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

Faceless Assessment: India

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

PAN:	Assessment Year:	Date:	DIN:
AAATM5488Q	**2016-17**	**24/03/2022**	**ITBA/AST/F/143(3)(SCN)/2021-22/1041424359(1)**

Show cause Notice as to why the proposed variation should not be made

Ms/ Mr/ M/s,

1. We appreciate the anxiety and uncertainty that is facing all of us in the times of Covid-19. This communication is to assist you in ending one uncertainty, which is pending e-Assessment in your case for the Assessment Year **2016-17**.

2. The variations as per the draft assessment order may be seen which are proposed to be made in your case:-

The assessee filed its return of income for the assessment year 2016-17 on 03/07/2017 declaring total income of Rs. NIL after claiming exemption under section 11 of the Income Tax Act 1961. Subsequently, the case was selected for complete scrutiny through CASS. During the course of assessment proceedings it was seen that the assessee is not having Registration u/s 12A of Income-tax Act 1961 and not carrying out charitable activities for which it was formed. Therefore, surplus of income over expenditure amounting to Rs. 49,49,724/- was brought to tax by denying exemption u/s 11 of the Income Tax Act, 1961. The assessment order was passed u/s 143(3) on 18/12/2018 at assessed income of Rs. 49,49,724/- .

2. Afterwards, on verification of the assessment record, it was noticed that the assessee had accumulated an amount of Rs. 29,51,794/- u/s 11(2) in the F.Y. 2009-10 but could not be utilized within time provided. Thus the same needed to be taxed during the A.Y. 2016-17. While completing the scrutiny assessment u/s 143(3), the AO has not considered this aspect. Hence, the order passed by the AO was erroneous in so far as it is prejudicial to the interest of revenue, as it did not address the issue of bringing to tax the unutilized accumulations of F.Y. 2009-10.

As per section 11(3) of the Act, provides that where the income accumulated or set apart is not utilized for the purpose for which it is so accumulated or set apart during the period mentioned in clause (a) of section 11(2), it shall be deemed to be the income of the person of the previous year immediately following the expiry of the aforesaid period.

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

Enclosed: Refer to attachment AAATM5488Q_2016_ATTACHMENT_100046888952.zip

For the failure on part of the AO in not making the above, the assessment made by the AO vide order u/s 143(3) of the Act, dated. 18.12.2018 for the A Y 2016-17, in this case, is thus erroneous, in so far as it is prejudicial to the interest of revenue.

Therefore, on these issues the concerned Pr. CIT in his order u/s 263 of the I.T.Act 1961 dated 30/03/2021 found the order of the Assessing Officer passed u/s 143(3) on 18.12.2018 as erroneous and is prejudicial to the interest of the revenue. Accordingly the said assessment order had been set aside by him with a direction to the Assessing Officer to examine the issues mentioned supra, and to redo the assessment, after verification of the issues, in accordance with law.

3. Accordingly, notice u/s 142(1) of the Act was issued to the assessee calling for detailed particulars by mentioning the above cited issue. In response, the assessee has uploaded its response along with supporting documents.

4. In its response the assessee has stated that appeal has been filed against the order u/s 263 dated 31.03.2021 before the Hon'ble ITAT vide ITA No. 207/H/2021 for the A.Y. 2016-17 and hence, requested to keep the present proceedings on hold till the appeal is decided by the Hon'ble ITAT.

5. On verification of ITAT judicial information portal it is seen that appeal of the assessee vide ITA No. 207/H/2021 for the A.Y. 2016-17 has been dismissed by Hon'ble ITAT's order dated 08.03.2022. It is seen from the order of Hon'ble ITAT that at the time of hearing, the assessee has placed on record an application dated 04.03.2022 requesting for the permission to withdraw its appeal. Hon'ble ITAT permitted the assessee to withdraw the said appeal and accordingly, assessee's appeal has been dismissed.

6. Since, appeal of the assessee filed before Hon'ble ITAT filed against the order u/s 263 dated 31.03.2021 has been dismissed vide its order dated 08.03.2022, the assessment is being completed on the basis of information available on record and the details & documents uploaded by the assessee. On examination of information available on records it is seen that the application for registration u/s.12A was rejected by the CIT(Exemptions) vide communication in F.No.CIT(E)/Hyd/68(02)/12A/2017-18, dated 27.08.2018. The assessee had accumulated and set aside an amount of Rs. 29,51,794/- during the F.Y. 2009-10 but not utilized the said fund. The same had not been offered as income during the year under consideration. As the fund was not utilized, the same amount of Rs. 29,51,794/- is being treated as income for this year and added to the income of the assessee.

Addition Rs. 29,51,794/-

Penalty proceedings u/s 271(1)(c) of the Income Tax Act, 1961 is initiated separately for furnishing in-accurate particulars of income of Rs. 29,51,794/-.

7. Hence, considering the above facts, and in pursuant to concerned Pr. CIT's , order u/s 263 of the I.T.Act 1961 dated 30/03/2021, the income of the assessee is calculated as below:

Assessed Total Income as per order u/s 143(3) dated 18/12/2018	Rs. 49,49,724
Add: Unutilized accumulation of fund as discussed in Para 6	Rs. 29,51,794
Revised Total income	Rs. 79,01,518
Rounded off	Rs.79,01,520

This order is being passed u/s. 143(3)/263 read with section 144B of the Income Tax Act, 1961 as above. Credits of prepaid taxes are allowed as per calculation sheet. Interest under section 234 is charged as per law. Assessment order, Demand Notice, system generated tax calculation sheet and penalty notice u/s 271(1)(c) are issued to the assessee.

You are hereby given an opportunity to show cause why proposed variation should not be made and the assessment should not be completed accordingly.

3. Kindly submit your response through your registered e-filing account at www.incometax.gov.in by 23:59 hours of 26/03/2022, whereby you may either:-

a. accept the proposed variation; or
b. file your written reply objecting to the proposed variation; or
c.If required, after filing written reply you may request for personal hearing so as to make oral submissions or present your case. The request **can only be** made by clicking the Seek Video Conferencing button available against the SCN , in the view notices of this proceeding in the e-proceedings tab on efiling portal. The request can be made only before expiry of compliance date & time. On approval of request, personal hearing shall be conducted exclusively through video conference.

4. In case no response is received by the given time and date, the assessment shall be finalized as per the draft assessment order.

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: 2022.03.24 13:59:53 IST

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

Faceless Assessment: India

Computation Sheet

General Details			
PAN	AAATM5488Q	**Assessment Year**	2016-17
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**	143(3) r.w.s 263
DIN & Document Number	DRAFT	**Order Date**	24/03/2022

Sl. No.	Reporting Heads	Amount as per Current Order (in Rs.)
	HEADS OF INCOME	
1.	INCOME FROM HOUSE PROPERTY	41,91,623
2.	INCOME FROM BUSINESS OR PROFESSION	0
3.	INCOME FROM CAPITAL GAINS	0
4.	INCOME FROM OTHER SOURCES	32,81,206
5.	VOLUNTARY CONTRIBUTIONS	0
6.	TOTAL 6=(1+2+3+4+5)	74,72,829
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	74,72,829
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	74,72,829
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	18,00,000
	(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]	11,20,924
	(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)	45,51,905
	(vii) AMOUNT ELIGIBLE FOR EXEMPTION UNDER SECTION 11(1)(C)	0
	(viii) TOTAL [12i+12ii+12iii+12iv+12v+12vi+12vii]	74,72,829
	ADDITIONS	
13.	(i). INCOME CHARGEABLE UNDER SECTION 11(1B)	0
	(ii).INCOME CHARGEABLE UNDER SECTION 11(3)	29,51,794
	(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)	29,51,794
14.	INCOME CHARGEABLE U/S 11(4) [AS PER ITEM NO. E36 OF SCHEDULE BP]	0
15.	TOTAL (9-11-12viii+13v+14)	29,51,794
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)	29,51,794
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)	29,51,790
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)	29,51,794
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)	29,51,790
32.	ANONYMOUS DONATIONS TO BE	0

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	TAXED U/S 115BBC @ 30%.	
33.	INCOME CHARGEABLE AT MAXIMUM MARGINAL RATES	49,49,724
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)	0
40.	TAX AT SPECIAL RATES	0
41.	TAX ON ANONYMOUS DONATIONS U/S 115BBC @ 30%	0
42.	TAX AT MAXIMUM MARGINAL RATE	14,84,917
43.	REBATE ON AGRICULTURAL INCOME	0
44.	TAX PAYABLE ON TOTAL INCOME (39+40+41+42-43)	14,84,917
45.	SURCHARGE (On 44)	0
46.	EDUCATION CESS INCLUDED SECONDARY & HIGHER EDU CESS ON (44+45)	44,548
47.	GROSS TAX LIABILITY (44+45+46)	15,29,465
48.	GROSS TAX PAYABLE (HIGHER OF 47 OR 38)	15,29,465
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)	15,29,465
	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)	15,29,465
	INTEREST PAYABLE	
55.	FOR DEFAULT IN FURNISHING THE RETURN (SECTION 234A)	0
56.	FOR DEFAULT IN PAYMENT OF ADVANCE PAYMENT (SECTION 234 B)	2,71,854
57.	FOR DEFERMENT OF ADVANCE TAX (SECTION 234C)	967
58.	INTEREST U/S 234D	0
59.	TOTAL INTEREST PAYABLE 59=(55+56+57+58)	2,72,821
60.	AGGREGATE INCOMETAX LIABILITY 60=(54+59)	18,02,286
	PRE-PAID TAXES	
61.	TDS	7,05,591
62.	TCS	0
63.	ADVANCE TAX	0
64.	SELF ASSESSMENT TAX	29,330

65.	REGULAR TAX PAID	0
66.	TOTAL TAX PAID 66=(61+62+63+64+65)	7,34,921
	TAX PAYABLE/REFUND	
67.	AMOUNT PAYABLE/REFUND AMOUNT 67=(60-66)	10,67,365
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)	10,67,365
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)	10,67,365
73.	INTEREST U/S 220(2) CHARGED (In Rs.)	0
74.	AMOUNT PAYABLE/REFUNDABLE 74=(72+73)	10,67,365

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

Note: Fields from 68 to 74 will be subject to change due to 244A and 220(2) computed at the time of passing of order.

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

DRAFT

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Income Tax Department
Faceless Assessment: India

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

PAN: **AAATM5488Q**	Date: **24/03/2022**	Status: **TRUST**	DIN & Notice No: **DRAFT**

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 **2016-17** a sum of **Rs. 10,67,365**, 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

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GOVERNMENT OF INDIA
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INCOME TAX DEPARTMENT
National Faceless Assessment Centre
Delhi

DRAFT

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	2016-17
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	30/09/2021,04/02/2022
9.	Order passed under section	143(3) r.w.s 263 read with section 144B of the Income-tax Act
10.	Date of Order	24/03/2022
11.	DIN	DRAFT

ASSESSMENT ORDER

The assessee filed its return of income for the assessment year 2016-17 on 03/07/2017 declaring total income of Rs. NIL after claiming exemption under section 11 of the Income Tax Act 1961. Subsequently, the case was selected for complete scrutiny through CASS. During the course of assessment proceedings it was seen that the assessee is not having Registration u/s 12A of Income-tax Act 1961 and not carrying out charitable activities for which it was formed. Therefore, surplus of income over expenditure amounting to Rs. 49,49,724/- was brought to tax by denying exemption u/s 11 of the Income Tax Act, 1961. The assessment order was passed u/s 143(3) on 18/12/2018 at assessed income of Rs. 49,49,724/- .

2. Afterwards, on verification of the assessment record, it was noticed that the assessee had accumulated an amount of Rs. 29,51,794/- u/s 11(2) in the F.Y. 2009-10 but could not be utilized within time provided. Thus the same needed to be taxed during the A.Y. 2016-17. While completing the scrutiny assessment u/s 143(3), the

AO has not considered this aspect. Hence, the order passed by the AO was erroneous in so far as it is prejudicial to the interest of revenue, as it did not address the issue of bringing to tax the unutilized accumulations of F.Y. 2009-10.

As per section 11(3) of the Act, provides that where the income accumulated or set apart is not utilized for the purpose for which it is so accumulated or set apart during the period mentioned in clause (a) of section 11(2), it shall be deemed to be the income of the person of the previous year immediately following the expiry of the aforesaid period.

For the failure on part of the AO in not making the above, the assessment made by the AO vide order u/s 143(3) of the Act, dated. 18.12.2018 for the A Y 2016-17, in this case, is thus erroneous, in so far as it is prejudicial to the interest of revenue.

Therefore, on these issues the concerned Pr. CIT in his order u/s 263 of the I.T.Act 1961 dated 30/03/2021 found the order of the Assessing Officer passed u/s 143(3) on 18.12.2018 as erroneous and is prejudicial to the interest of the revenue. Accordingly the said assessment order had been set aside by him with a direction to the Assessing Officer to examine the issues mentioned supra, and to redo the assessment, after verification of the issues, in accordance with law.

3. Accordingly, notice u/s 142(1) of the Act was issued to the assessee calling for detailed particulars by mentioning the above cited issue. In response, the assessee has uploaded its response along with supporting documents.

4. In its response the assessee has stated that appeal has been filed against the order u/s 263 dated 31.03.2021 before the Hon'ble ITAT vide ITA No. 207/H/2021 for the A.Y. 2016-17 and hence, requested to keep the present proceedings on hold till the appeal is decided by the Hon'ble ITAT.

5. On verification of ITAT judicial information portal it is seen that appeal of the assessee vide ITA No. 207/H/2021 for the A.Y. 2016-17 has been dismissed by Hon'ble ITAT's order dated 08.03.2022. It is seen from the order of Hon'ble ITAT that at the time of hearing, the assessee has placed on record an application dated 04.03.2022 requesting for the permission to withdraw its appeal. Hon'ble ITAT permitted the assessee to withdraw the said appeal and accordingly, assessee's appeal has been dismissed.

6. Since, appeal of the assessee filed before Hon'ble ITAT filed against the order u/s

263 dated 31.03.2021 has been dismissed vide its order dated 08.03.2022, the assessment is being completed on the basis of information available on record and the details & documents uploaded by the assessee. On examination of information available on records it is seen that the application for registration u/s.12A was rejected by the CIT(Exemptions) vide communication in F.No.CIT(E)/Hyd/68(02)/12A/2017-18, dated 27.08.2018. The assessee had accumulated and set aside an amount of Rs. 29,51,794/- during the F.Y. 2009-10 but not utilized the said fund. The same had not been offered as income during the year under consideration. As the fund was not utilized, the same amount of Rs. 29,51,794/- is being treated as income for this year and added to the income of the assessee.

Addition **Rs. 29,51,794/-**

Penalty proceedings u/s 271(1)(c) of the Income Tax Act, 1961 is initiated separately for furnishing in-accurate particulars of income of Rs. 29,51,794/-.

7. Hence, considering the above facts, and in pursuant to concerned Pr. CIT's , order u/s 263 of the I.T.Act 1961 dated 30/03/2021, the income of the assessee is calculated as below:

Assessed Total Income as per order u/s 143(3) dated 18/12/2018
Rs. 49,49,724

Add: Unutilized accumulation of fund as discussed in Para 6
Rs. 29,51,794

Revised Total income
Rs. 79,01,518

Rounded off
Rs.79,01,520

This order is being passed u/s. 143(3)/263 read with section 144B of the Income Tax Act, 1961 as above. Credits of prepaid taxes are allowed as per calculation sheet. Interest under section 234 is charged as per law. Assessment order, Demand Notice, system generated tax calculation sheet and penalty notice u/s 271(1)(c) are issued to the assessee.

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