GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
National Faceless Assessment Centre
Delhi

1.	PAN	**AAATM5488Q**
2.	Name of the assessee	**M.C.MODI EDUCATIONAL TRUST**
3.	Address of the assessee	**5-4-187/3 AND 4 SOHAM MANSION, M.G ROAD SECUNDERABAD, SECUNDERABAD 500003, Telangana,**
4.	Assessment Year	**2015-16**
5.	Status	**TRUST**
6.	Residential Status	**Resident**
7.	Date of service of Notice under section 143(2) of the Income-tax Act	**As per Order Sheet**
8.	Date(s) of issue of Notice(s) under section 142(1) of the Income-tax Act	**01/12/2021,29/12/2021,13/01/2022,07/02/2022**
9.	Order passed under section	**147 read with section 144B of the Income-tax Act**
10.	Date of Order	**19/03/2022**
11.	DIN	**ITBA/AST/S/147/2021-22/1041030550(1)**

ASSESSMENT ORDER

In this case the case was reopened by issuing notice u/s.148 of the Act dated 29/03/2021 after recording reason and taking prior approval from the concerned authority. The reason recorded are as under:

"The assessee do not have registration u/s 12A and has not carried out any charitable activities. During the assessment proceedings the assessee submitted trust deed which is unsigned deed claimed that it was formed 16.11.1955. However the assessee was claiming exemption u/s 11 for all the previous years and accumulating funds u/s 11(2) of the IT Act and also claiming 15% accumulation under section 11(1)(a).

For the A.Y. 2015-16 out of the total receipts of Rs. 63,11,549 the assessee spent only Rs. 66,875. The rest of the amount of Rs. 62,44,674/- was claimed as exemption u/s 11(1)(a) and 11(2) of the IT Act . An amount of Rs. 23,06,116/- which is an unspent accumulation of F.Y. 2008-09 was offered as income for the A.Y. 2015-16. Hence an amount of Rs. 62,44,674/- has escaped assessment in the absence of exemption.

Assessee filed an application seeking registration u/s 12A of the IT Act on 26.02.2018 which has *been rejected by the Hon'ble Commissioner of Income Tax (Exemptions) vide order dt 27.08.2018. Further it is submitted that assessee filed ITR 5 for the A.Y 2019-20 and A.Y 2020-21 this clearly shows that the assessee has claimed exemptions u/s 11 in the previous years without having registration u/s 12A."*

In the light of above reason recorded and in view of the submission of the assessee dated 16/02/2022 the assessee has contended that the assessment orders for AY **1980-81, AY 1982-83, AY 1983-84, AY 1984-85, AY 1997-98, AY 1998-99**, AY 2001-02, AY 2002-03, AY 2004- 05 and AY 2005-06 of which the years mentioned in bold are passed u/s 143(3) which definitely proves that the trust is holding a valid registration u/s 12A of the Act. In the assessment order for AY 1997-98 passed u/s 143(3) it is very clearly mentioned that the assessee is registered u/s 12A of the Act. Further in all the other orders passed u/s 143(3) it is clearly mentioned that the income of trust is exempted u/s 11 of the Act implying that trust is registered u/s 12A of the act. Further the assessee relied upon the following citations in the case of

1. Gujarat High Court order dated 25.03.2021 in the case of Morbi Plot Jain Tapgachh Sangh Vs. Commissioner of Income Tax - 433 ITR 1 (Guj) - Special Civil Appln. No. 16039 of 2019
2. ITAT Indore order dated 29.09.2020 in Shri Jain Shwetamber Murtipujak Sukrat Fund Kapda Committee Vs CIT (Exemption) Bhopal - ITA No. 849/Ind/2018
3. ITAT Pune Order dated 16.04.2019 in Rotary Club of Poona Downtown Charitable Trust Vs The Income Tax Officer (Exemption), Ward-2, Pune - ITA No.1853/PUN/2018

In view of the above the assessment in the case of assessee is assessed at returned income filed by the assessee.

2. In view of the material available on record, no addition is made.

3. The assessment of income is done as per the return of income filed in response to notice u/s.148 on 28/04/2021 at Rs.23,06,120/- and the sum payable is determined as per record.

Yours faithfully,
Additional / Joint / Deputy / Assistant Commissioner of Income Tax/
Income-tax Officer,
National Faceless Assessment Centre,
Delhi

Copy to:

Assessee

Yours faithfully,
Additional / Joint / Deputy / Assistant Commissioner of Income Tax/
Income-tax Officer,
National Faceless Assessment Centre,
Delhi

Signature Not Verified
Digitally signed by Vishesh Prakash
Date: 2022.03.19 12:30:55 IST

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
National Faceless Assessment Centre
Delhi

To, M.C.MODI EDUCATIONAL TRUST 5-4-187/3 AND 4 SOHAM MANSION,M.G ROAD SECUNDERABAD SECUNDERABAD 500003,Telangana	

PAN: **AAATM5488Q**	Date: **19/03/2022**	Status: **TRUST**	DIN & Notice No: **ITBA/AST/S/156/2021-22/1041030654(1)**

Subject: Notice of demand under section 156 of the Income-Tax Act, 1961

1. This is to give you notice that for the assessment year **2015-16** a sum of **Rs. 0**, details of which are given on the reverse, has been determined to be payable by you.

2. The amount should be paid to the Manager, authorised bank/State Bank of India within 30 days of the service of this notice. 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 per cent for every month or part of a month from the date commencing after the 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 sections 222 to 227, 229 and 232 of the Income-tax Act, 1961.

6. If you intend to appeal against the assessment, you may present an appeal under Part A of Chapter XX of the Income-tax Act, 1961, to the **NATIONAL FACELESS APPEAL CENTRE (NFAC)** within thirty days of the receipt of this notice, in Form No. 35, duly stamped and verified as laid down in that form.

Yours faithfully,
Additional / Joint / Deputy / Assistant Commissioner of Income Tax/
Income-tax Officer,
National Faceless Assessment Centre,
Delhi

Note:- The website address of the e-filing portal has been changed from www.incometaxindiaefiling.gov.in to www.incometax.gov.in.

Signature Not Verified
Digitally signed by Vishesh Prakash
Date: 2022.03.19 12:38:09 IST

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
National Faceless Assessment Centre
Delhi

Computation Sheet

General Details			
PAN	AAATM5488Q	**Assessment Year**	2015-16
Name	M.C.MODI EDUCATIONAL TRUST	**Address**	5-4-187/3 AND 4 SOHAM MANSION ,M.G ROAD SECUNDERABAD SECUNDERABAD 500003 ,Telangana
Residential Status	Resident	**Order Section**	147
DIN & Document Number	ITBA/AST/S/117/2021-22/1041030689(1)	**Order Date**	19/03/2022

Sl. No.	Reporting Heads	Amount as per Current Order (in Rs.)
	HEADS OF INCOME	
1.	INCOME FROM HOUSE PROPERTY	39,48,539
2.	INCOME FROM BUSINESS OR PROFESSION	0
3.	INCOME FROM CAPITAL GAINS	0
4.	INCOME FROM OTHER SOURCES	23,79,947
5.	VOLUNTARY CONTRIBUTIONS	0
6.	TOTAL 6=(1+2+3+4+5)	63,28,486
7.	INCOME CHARGEABLE TO TAX AT SPECIAL RATE U/S 111A, 112 ETC	0
8.	LOSSES OF CURRENT YEAR TO BE SET OFF AGAINST 6(TOTAL OF 2IX, 3IX AND 4IX OF SCHEDULE CYLA)	0
9.	GROSS TOTAL INCOME	63,28,486
10.	AGGREGATE OF INCOME REFERRED TO IN SECTION U/S 11 AND 12 DERIVED DURING THE PREVIOUS YEAR TO THE EXTENT THAT IS INCLUDED IN 9 ABOVE	63,28,486
11.	VOLUNTARY CONTRIBUTION FORMING PART OF CORPUS AS PER SECTION 11(1)(d) [(Ai + Bi) OF SCHEDULE VC]	0

Note:- The website address of the e-filing portal has been changed from www.incometaxindiaefiling.gov.in to www.incometax.gov.in.

	DEDUCTIONS	
12.	(i) AMOUNT APPLIED TO CHARITABLE OR RELIGIOUS PURPOSES IN INDIA DURING THE PREVIOUS YEAR - REVENUE ACCOUNT	66,875
	(ii) AMOUNT APPLIED TO CHARITABLE OR RELIGIOUS PURPOSES IN INDIA DURING THE PREVIOUS YEAR - CAPITAL ACCOUNT [EXCLUDING APPLICATION FROM BORROWED FUNDS AND AMOUNT EXEMPT U/S 11(1A)]	0
	(iii) AMOUNT APPLIED TO CHARITABLE OR RELIGIOUS PURPOSES IN INDIA DURING THE PREVIOUS YEAR - CAPITAL ACCOUNT (REPAYMENT OF LOAN)	0
	(iv) AMOUNT DEEMED TO HAVE BEEN APPLIED TO CHARITABLE OR RELIGIOUS PURPOSES IN INDIA DURING THE PREVIOUS YEAR AS PER CLAUSE (2) OF EXPLANATION TO SECTION 11(1).	0
	iv(a) IF (IV) ABOVE APPLICABLE, WHETHER OPTION FORM NO. 9A HAS BEEN FURNISHED TO THE ASSESSING OFFICER	
	iv(b)IF YES, DATE OF FURNISHING FORM NO. 9A (DD/MM/YYYY)	
	(v) AMOUNT ACCUMULATED OR SET APART FOR APPLICATION TO CHARITABLE OR RELIGIOUS PURPOSES TO THE EXTENT IT DOES NOT EXCEED 15 PER CENT OF INCOME DERIVED FROM PROPERTY HELD IN TRUST/ INSTITUTION UNDER SECTION 11(1)(A)/11(1)(B) [RESTRICTED TO THE MAXIMUM OF 15% OF (10-11) ABOVE]	9,49,273
	(vi) AMOUNT IN ADDITION TO AMOUNT REFERRED TO IN (iv) ABOVE, ACCUMULATED OR SET APART FOR SPECIFIED PURPOSES IF ALL THE CONDITIONS IN SECTION 11(2) AND 11(5) ARE FULFILLED (FILL OUT SCHEDULE I)	53,12,338
	(vii) AMOUNT ELIGIBLE FOR EXEMPTION UNDER SECTION 11(1)(C)	0
	(viii) TOTAL [12i+12ii+12iii+12iv+12v+12vi+12vii]	63,28,486
	ADDITIONS	
13.	(i). INCOME CHARGEABLE UNDER SECTION 11(1B)	0
	(ii).INCOME CHARGEABLE UNDER SECTION 11(3)	23,06,116
	(iii)INCOME IN RESPECT OF WHICH EXEMPTION UNDER SECTION 11 IS	0

	NOT AVAILABLE BY VIRTUE OF PROVISIONS OF SECTION 13	
	(A)BEING ANONYMOUS DONATION AT Diii OF SCHEDULE VC TO THE EXTENT APPLIED FOR CHARITABLE PURPOSE	0
	(B)OTHER THAN (A) ABOVE	0
	(iv)INCOME CHARGEABLE UNDER SECTION 12(2)	0
	(v) TOTAL ADDITIONS (13i+13ii+13iii+13iv)	23,06,116
14.	INCOME CHARGEABLE U/S 11(4) [AS PER ITEM NO. E36 OF SCHEDULE BP]	0
15.	TOTAL (9-11-12viii+13v+14)	23,06,116
16.	AMOUNT OF INCOME EXEMPT UNDER ANY CLAUSE OF SECTION 10,TO THE EXTENT THAT IS INCLUDED IN 15 ABOVE	0
17.	AMOUNT ELIGIBLE FOR EXEMPTION UNDER SECTION 10(21), 10(22B), 10(23A), 10(23B), 10(23C)(iv), 10(23C)(v), 10(23C)(vi), 10(23C)(via)	0
18.	AMOUNT ELIGIBLE FOR EXEMPTION UNDER SECTION 10(23C)(iiiab), 10(23C)(iiiac), 10(23C)(iiiad), 10(23C)(iiiae), 10(24), 10(46), 10(47)	0
19.	AMOUNT ELIGIBLE FOR EXEMPTION UNDER ANY CLAUSE, OTHER THAN THOSE AT 17 AND 18, OF SECTION 10	0
20.	INCOME CHARGEABLE UNDER SECTION 11(3) READ WITH SECTION 10(21)	0
21.	INCOME CLAIMED/ EXEMPT UNDER SECTION 13A or 13B IN CASE OF A POLITICAL PARTY or ELECTORAL TRUST (FILL SCHEDULE LA or ET)	0
22.	INCOME CHARGEABLE TO TAX (9-11-12viii+13+14-17-18-19+20-21)	23,06,120
23.	LOSSES OF CURRENT YEAR TO BE SET OFF AGAINST 22 (TOTAL OF 2IX, 3IX AND 4IX OF SCHEDULE CYLA)	0
24.	GROSS TOTAL INCOME (22-23)	23,06,120
25.	INCOME CHARGEABLE TO TAX AT SPECIAL RATE UNDER SECTION 111A, 112 ETC. INCLUDED IN 21	0
26.	DEDUCTION U/S 10A OR 10AA	0
27.	DEDUCTIONS UNDER CHAPTER VIA (LIMITED TO 24 - 25)	0
28.	TOTAL INCOME (24-26-27)	23,06,116
29.	INCOME WHICH IS INCLUDED IN 28 AND CHARGEABLE TO TAX AT SPECIAL RATE (TOTAL OF i OF SCHEDULE SI)	0
30.	NET AGRICULTURAL INCOME FOR RATE PURPOSE	0
31.	AGGREGATE INCOME (28-29+30)	23,06,120
32.	ANONYMOUS DONATIONS TO BE	0

	TAXED U/S 115BBC @ 30%.	
33.	INCOME CHARGEABLE AT MAXIMUM MARGINAL RATES	0
34.	DEEMED TOTAL INCOME U/S 115JB OR 115JC	0
	TAX DETAILS	
35.	TAX PAYABLE ON DEEMED TOTAL INCOME U/S 115JB OR 115JC	0
36.	SURCHARGE	0
37.	EDUCATIONAL CESS	0
38.	TOTAL TAX PAYABLE U/S 115JB OR 115JC (35+36+37)	0
	TAX PAYABLE ON TOTAL INCOME	
39.	TAX AT NORMAL RATE on (31-32-33)	5,16,836
40.	TAX AT SPECIAL RATES	0
41.	TAX ON ANONYMOUS DONATIONS U/S 115BBC @ 30%	0
42.	TAX AT MAXIMUM MARGINAL RATE	0
43.	REBATE ON AGRICULTURAL INCOME	0
44.	TAX PAYABLE ON TOTAL INCOME (39+40+41+42-43)	5,16,836
45.	SURCHARGE (On 44)	0
46.	EDUCATION CESS INCLUDED SECONDARY & HIGHER EDU CESS ON (44+45)	15,505
47.	GROSS TAX LIABILITY (44+45+46)	5,32,341
48.	GROSS TAX PAYABLE (HIGHER OF 47 OR 38)	5,32,341
49.	CREDIT U/S 115JAA/115JD OF THE TAX PAID IN EARLIER YEARS	0
50.	TAX PAYABLE AFTER CREDIT U/S 115JAA/115JD (48-49)	5,32,341
	TAX RELIEF	
51.	RELIEF U/S 90/90A	0
52.	RELIEF U/S 91	0
53.	TOTAL RELIEF (51+52)	0
	TOTAL INCOME TAX LIABILITY	
54.	NET TAX LIABILITY (50-53)	5,32,341
	INTEREST PAYABLE	
55.	FOR DEFAULT IN FURNISHING THE RETURN (SECTION 234A)	0
56.	FOR DEFAULT IN PAYMENT OF ADVANCE PAYMENT (SECTION 234 B)	0
57.	FOR DEFERMENT OF ADVANCE TAX (SECTION 234C)	0
58.	INTEREST U/S 234D	0
59.	TOTAL INTEREST PAYABLE 59=(55+56+57+58)	0
60.	AGGREGATE INCOMETAX LIABILITY 60=(54+59)	5,32,341
	PRE-PAID TAXES	
61.	TDS	6,28,490
62.	TCS	0
63.	ADVANCE TAX	0
64.	SELF ASSESSMENT TAX	0

65.	REGULAR TAX PAID	0
66.	TOTAL TAX PAID 66=(61+62+63+64+65)	6,28,490
	TAX PAYABLE/REFUND	
67.	AMOUNT PAYABLE/REFUND AMOUNT 67=(60-66)	-96,149
68.	INTEREST U/S 244A ON CURRENT AMOUNT	0
69.	INTEREST U/S 244A(1A)	0
70.	TOTAL AMOUNT PAYABLE/ REFUND AMOUNT 70= (67+68+69)	-96,149
71.	REFUND ALREADY ISSUED (incl. interest u/s 244A and interest u/s 244A(1A) if any)	0
72.	BALANCE AMOUNT PAYABLE/REFUNDABLE (incl. provisional Interest u/s 244A till current order and interest u/s 244A(1A) - if any) 72 = (70-71)	-1,36,511
73.	INTEREST U/S 220(2) CHARGED (In Rs.)	0
74.	AMOUNT PAYABLE/REFUNDABLE 74=(72+73)	-1,36,511

*In case of refund, Refund Intimation cum Adjustment sheet will be issued subsequently and separate communication will be sent for that.

Yours faithfully,
Additional / Joint / Deputy / Assistant Commissioner of Income Tax/
Income-tax Officer,
National Faceless Assessment Centre,
Delhi

Signature Not Verified
Digitally signed by Vishesh Prakash
Date: 2022.03.19 12:34:09 IST