

REASSESSMENT: LAW, PROCEDURE & PRACTICE

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INTRODUCTION

- These proceedings are for the benefit of the Income-tax Department [**CIT v. Sun Engineering Works (P.) Ltd. [1992] 64 Taxman 442/198 ITR 297 (SC)**]
- Certain fetters are placed to ensure that there is no misuse of power [**S.S. Gadgil v. Lal & Co. [1964] 53 ITR 231 (SC)**]. The Hon'ble Supreme Court, in the case of **Krishna v. ITO 221 ITR 538 (SC)** , held that all the requirements and conditions are given equal weightage.
- The Hon'ble High Court of Rajasthan in the case of **Vimal v. ITO (1982) 134 ITR 119 (Raj (HC))** has held these provisions to be constitutionally valid.

REASSESSMENT REGIME BEFORE APRIL 01, 2021

- **GKN Driveshaft (India) Limited v. ITO [2002] 125 Taxman 963 (SC)/ [2003] 259 ITR 19 (SC)**
 - Notice under section 148 of the Act – Return - Recorded Reasons – Objection – Disposal of Objection – Notice under section 143(2) of the Act.
- **UOI v. Rajeev Bansal [2024] 167 taxmann.com 70 (SC)**
 - For AY 2015-16: Para 114 (e)

REASSESSMENT NOTICE ISSUED BETWEEN APRIL 01, 2021 TO JUNE 30, 2021

- **UOI v. Ashish Agarwal [2022] 444 ITR 1 (SC)**
- **The CBDT Instruction No. 1 of 2022 dated May 11, 2022 (2022) 444 ITR 0084 (St)**
- **UOI v. Rajeev Bansal [2024] 167 taxmann.com 70 (SC)**
 - **For AY 2013-14 and 2014-15:** Para 112
 - **For AY 2015-16:** Para 19(f)
 - **For AY 2016-17 and 2017-18:** Para 114(d)

INCOME ESCAPING ASSESSMENT [SECTION 147 OF THE ACT]

- There is no change in Section 147 of the Act as it stood before September 01, 2024
- **Where information does not suggest income has escaped assessment**
 - **Divya Capital One (P.) Ltd. v. ACIT [2022] 445 ITR 436 (Delhi)(HC)**
 - **Nitin Nema v. PCIT [2023] 155 taxmann.com 276 / [2023] 458 ITR 690 (Madhya Pradesh)**
- **Change of opinion**
 - **CIT v. Kelvinator of India Ltd. [2010] 320 ITR 561 (SC)**
 - **Siemens Ltd. v. DCIT [2024] 160 taxmann.com 243/ 297 Taxman 587 (Bom)(HC)**

INCOME ESCAPING ASSESSMENT [SECTION 147 OF THE ACT]

- **Borrowing the concept of “true and full disclosure” beyond four assessment years [prior to Finance (No.2) Act, 2024]**
 - **Azim Premji Trustee Co. (P.) Ltd. v. DCIT [2023] 146 taxmann.com 58 (Karn)(HC)**
- **Minimum Alternate Tax and Reassessment**
 - **Motto Tiles (P.) Ltd. v. ACIT [2016] 386 ITR 280 (Guj) (HC)**
 - **PKM Advisory Services (P.) Ltd. v. ITO [2011] 339 ITR 585 (Guj)(HC)**
 - **India Gelatine and Chemicals Ltd. v. Asstt. CIT [2014] 364 ITR (Guj)(HC)**
 - **Pacific Energy (P.) Ltd. v. ITO [2024] 464 ITR 124 (Bom)(HC)**

INCOME ESCAPING ASSESSMENT [SECTION 147 OF THE ACT]

- **Addition on other information found during the course of reassessment while dropping addition on primary information on the basis of which the reassessment Notice is issued**
 - **CIT v. Jet Airways India Ltd [2011] 331 ITR 236 (Bom)(HC)**
- **Does a change in the rate of tax amount to information?**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

Sr. No	Prior to Finance Act (2), 2024	Amended provisions vide Finance Act (2), 2024
1.	Section 148A(a)	There is no corresponding provision.
2.	Section 148A(b)	Section 148(1)
3.	148A(c)	148A(2)
4.	148A(d)	148A(3)
5.	Proviso (a), (b) and (c) to section 148A	There is no corresponding provision.
6.	Proviso (d) to section 148A	148A(4)

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Non-issuance of show cause notice under section 148A of the Act.**
 - **Nambiar Balakrishnan Narendran v. ITO WP(C) 18182 of 2022 dated November 25, 2022 (Ker)(HC)**
 - **Vasanthi Ramdas Pai v. ITO [2024] 159 taxmann.com 392 / 267 ITR 150 (Karn)(HC)**
- **Undelivered or refused to accept Notice**
 - **Dr. Sheo Murti Singh v. CIT [2015] 64 taxmann.com 276/ [2015] 383 ITR 174 (All)(HC)**
- **Notice under section 148A of the Act is unsigned**
 - **Prakash Krishnavtar Bharadwaj v. ITO (2023) 451 ITR 27 (Bom) (HC)**
 - **Suman Jeet Agarwal v. ITO [2022] 449 ITR 517 /(2023) 290 Taxman 493 (Delhi) (HC)**
 - **Sonia Gandhi v. ACIT [2018] 97 taxmann.com 150/ 407 ITR 594 (Delhi)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Reassessment Notice issued on a deceased person/non-existing entity and whether the existence of PAN amounts to the existence of the entity**
 - **PCIT v. Maruti Suzuki India Ltd [2019] 416 ITR 613/ 265 Taxman 515 (SC)**
 - **Rupa Shyamsundar Dhumatkar v. ACIT [2020] 420 ITR 256/ 275 Taxman 453 (Bom)(HC)**
 - **PCIT v. Mahagun Realtors (P.) Ltd [2022] 443 ITR 194/ 287 Taxman 566 (SC)**
 - **DCIT v. Barclays Global Service Centre Private Ltd. (2023)103 ITR 100 (Pune)(Trib)**
 - **CLSA India (P.) Ltd. v. DCIT [2023] 149 taxmann.com 380 (Bom)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Jurisdiction has to be seen at the time of issuance of the Notice**
 - **CIT v. MI Builders [2012] 349 ITR 271 (All)(HC)**
 - **Pavan Morarka v. ACIT [2022] 136 taxmann.com 2 (Bom)(HC)**
 - **Ardent Steel Ltd. v. ACIT [2018] 405 ITR 422 (Chattisgarh)(HC)**
 - **Prashant Chandra v. CIT [2016] 387 ITR 88 (All)(HC)**
 - **Nimir Kishore Mehta v. ACIT [2024] 161 taxmann.com 553 (Bom)(HC)**
- **Insolvency proceedings**
 - **Ghanashyam Mishra & Sons (P.) Ltd. v. Edelweiss Asset Reconstruction Co. Ltd. [2021] 126 taxmann.com 132 (SC)**
 - **Alok Industries Ltd. v. ACIT [2024] 161 taxmann.com 285 (Bom)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Post Liquidation/Dissolution/Partition proceedings**
 - **Pandian Anbalagan v. ITO [2023] 156 taxmann.com 402 (Madras)**
 - **NRP Projects (P.) Ltd. v. ITD [2024] 162 taxmann.com 71 (Madras)(HC)**
- **Income-tax Officer & Assistant Commissioner/Deputy Commissioner of Income-tax: Pecuniary Jurisdiction.**
 - **Instructions 1 of 2011, dated January 31, 2011**
 - **Ashok Devichand Jain v. UOI [2023] 151 taxmann.com 70 / 452 ITR 43**

	Income declared (Mofussil Areas)		Income declared (Metro Cities)	
	ITOs	AC/DC	ITOs	AC/DC
Corporate returns	Up to Rs. 20 lakhs	Above Rs. 20 lakhs	Up to Rs. 30 lakhs	Above Rs. 30 lakhs
Non-Corporate returns	Up to Rs. 15 lakhs	Above Rs. 15 lakhs	Up to Rs. 20 lakhs	Above Rs. 20 lakhs

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Whether the enquiry under section 148A(a) of the Act is mandatory or discretionary. [Before September 01, 2024]**
- **Less than the prescribed time given to respond to Notice. [Before September 01, 2024]**
- **Service of notice through email**
 - **Lok Developers v. DCIT [2023] 455 ITR 399/ 149 taxmann.com93 (Bom) (HC)**
 - **Prakash Kumar Pasari v. UOI [2022] 143 taxmann.com 397 (Jharkhand) (HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Requirement of Document Identification Number (DIN)**
 - **CBDT Circular 19 of 2019 dated August 14, 2019 (2019) 416 ITR 140 (St)**
 - **CIT v. Brandix Mauritius Holdings Ltd. [2023] 456 ITR 34 (Delhi) (HC)**
 - **Enterprises v. ACIT [2023] 154 taxmann.com 144 / 459 ITR 100 (Bom)(HC)**
 - **Hexaware Technologies Ltd. v. ACIT [2024] 464 ITR 430 (Bom)(HC)**
- **Non-issuance of real-time alert to check the portal**
 - **CBDT Notification No. 4 of 2017 dated April 03, 2017. (2017) 393 ITR 93 (St)**
 - **Suman Jeet Agarwal v. ITO [2022] 449 ITR 517 (Delhi)(HC)**
 - **Premium Estates Private Limited v. ACIT WP (C) 5650 of 2023 dated May 02, 2023 (Delhi)(HC)(UR)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Non-consideration of reply of the Assessee**
 - **D.R. Jayakothandaraman v. Government of India [2023] 148 taxmann.com 21 (Mad)(HC)**
 - **Rajesh Patidar v. ITO (2024) 297 Taxman 30 (MP)(HC)**
- **Mechanically considering the reply of the Assessee.**
 - **CBDT guidelines for issuance of Notice under section 148 of the Act dated August 01, 2022**
 - **Upinder Kumar Wanchoo v. ITO WP(C) 5856 of 2023 dated May 08, 2023 (Delhi)(HC) (UR)**
 - **Parmesh Chand Yadav v. ITO [2023] 146 taxmann.com 514 (Raj)(HC)**
 - **RK Builcreations P. Ltd v. ITO [2024] 298 Taxman 166/ 462 ITR 478 (Raj)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Ex-parte Order is not permissible**
 - **CBDT guidelines for issuance of Notice under section 148 of the Act dated August 01, 2022**
 - **GSP Piling Constructions (P.) Ltd. v. ACIT [2024] 461 ITR 59 (Cal)(HC)**
- **Factually incorrect information and the duty of the Assessing Officer to verify the information available on the portal**
 - **Yashoda Shivappa Nagangoudar v. ITO [2022] 138 taxmann.com 296 (Bom) (HC)**
 - **S R Cold Storage v. UOI (2022) 289 Taxman 580/ 448 ITR 37 (All)(HC)**
 - **CBDT vide guidelines dated August 22, 2022**
 - **Digil Electronics (P.) Ltd. v. ACIT [2023] 458 ITR 478(Bom)(HC)**
 - **Excel Commodity and Derivative (P.) Ltd. v. UOI [2023] 455 ITR 341 (Cal)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **It is the duty of the Assessing Officer to provide all information**
 - **Anurag Gupta [2023] 150 taxmann.com 99/454 ITR 326 (Bom)(HC)**
- **Duty of the Assessing Officer to provide a copy of the statement and an opportunity for cross-examination**
 - **Swal Ltd v. UOI [2023] 450 ITR 148 (Cal)(HC), Dineshkumar Goyal v. UOI APO/83/2022 dated September 15, 2022 (Cal)(HC)(UR)**
- **Can the Assessee be asked to prove a negative fact?**
 - **Asam Sreenivasa Reddy v. ITO (2023) 450 ITR 244 (AP)(HC)**
- **Can a Notice under section 148A of the Act be issued for search and search-related cases?**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Can the Assessing Officer improve the information in the Order passed under section 148A of the Act?**
 - **Hindustan Lever Ltd. v. R.B. Wadkar [2004] 268 ITR 332 (Bom)(HC)**
 - **Catchy Prop-Build (P.) Ltd. v. ACIT (2022) 448 ITR 671 (Del)(HC)**
 - **U. S. Associates v. PCIT (2023) 451 ITR 424 / 330 CTR 317 (Chhattisgarh)(HC)**
- **Does the Assessing Officer have to consider well-settled case laws while passing an Order under section 148A of the Act**
 - **Dr. Mathew Cherian v. ACIT [2023] 450 ITR 568 (Mad)(HC)**
- **Can the Order passed under section 148A of the Act be rectified?**
 - **Red Chilli International Sales v. ITO (2023) 452 ITR 218 (P & H)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **Can the Order passed under section 148A of the Act be revised?**
- **Can an appeal be filed against a 148A Order?**
- **Non-application of mind by the Assessing Officer in passing the Order under section 148A of the Act.**
 - **Naresh Balchandrarao Shinde v. ITO (2023) 451 ITR 149 (Bom)(HC)**
 - **Aruna Surulkar [2024] [2024] 158 taxmann.com 677 (Bom)(HC)**
- **Physical response submitted by an Assessee in response to a show cause Notice under section 148A of the Act**
 - **Jaganathan Bhaarath [2024] 297 Taxman 461 (Mad)(HC)**

PROCEDURE BEFORE ISSUANCE OF NOTICE UNDER SECTION 148 OF THE ACT [SECTION 148A OF THE ACT]

- **An instance where in the case of identical show cause notices, one is dropped and the other is considered to be a fit case for reassessment**
 - **Prem Kumar Chopra v. ACIT [2023] 456 ITR 8 (Delhi)(HC)**
- **Can an identical notice be reissued after dropping the first one on merits?**
 - **Gay Travels (P.) Ltd. v. DCIT [2017] 85 taxmann.com 131 (Mad)(HC)**
- **Section 148A(4) [Proviso (d) to section 148A in cases prior to September 01, 2024]**
 - **Section 135A of the Act; CBDT Notification 137 of 2021 dated December 13, 2021**
 - **Benaifer Vispi Patel v. ITO [2024] 165 taxmann.com 5 (Bom)(HC)**
 - **Based on Preliminary verification report**
 - **Unreasonable classification of information collected**
 - **Not Adhering to the FAQ on E-verification Scheme**

ISSUE OF NOTICE WHERE INCOME HAS ESCAPED ASSESSMENT

[SECTION 148 OF THE ACT]

Sr. No	Prior to Finance Act (2), 2024	Amended provisions vide Finance Act (2), 2024
1.	Section 148	Section 148(1)
2.	First and second proviso	First and second proviso
3.	Third proviso	Section 148(2)
4.	Explanation 1	Section 148(3)
5.	Explanation 2	There is no corresponding provision.
6.	Explanation 3	There is no corresponding provision.

ISSUE OF NOTICE WHERE INCOME HAS ESCAPED ASSESSMENT

[SECTION 148 OF THE ACT]

- **Time limit to file a return**
- **DIN**
 - **South Coast Spices Exports (P.) Ltd. v. PCIT [2023] 156 taxmann.com 93 (Ker)(HC)**
 - **Prakash Lal Khandelwal v. CIT [2023] 151 taxmann.com 72 (Jharkhand)(HC)**
 - **Texmo Precision Castings UK Ltd. v. CIT [2022] 138 taxmann.com 566 (Mad)(HC)**
- **Consequences of not filing the return – Penalty & Prosecution**
- **Consequences of disclosing higher income in the return**
- **Risk management strategy**
 - **CBDT Instruction dated December 10, 2021**

ISSUE OF NOTICE WHERE INCOME HAS ESCAPED ASSESSMENT [SECTION 148 OF THE ACT]

- **Audit objection**
 - **Sree Narayana Guru Memorial Educational and Cultural Trust v. ACIT [2024] 160 taxmann.com 727 (Ker)(HC)**
- **Any information received under an agreement referred to in section 90 or section 90A of the Act**
- **Consequence of order of Tribunal or Court**
- **Survey under section 133A of the Act**

TIME LIMIT FOR NOTICE [SECTION 149 OF THE ACT]

Sr. No	Prior to Finance Act (2), 2024	Amended provisions vide Finance Act (2), 2024
1.	149	149
2.	First proviso	No provision
3.	Second proviso	No provision
3.	Third and Fourth proviso	No provision
3.	Fifth and sixth proviso	149(2)
4.	Section 149(1A)	No provision

TIME LIMIT FOR NOTICE [SECTION 149 OF THE ACT]

- **Up to three years from the end of the relevant Assessment year**
 - **Ester Industries Ltd. v. ACIT [2022] 144 taxmann.com 196 (Delhi)**
- **Beyond three Assessment years from the end of the relevant assessment year and conditions**
 - **Abdul Majeed v. ITO [2022] 289 Taxman 304/447 ITR 698 (Raj)(HC)**
 - **Naresh Balchandrarao Shinde v. ITO [2023] 451 ITR 149 (Bom)(HC)**
- **Understanding the fifth and sixth proviso [Prior to Finance (No.2) Act, 2024]**
 - **Raminder Singh v. ACIT [2023] 156 taxmann.com 148/ [2024] 461 ITR 368 (Delhi)(HC)**

TIME LIMIT FOR NOTICE [SECTION 149 OF THE ACT]

- **Income has to be seen and not the value of the transaction**
 - **Sanath Kumar Murali v. ITO [2023] 294 Taxman 80/ 455 ITR 370 (Karn)(HC)**
- **Removal of aggregation of escaped income**
- **Explanation of asset**
 - **Hexaware Technologies Ltd. v. ACIT [2024] 464 ITR 430 (Bom)(HC)**
 - **Ashok Commercial Enterprises v. ACIT [2023] 154 taxmann.com 144 (Bom) (HC)**

SANCTION FOR ISSUE OF NOTICE [SECTION 151 OF THE ACT]

- **New provisions without hierarchy**
- **Reassessment non-est in the absence of sanction**
 - **Svitzer Hazira (P.) Ltd. v. Asstt. CIT [2022] 135 taxmann.com 136 (Bom.) (HC)**
- **Unsigned sanction**
 - **Vikas Gupta v. UOI [2022] 448 ITR 1/142 taxmann.com 253 (All) (HC)**
 - **Bharat Krishi Kendra v. UOI [2022] 444 ITR 584 (Chh)(HC)**
- **Sanction by the wrong authority**
- **Sanction by superior instead of lower authority**

FACELESS ASSESSMENT OF INCOME ESCAPING ASSESSMENT [SECTION 151A OF THE ACT]

- **CBDT Notification 18 of 2022 March 29, 2022 (2022) 442 ITR 198(St)**
- **Jurisdictional Assessing Officer v. Faceless Assessing Officer**
 - **Kankanala Ravindra Reddy v. ITO [2023] 295 Taxman 652 (Telangana)(HC)**
 - **Triton Overseas (P.) Ltd. v. UOI [2023] 156 taxmann.com 318 (Cal)(HC)**
 - **Hexaware Technologies Ltd. v. ACIT [2024] 464 ITR 430 (Bom)(HC)**
 - **Ram Narayan Sah v. UOI [2024] 163 taxmann.com 478 (Gauhati)(HC)**
 - **Jatinder Singh Bhangu v. UOI [2024] 466 ITR 474 (Punjab & Haryana)(HC)**
 - **T.K.S. Builders (P.) Ltd. v. ITO [2024] 167 taxmann.com 759 (Delhi)**
 - **Mark Studio India (P.) Ltd. v. ITO [2024] 169 taxmann.com 542 (Madras)**

FACELESS ASSESSMENT OF INCOME ESCAPING ASSESSMENT [SECTION 151A OF THE ACT]

- **Notice and Order under section 148A of the Act**
 - **Kairos Properties (P.) Ltd. v. ACIT [2024] 165 taxmann.com 760 (Bom)(HC)**
- **Central and International Charge**
 - **Capital G LP v. ACIT (International) [2024] 165 taxmann.com 718 (Bom)(HC)**
 - **Macleods Pharmaceuticals Ltd. v. ACIT (Central) [2024] 166 taxmann.com 284 (Bom)(HC)**
 - **Talati and Talati LLP v. ACIT [2024] 167 taxmann.com 371 (Gujarat)**

MISCELLANEOUS PROVISIONS RELATING TO REASSESSMENT [SECTIONS 148B, 150 AND 152 OF THE ACT]

- **Recording of satisfaction without application of mind (148B of the Act)**
 - **PCIT v. MDLR Hotels (P.) Ltd. [2024] 166 taxmann.com 327 (Delhi)(HC)**
- **Without recording satisfaction in the assessment Order (148B of the Act)**
 - **ACIT v. Serajuddin & Co [2023] 150 taxmann.com 146 (Orissa)(HC)**
- **Revision of such Orders (148B of the Act)**
 - **PCIT v. Prakhar Developers (P.) Ltd. [2024] 162 taxmann.com 48 (MP)(HC)**
- **Sanction under section 151 of the Act vis a vis section 150 of the Act**
 - **Maurya Realtors (P.). Ltd. v. UOI [2009] 315 ITR 393 (Patna)**
- **Scope of the provision under section 150 of the Act**
 - **Pavan Morarka v. ACIT [2022] 136 taxmann.com 2 (Bom)(HC)**
 - **Maya Rastogi v. CIT [2010] 8 taxmann.com 253 (All) (HC)**
 - **Naresh Manakchand Jain v. ACIT (2023) 108 ITR 627/(2024) 228 TTJ 349 (Mum) (Trib)**

MISCELLANEOUS PROVISIONS RELATING TO REASSESSMENT [SECTIONS 148B,
150 AND 152 OF THE ACT]

- **The assessing Officer cannot visit new issues**
 - **Hemalatha Rathi v. ITO [2023] 147 taxmann.com 206 (Telangana)**
- **Extended limitation not to apply in certain cases**
 - **Parveen Kumari v. CIT [1999] 237 ITR 339 (P&H) (HC)**
- **Protection of cases from getting time-barred (Savings clause)**

FILING THE RETURN AND PARTICIPATING IN REASSESSMENT PROCEEDINGS [SECTIONS 139, 142(1), 143(2), 143(3), 144, 144B, 147, 148 AND 153 OF THE ACT]

- **Mandatory issuance of Notice under section 143(2) of the Act**
 - **ACIT v. Hotel Blue Moon [2010] 321 ITR 362 (SC)**
 - **Ashok Commercial Enterprises v. ACIT [2023] 459 ITR 100 (Bom)(HC)**
- **Requesting to consider earlier return is sufficient compliance**
 - **CIT v. Alstom T & D India Ltd [2014] 226 Taxman 103 (Mad)(HC)**
- **Time to be given for responding to a Notice issued under section 142(1) of the Act**
 - **Standard Operating Procedure dated August 03, 2022 (SOP): Clause - D.2.1, E.1 and G.1**

FILING THE RETURN AND PARTICIPATING IN REASSESSMENT PROCEEDINGS [SECTIONS 139, 142(1), 143(2), 143(3), 144, 144B, 147, 148 AND 153 OF THE ACT]

- **Time to be given for responding to a Show Cause Notice**
 - **Standard Operating Procedure dated August 03, 2022 (SOP): Clause – N.1.3**
 - **Chowdapally Dattaprakash Ajay v. CBDT [2023] 157 taxmann.com 444 (Karn)(HC)**
 - **Indo Laminates (P.) Ltd. v. Assessment Unit, Income-tax Department [2023] 157 taxmann.com 125 (Delhi) (HC)**
 - **Viridichand Bawandas HUF Karta of HUF Pawankumar Viridichand Agrawal v. NEAC [2022] 143 taxmann.com 308 (Guj)(HC)**
 - **Anandkumar Rathod v. UOI (Bombay High Court)**

FILING THE RETURN AND PARTICIPATING IN REASSESSMENT PROCEEDINGS [SECTIONS 139, 142(1), 143(2), 143(3), 144, 144B, 147, 148 AND 153 OF THE ACT]

- **Cross-examination**

- **Andaman Timber Industries v CCE (2015) 127 DTR 241 (SC)**
- **Kishanchand Chellaram v. CIT (1980) 125 ITR 713 (SC)(720)**
- **Nathu Ram Premchand v. CIT (1963) 49 ITR 561 (All) (HC)**
- **Munnnalal Murlidhar v. CIT (1971) 79 ITR 540 (All) (HC)**

- **Adhering to the Standard Operating Procedure**

- **UOI v. Azadi Bachao Andolan [2003] 263 ITR 706 (SC), Navnit Lal C. Jhaveri v. K.K. Sen IAC [1965] 56 ITR 198 (SC) and UCO Bank v. CIT [1999] 237 ITR 889 (SC)**

FILING THE RETURN AND PARTICIPATING IN REASSESSMENT PROCEEDINGS [SECTIONS 139, 142(1), 143(2), 143(3), 144, 144B, 147, 148 AND 153 OF THE ACT]

- **Re-assessment Order against adjournment letter**
 - **Sureshkumar S. Lakhotia v. NeAC [2021] 133 taxmann.com 59 (Bom)(HC)**
- **Where a Best Judgement assessment is not permissible**
 - **Section 144B (ix) of the Act & clause H.3 of the Standard Operating Procedure**
- **Remand of Best Judgement assessment**
 - Finance Bill (2), 2024, **(2024) 465 ITR 213 (St)**
- **The time limit for competition of Reassessment**

INCOME-TAX BILL, 2025

Primary observations:

- Reassessment provisions – Clause 279 to 286
- Approving Panel under clause 274(6)
- Widening of deemed information – Clause 281(4)
- Same time limits – Clause 282
- No time limit to issue Notice – Clause 283

THANK YOU

