1982	26-03-1987	9,754	9,754
1983-84	30-06-1983	24-03-1987	(-)	1,20,400
1984-85	30-06-1984	24-03-1987	(-)	1,26,000

REMARKS

(6)

Combination of Income returned
 Return filed. Income experienced amongst the beneficiaries in their determined share. No tax paid. No assessment made by the first order *not on receipt*

No assessment made by the Department/Commissioner of Income Tax. No assessment made by the first order. The assessment made by the Department/Commissioner of Income Tax is on the basis of the return filed by the assessee. The assessment made by the Department/Commissioner of Income Tax is on the basis of the return filed by the assessee. The assessment made by the Department/Commissioner of Income Tax is on the basis of the return filed by the assessee.

Contd...2.

M/s. M & M ASSOCIATES

ANNEXURE 'A' CONTD...

(1)	(2)	(3)	(4)	(5)	(6)
1985-86	30-06-1985	24-03-1987	(-) 7,25,733	80,420	

Appeal in case of the firm is pending before the Deputy Commissioner of Income-tax (Appeals). The appeal is likely to be allowed and the share of the assessee will be loss of Rs. (-) 7,18,670. After adding interest paid directly by the trust of Rs. 7,063/-, the loss for the year will be the loss return i.e. Rs. (-) 7,25,733/-.

Assessment completed in case of Trust u/s.144 adopting the share income as determined in case of the firm, i.e. income of Rs. 80,420/- and disallowing the claim of interest payment of Rs. 7,053/-. The appeal is pending before the CIT (Appeals). The appeal is likely to be allowed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

... of the
... ..
... ..
... ..
... ..

...

1. The
... ..
2. The Assistant Commissioner is
... ..
3. The Assistant Commissioner is
... ..
4. The Assistant Commissioner is
... ..
5. Under the
... ..

...

6. Under the provisions of the [redacted] of the [redacted] law of [redacted] of [redacted] No. 25,107, the [redacted] of [redacted] [redacted] should be [redacted] of [redacted]
7. Under the provisions of the [redacted] of the [redacted] of No. 25,107, the [redacted] [redacted] should be [redacted] in No. 25,107.
8. Any other [redacted] or [redacted] [redacted] may be submitted at the time of [redacted].

[redacted]

Shri J. Albert, IRS
Asst. Commissioner of Income Tax,
Circle.1(2) :: Hyderabad.

31/3/79
T. N. S. G.

श्री जे. एलबर्ट -
INCOME-TAX DEPARTMENT

U.P. No. N. 622/AC.1(2).

City/District

Dated, 23.3.1990.

1. करदाता का नाम

Name of the assessee

1987-1988.

2. पता (with complete address)

Messrs. M & M Associates,
1-10-72/2/3 ; Modi Buildings,
Begumpota, Secunderabad.

3. पता *

Address *

A.O.P (Private Determined Trust)

4. निवासी

5. निवासी - निवासी परन्तु साधारणतः निवासी नहीं
अनिवासी

Resident

6. निवासी - Resident but not ordinarily resident

Non-resident

R & O R

7. हिसाब विधि

Method of accounting

8. लेखा अवधि (अपेक्षित स्रोत के लिए इसे अलग दिखाने)

Accounting period (to be shown separately
for source of income)

31.7.1986.

9. प्रमाणित करने वाले अधिकाधिक के अधीन कर निर्धारण किया गया
Section and Sub-section under which the
assessment is made.

U/s.143(3).

कर निर्धारण आदेश

ASSESSMENT ORDER

The assessee is a Private Determined Trust with 11 beneficiaries. The assessee is deriving income from Business. The assessee runs a proprietary concern named Messrs. Modi Builders. For assessment year 1987-88 the assessee filed its return of income on 31.7.1987 declaring a total income of Rs.35,163-00. In response to the notice u/s.143(2) the assessee's Authorized Representative Shri Anilkumar B. Vithlani appeared and the case was discussed with him.

p.t.o

10. ध्यान दें - यह आदेश किशोर पतिवार, रामजी, कानिपत मणिकर, निवासी के नाम पर जारी किया गया है।

*Where individual Hindu undivided family, company, local authority, registered or un-registered firm, association of persons body of individuals.

11. ध्यान दें - U.P. No. N. 622/AC.1(2)/75-76, 77, 78, 79, 80

During the course of assessment proceedings the assessee filed a revised return on 22.3.1990. In the revised return the assessee has given effect to business loss brought forward from assessment years 1984-85, 1985-86 and 1986-87. On examination I found that the losses brought forward are from the erstwhile partnership firm of M/s.Modi Builders in which the assessee was a partner with 95% share. The assessee has takenover that firm as a proprietary concern from 1.8.1984. It was admitted by the assessee that the returns of M/s.Modi Builders for assessment years 1984-85, 1985-86 and 1986-87 does not filed within the due date. Under section 80, with effect from 1.4.85, in order to get the benefit of carried forward of losses, the loss returned should have been filed within the time allowed under section 139(1). Further the losses brought forward by the assessee are also not determined losses. In all those years the assessments resulted in either income or much reduced loss and they are all still pending adjudication before appellate authorities. Hence the claim for setting off losses brought forward by way of revised return of income is not acceptable.

Subject to the above the assessment is finalised as under :-

Income returned is accepted :	Rs. 35,163/- or
Total income :	<u>Rs. 35,160/-</u>

The tax is charged at a maximum marginal rate under the provisions of section 161(1A).

Tax computation :	Income tax thereon	: Rs. 17,580/-
	Add: Int. u/s. 139(8)	: Rs. 220/-
	Int. u/s. 217	: Rs. 876/-
		<u>Rs. 18,676/-</u>
	Less: 140.A paid	: <u>Rs. 17,580/-</u>
	Balance payable	: <u>Rs. 1,096/-</u>

Tax should be paid as per demand notice and challan enclosed. Penalty proceedings u/s. 271(1)(a) and 273(1)(b) are initiated separately.

contd....p.3.,

(page.3)

Total income : Ps. 35,160/-

Allocation :

1. Master Sohan Modi	Rs.8,789/-
2. Master Sourabh Modi	Rs.8,789/-
3. Master Roopesh	Rs.2,197/-
4. Kumari Devanshi	Rs.2,197/-
5. Master Viken	Rs.2,197/-
6. Kumari Arnav	Rs.2,197/-
7. Kumari Priti	Rs.2,197/-
8. Kumari Hiraita	Rs.1,465/-
9. Kumari Hiraita Hiral	Rs.2,197/-
10. Master Sanket	Rs.1,465/-
11. Master Amit.	Rs.2,197/-
Total ...	<u>Rs.35,160/-</u>

copy to the assessee.

nmr*/-

J. Albert
(J. ALBERT)
Asst. Commissioner of Incometax,
Circle.1(2) ::: Hyderabad.

(नियम 15 देखिए)
(See Rule 15)

आई० टी० ए० ७
I.T.S.-7

आय-कर अधिनियम, 1961 की धारा 156 के अधीन मांग की सूचना
Notice of Demand under Section 156 of the Income-Tax Act, 1961

सेवा में
To

M. P. M. Associates, 1-10-72/2/3
Modi Buildings, Begumpet
Hyderabad

परिस्थिति
Status: AOP (Trust)
जी० आई० आर० नं०
G.I.R. No. M. 622 / AC-11

आपको सूचित किया जाता है कि निर्धारण वर्ष 1987-88 के लिए आपके द्वारा संदाय की गई राशि, जिसके ब्योरे पीछे दिए गए हैं, अवधारित की गई है।

This is to give you notice that for the assessment year 1987-88 a sum of Rs. 1096/- details of which are given on the reverse has been determined to be payable by you.

2. इस रकम की संदाय इस सूचना की तारीख से 35 दिनों के अन्दर स्थित प्रजाना अधिकारी/उप-प्रजाना अधिकारी/प्रभिकर्ता, भारतीय स्टेट बैंक/भारतीय रिजर्व बैंक का किया जाना चाहिए। उपर्युक्त राशि के संदाय के लिए 35 दिन के अन्दर प्रत्येक प्रत्येक प्रत्येक (निरोधन) का पूर्वानुमोदन प्राप्त कर लिया गया है। संदाय के प्रयोजन के लिए एक चालान संलग्न है।

The amount should be paid to the Treasury Officer/Sub-Treasury Officer/Agent, State Bank of India/Reserve Bank of India at within 35 days of the service of this notice. The previous approval of the Inspecting Assistant Commissioner of Income-tax has been obtained for allowing a period of less than 35 days for the payment of the above sum. A challan is enclosed for the purpose of payment.

3. यदि आप ऊपर विनिर्दिष्ट अवधि के अन्दर रकम का संदाय नहीं करते तो आप उपर्युक्त अवधि की समाप्ति के पश्चात् प्रारम्भ होने वाली तारीख से बारह प्रतिशत प्रतिवर्ष की दर में साधारण ब्याज का संदाय धारा 220(2) के अनुसार करने के दायी होंगे।

If you do not pay the amount within the period specified above, you will be liable to pay simple interest at twelve per cent per annum from the date commencing after the end of the period aforesaid in accordance with Section 220(2).

4. यदि आप-कर की रकम का संदाय ऊपर विनिर्दिष्ट अवधि के अन्दर नहीं करते तो धारा 221 के अनुसार आपको मुन्ताईयुक्त अवसर दिए जाने के पश्चात्, आप पर (उतनी शक्ति जो बकाया कर की रकम के बराबर हो सकेगी) अधिरोपित की जा सकेगी।

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. यदि आप कर की रकम का संदाय ऊपर विनिर्दिष्ट अवधि के अन्दर नहीं करते तो उनका समूह के लिए आय-कर अधिनियम, 1961 की धारा 222 से 229, 231 और 232 के अन्तर्गत कार्यवाहियों की जाएंगी।

If you do not pay the amount within the period specified above, proceedings for the recovery thereof will be taken in accordance with Sections 222 to 229, 231 and 232 of the Income-Tax Act, 1961.

6. यह निर्धारण आय-कर अधिनियम, 1961 की धारा 143(1) के अन्तर्गत पूरा हो गया है। यदि आप इस निर्धारण के बारे में आक्षेप करते हैं तो आप निर्धारण के बारे में आक्षेप करने के लिए प्रथम मास में इस मांग की सूचना की तारीख से एक मास के अन्दर मुझको आवेदन कर सकते हैं।

The assessment has been completed under Section 143(1) of the Income Tax Act, 1961. In case you object to the assessment, you may apply to me in Form No. 6-A objecting to the assessment, within one month from the date of service of this notice of demand.

7. चूंकि आप धारा 139(2) के अधीन आय की विवरणी देने में असफल रहे हैं और आपने धारा 139(4) या धारा 139(5) के अधीन विवरणी या पुनरीक्षित विवरणी नहीं दी आप धारा 142(1) के अधीन जारी की गई सूचना का अनुपालन करने में असफल रहे हैं/आप धारा 143(2) के अधीन जारी की गई सूचना का अनुपालन करने में असफल रहे हैं, इसलिए या निर्धारण आय-कर अधिनियम, 1961 की धारा 144 के अधीन किया गया है। किन्तु यदि आप धारा 139(2) के अधीन विवरणी देने से पर्याप्त हेतुक के कारण से निवारित हो गए थे या आपको धारा 142(1) या धारा 143(2) के अधीन जारी की गई सूचना प्राप्त नहीं हुई थी या आपको धारा 142(1) या धारा 143(2) के अधीन जारी की गई सूचना के निवन्धनों का अनुपालन करने के लिए युक्तियुक्त अवसर प्राप्त नहीं हुआ था या आप उनका अनुपालन करने से पर्याप्त हेतुक के कारण निवारित हो गए थे तो आप धारा 146 के अधीन इस निर्धारण को रद्द करने के लिए और नए तुर से निर्धारण करने के लिए कार्यवाही करने के लिए इस सूचना की तारीख की एक मास से अन्दर मुझको आवेदन कर सकते हैं।

[क०प० उ०/P.T.O.]

The assessment has been made under Section 144 of the Income Tax Act, 1961, because you failed to make the return of income under Section 139(2) and did not make a return or a revised return under Section 139(4) or Section 139(5)/comply with a notice issued under Section 142(1)/comply with a notice issued under Section 143(2). However, if you were prevented by sufficient cause from making the return under Section 139(2) or did not receive the notice issued under Section 142(1) or Section 143(2) or did not have a reasonable opportunity to comply, or were prevented by sufficient cause from complying, with the terms of a notice issued under Section 142(1) or Section 143(2), you may apply to me, within one month from the date of service of this notice under Section 146, to cancel the assessment and proceed to make a fresh assessment.

8. यदि आप इन निर्धारण/जुमनि/शास्ति धारा 216 के अधीन संदेय व्याज के विरुद्ध अपील करना चाहते हैं तो आप आय-कर अधिनियम, 1961 के अध्याय 20 के भाग-ख के अधीन अपील, प्ररूप सं० 35 में, जो उस प्ररूप में यथा अधिकथित सम्यक रूप से स्टाम्पित और सत्यापित हो, आय-कर आयुक्त (अपील)/सहायक आय-कर आयुक्त (अपील) को इस सूचना की प्राप्ति से तीस दिन के अन्दर, पेश कर सकते हैं।

If you intend to appeal against the assessment/line/penalty/interest payable under Section 216 you may present an appeal under Part A of Chapter XX of the Income Tax Act, 1961, to the Commissioner of Income-tax (Appeals)/Assistant Commissioner of Income-tax (Appeals) within thirty days of the receipt of this notice, in Form No. 35, duly stamped and verified as laid down in that form.

9. यह रकम आय-कर अधिनियम, 1961 की धारा 216 के अधीन आय-कर आयुक्त (अपील)/सहायक आय-कर आयुक्त (अपील)/सहायक आय-कर आयुक्त (निरीक्षण)/आय-कर आयुक्त के आदेश के परिणामस्वरूप देय हुई है। यदि आप पूर्वोक्त आदेश के विरुद्ध अपील करना चाहते हैं तो आप उक्त अधिनियम के अध्याय 20 के भाग-ख के अधीन अपील, प्ररूप सं० 36 में जो उस प्ररूप में यथा अधिकथित सम्यक रूप से स्टाम्पित और सत्यापित हो, आय-कर अपील अधिकरण को इस आदेश की प्राप्ति से साठ दिन के अन्दर, पेश कर सकते हैं।

The amount has become due as a result of the order of Commissioner of Income-tax (Appeals)/Assistant Commissioner of Income-tax (Appeals), Inspecting Assistant Commissioner of Income-tax/Commissioner of Income-tax under Section 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 that order, in Form No. 36 duly stamped and verified as laid down in that form.

तारीख/Dated 29.3.80

स्वान/Place Hyd.

टिप्पणियाँ/Notes :-

आय-कर अधिकारी/Income Tax Officer

COMMISSIONER
INCOMETAX: CIRCLE-1 (2)
HYDRABAD.

(1) अनुपयुक्त पंरे और शब्दों को काट दीजिए।

Delete inappropriate paragraphs and words.

(2) यदि आप रकम के संदाय चेक द्वारा करना चाहते हैं तो चेक, यजाना अधिकारी/उप-यजाना अधिकारी/अधिकारी, भारतीय स्टेट बैंक/भारतीय रिजर्व बैंक के नाम लिखा जाना चाहिए।

If you wish to pay the amount by cheque, the cheque should be drawn in favour of the Treasury Officer/Sub-Treasury Officer/Agent, State Bank of India/Reserve Bank of India.

(3) यदि आप रकम के संदाय के लिए समय का विस्तार करना चाहते हैं या किस्तों में संदाय करने की प्रस्तावना करते हैं तो, यथास्थिति, ऐसे विस्तारण या किस्तों में संदाय करने की अनुज्ञा प्राप्त करने के लिए आवेदन पैरा 2 में विनिर्दिष्ट अवधि के अखत से पूर्व आय-कर अधिकारी को करना चाहिए। उक्त अवधि के अखत के पश्चात् प्राप्त हुए किसी निवेदन की, धारा 220(3) के विनिर्दिष्ट उपबन्धों को ध्यान में रखते हुए, प्रहण नहीं किया जाएगा।

If you intend to seek extension of time for payment of the amount or propose to make the payment by instalments, the application for such extension or, as the case may be, permission to pay by instalments, should be made to the Income-tax Officer before the expiry of the period specified in paragraph 2. Any request received after the expiry of the said period will not be entertained in view of the specific provisions of Section 220(3).

क्र० न० नि०-29 I. T. N. S-29

आयकर अधिनियम, 1961 को धारा 271 के साथ पढ़ी गयी धारा 274 के अधीन सूचना
NOTICE UNDER SECTION 274 READ WITH SECTION 271 OF
THE INCOME TAX ACT, 1961

271(1)(a)

M. 672
AC (2)

आयकर कार्यालय,
Income-tax Office.

सेवा में
To

MPM Associates

1-10-72/2/3 Modi Buildings

तारीख
Datid.

29.3.90

Begumpet, Hyderabad

चूँकि कर निर्धारण वर्ष..... के सम्बन्ध में मेरे यहां होन वाली कार्रवाई
के दौरान मुझे प्रतीत होता है कि आपने :—

Whereas in the course of proceedings before me for the assessment year.....
it appears to me that you :—

*बिना उचित कारण के वह आय विवरणी नहीं दी है जो आपको भारतीय आयकर अधिनियम,
1922 की 22(1)/22(2)/34 के अधीन दी गई सूचना के अनुसार देनी थी या जो आपको धारा 139(1)
के अधीन या आयकर अधिनियम, 1961 की धारा 139(2)/148 के अधीन दी गई सूचना सं०.....
.....ता०.....अनुसार दाखिल करनी थी अथवा उचित कारण के
बिना आपने दिए गए समय के अन्दर और उक्त धारा 139(1) या इस प्रकार की सूचना द्वारा अपेक्षित
रिति से विवरणी नहीं दी है।

*have without reasonable cause failed to furnish me return of income which
you were required to furnish by a notice given under section 22 (1)/22 (2)/34 of the
Indian Income-tax Act, 1922 or which you were required to furnish under section
139 (1) or by a notice given under section 139 (2)/148 of the Income-tax Act, 1961,
No.....dated.....or have without
reasonable cause failed to furnish it within the time allowed and the manner re-
quired by the said section 139(1) or by such notice.

क्र० प० उ०/P. T. O.

*बिना उचित कारण के अपने भारतीय आयकर अधिनियम, 1922 की धारा 22 (4)/23(2) या आयकर अधिनियम, 1961 की धारा 142(1) 143(2) के अधीन दी गई सूचना सं०..... ता०..... का अनुपालन नहीं किया है ।

*have without reasonable cause failed to comply with a notice under section 22 (4)/23(2) of the Indian Income-tax Act, 1922 or under section 142(1)/143(2) of the income-tax Act, 1961.

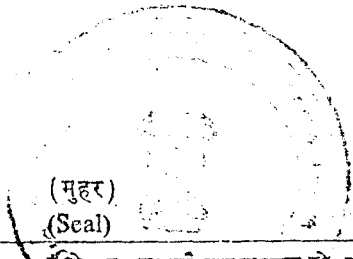
No..... dated.....

*अपनी आय के बारे में छिपा लिए हैं या..... इस प्रकार की आय के बारे में गलत दिए हैं ।

*have concealed the particulars of your Income or..... furnished inaccurate particulars of such Income.

आपको एतद्वारा सूचित किया जाता है कि ता०..... 19..... की बजे अ० म०/पू० म० में आप मेरे कार्यालय में उपस्थित हों और कारण बताएं कि आयकर अधिनियम, 1961 की धारा 271 के अधीन आप पर दण्ड लगाने का आदेश क्यों न दिया जाए । यदि आप स्वयं उपस्थित होकर या प्राधिकृत प्रतिनिधि द्वारा सुनवाई के लिए दिए गए अवसर का लाभ नहीं उठाना चाहते तो उक्त तारीख को या उससे पूर्व लिखकर इसका कारण बताएं, जिस पर धारा 271 के अधीन कोई ऐसा आदेश देने का पूर्ण विचार किया जाएगा ।

You are hereby requested to appear before me at *Hyd. on 20/4/70* A.M./P.M. on *10-00 AM*..... and show cause why an order imposing a penalty on you should not be made under section 271 of the Income-tax Act, 1961. If you do not wish to avail yourself of this opportunity of being heard in person or through authorised representative you may show cause in writing on or before the said date which will be considered before any such order is made under section 271.



(मुहर)
(Seal)

J. Mitt
ASSISTANT COMMISSIONER
OF INCOME TAX, CIRCLE-1 (2)
HYDERABAD
Income-tax Officer

*यदि शब्द या पंक्ति अनावश्यक हों, उन्हें काट दीजिए ।
Delete inappropriate words and paragraphs.

आयकर अधिनियम, 1961 की धारा 273(1) के तहत जारी किया गया 274 के अन्तर्गत सूचना
NOTICE UNDER SECTION 274 READ WITH SECTION 273(1) OF
THE INCOME TAX ACT, 1961

273(1)(b)

आयकर नंबर
M 622/AC (2)

AC-1(2)

दिनांक
Date 29.3.90

M & M Associates

1-10-72/2/3 Modi Buildings
Begumpet Hyderabad

आयकर अधिनियम
Income Tax Act

इस अधिनियम धारा 273(1)(b) के अन्तर्गत जारी किया गया है।
जिसके अन्तर्गत प्रकाश प्रदान होता है कि आपने—

Whereas in the course of proceedings before me on the assessment year.....
that you have

आयकर अधिनियम 1961 की धारा 209A के अन्तर्गत (1) के खंड (क) के अन्तर्गत अधिनियम
के अन्तर्गत से आपके द्वारा उचित कारणों को कथन जो आपने दिया है
जो आप जानते थे या आपको पास वह विश्वास करने का कारण था कि वह गिण्या है।

*Furnished under clause (a) of sub-section (1) of Section 209A of the Income-tax Act, 1961 a statement of Advance-tax payable by you for the assessment year..... which you know
had reason to believe to be untrue.

*विना उचित कारणों के अधिनियम 1961 के अन्तर्गत से आयकर अधिनियम,
1961 की धारा 209A के अन्तर्गत (1) के खंड (क) के अन्तर्गत से अज्ञानता आपके द्वारा उचित कारणों
को उचित नहीं किया है।

10/10/90

*Without reasonable cause failed to furnish a statement of the Advances ~~received by you~~ in accordance with the provisions of clause (a) of sub-section (f) of section 209A of the Income-tax Act, 1961 in respect of the assessment year.....

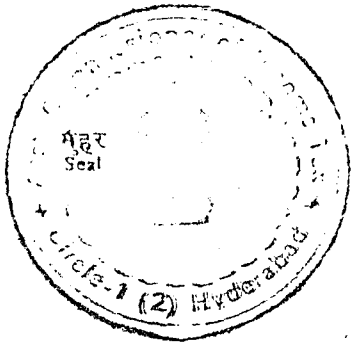
आपको इसके द्वारा सूचित किया जाता है कि आप अपने करदाताओं के विषय में सही जानकारी देना आवश्यक है। यदि आप अपने करदाताओं की सूची नहीं देते हैं तो आप 209A (f) के अधीन आपका जीवन-व्यय पर आपका खर्च नहीं किया जाए। यदि आप अपने करदाताओं की सूची देते हैं तो आपका जीवन-व्यय पर आपका खर्च किया जाएगा।

You are hereby requested to appear before me at my office at Hyd on 20/4/90 at 10-00 AM A. M. and show cause why an order imposing a penalty should not be made as 237(1) of the Income-tax Act, 1961. If you do not wish to avail yourself of this opportunity of being heard in person or through an authorised representative, you may show cause in writing on or before the said date which will be considered before any such order is made u/s 237(1).

भवदीय,
Yours faithfully,

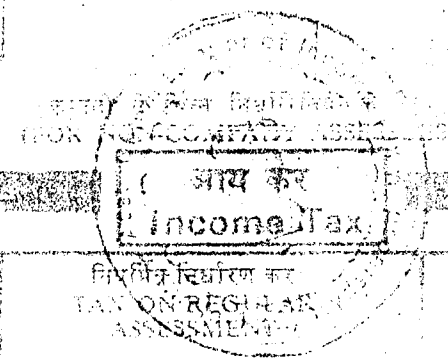
J. Reddy

ASSISTANT COMMISSIONER
OF INCOME TAX (Circular Office)
HYDERABAD.
Name
Designation



को वही ही उसे काट दें।
As the cut whatever is inapplicable.

आवास सूचीक-265 सिविल/83-S4-भाससूचीक-(सी-11)-31-10-86-977/000.
सिटीएन-265 सिविल/83-S4-भाससूचीक-(सी-11)-31-10-86-977/000.



021
TAXON ON INCOME OF
INDIAN CORPORATION TAX

Permanant Account No: M-622/AC-(2)

Assessment year: 1987-88

Name of the Assessee:
AOP (Trust)

M & M Associates,
1-10-72/2/3 Modi Buildings,
Begumpet Hyd.

IC-69/P.19
89/910

AC-(2)

Income	17582
Income Tax	220
Income after tax	17362
Income after 10% rebate	15626
Income after 20% rebate	14101
Income after 30% rebate	12181
Income after 40% rebate	10529
Income after 50% rebate	8781
Income after 60% rebate	7033
Income after 70% rebate	5285
Income after 80% rebate	3537
Income after 90% rebate	1789
Income after 100% rebate	0

18678/-

Eighteen thousand six hundred seventy eight only

29390

ASSESSMENT COMMISSIONER
OF INCOME TAX, CIRCULAR
HYDERABAD