

**IN THE INCOME TAX APPELLATE TRIBUNAL
AMRITSAR BENCH, AMRITSAR
(VIRTUAL COURT)
BEFORE DR. M. L. MEENA, ACCOUNTANT MEMBER
AND SH. ANIKESH BANERJEE, JUDICIAL MEMBER**

I.T.A. No. 201/Asr/2022
Assessment Year: 2019-20

Improvement Trust,
Kapurthala, Railway Road,
Kapurthala, Punjab-144601

[PAN: AAALK 0503E]

(Appellant)

V. Income Tax Officer
(Exemptions), Ward
Jalandhar

(Respondent)

Appellant by: Sh. Y. K. Sud, CA

Respondent by: Sh. Ravinder Mittal, Sr. DR

Date of Hearing: 20.02.2023

Date of Pronouncement: 23.02.2023

ORDER

Per Dr. M. L. Meena, AM:

The present appeal has been filed by the assessee against the order of the Ld. CIT(A) National Faceless Appeal Centre (NFAC), Delhi dated 05.08.2022, in respect of AY 2019-20.

2. At the outset, the Id. counsel for the assessee submitted that the Id. CIT(A) NFAC was not justified in disallowing the exemptions u/s 11 claimed by the appellant assessee on the pretext that certificate of registration u/s 11A has not been filed before him. The Id. AR argued that he has completely ignored the submission of the assessee that exemptions u/s 11 has been allowed by the ITAT in assessee's own case, therefore, as a binding precedent, the Id. CIT(A) NFAC as well as the AO ought to have allowed the exemptions u/s 11; that he has failed to appreciate that Id. CIT(A), Jalandhar in assessee's own case had allowed the exemption u/s 11 in the previous assessment year, i.e., assessment year 2018-19. Thus, the order of the Id. CIT(A) NFAC and the AO are against the law. He pleaded that since, the appellant assessee have been registered u/s 12A of the Act, the exemption claimed u/s 11 of the Act by the appellant may be allowed. The Id. DR has no objection to the request of the assessee, admitting the fact that there may be some technical error in processing the return by CPC u/s 143(1).

3. Having heard both the sides and perusal of the fact on record. It is observed that there was a technical error by the system while processing the return. It is evident from the registration certificate u/s 12A of the Act filed on the record by the appellant, that exemption claimed u/s 11A of the

Act by the appellant is allowable as per law. Accordingly, the AO is directed to allow the assessee trust exemption u/s 11 as claimed by the appellant.

4. In the result, the appeal filed by the assessee is allowed.

Order pronounced in the open court on 23.02.2023

**Sd/-
(Anikesh Banerjee)
Judicial Member**

**Sd/-
(Dr. M. L. Meena)
Accountant Member**

GP/Sr./P.S.

Copy of the order forwarded to:

- (1) The Appellant
- (2) The Respondent
- (3) The CIT
- (4) The CIT (Appeals)
- (5) The DR, I.T.A.T.

True Copy
By Order