

**IN THE INCOME TAX APPELLATE TRIBUNAL  
COCHIN BENCH, COCHIN**

Before Shri Satbeer Singh Godara, Judicial Member and  
Shri Amarjit Singh, Accountant Member

**ITA Nos. 572, 573 & 577/Coch/2024**

**SA Nos. 142, 143 & 141/Coch/2024**

(Assessment Years: 2020-21, 2022-23 & 2019-20)

Nattika Firka Co-operative Rural Bank Ltd. Valapad P.O. Thrissur 680567 [PAN: AADAT8099E]	vs.	The Income Tax Officer Ward - 1 & TPS, Guruvayur
(Appellant)		(Respondent)

Appellant by:	----- None -----
Respondent by:	Dr. S. Pandian, CIT-DR

Date of Hearing:	16.08.2024
Date of Pronouncement:	23.10.2024

**ORDER**

Per Bench

These assessee's three appeals arise against orders of the CIT(A)-2, Chandigarh in proceedings u/s. 250 of the Income Tax Act, 1961 (the Act) as under: -

Sr. No.	ITA No.	AY	DIN & Order No.	Date
1	572/Coch/2024	2020-21	ITBA/APL/S/250/2024-25/1064143423(1)	16.04.2024
2	573/Coch/2024	2022-23	ITBA/APL/S/250/2024-25/1064182944(1)	18.04.2024
3	577/Coch/2024	2019-20	ITBA/APL/S/250/2024-25/1064141880(1)	16.04.2024

The assessee has also filed corresponding as many stay applications as well.

Cases called twice. None appears at assessee's behest. We accordingly proceed ex-parte against the assessee.

2. Learned CIT-DR vehemently submits during the course of hearing that both the lower authorities herein have rightly disallowed the assessee's section 80P deduction claim(s); involving varying sums, in all these assessment years by way of "processing" u/sec.143(1)(a)(v) of the Act. He next pinpoints that only distinction in these cases that the last assessment year AY 2022-23 is squarely covered by the statutory amendment that the foregoing provision is applicable from 01.04.2021 onwards wherein the assessee had filed its belated return to claim section 80P deduction.

3. We have given our thoughtful consideration to Revenue's foregoing vehement arguments. We first of all conclude that so far as the assessee's appeals ITA No. 577 & 572/Coch/2024 for AYs 2019-20 and 2020-21 are concerned the impugned "processing" provision dealing with Chapter-VI deductions is applicable w.e.f. 01.04.2021 onwards only. We thus see no force in Revenue's vehement arguments supporting the impugned disallowance by sec.143(1)(a)(v) "processing" in both these cases. These assessee's twin appeals ITA No. 577 & 572/Coch/2024 succeed in very terms therefore.

4. This leaves as with assessee's appeal ITA No. 573/Coch/2024 for the last assessment year 2022-23. We note herein that the assessee's impugned section 80P deduction claim is indeed hit by not only u/sec.143(1)(a)(v) but also the corresponding statutory amendments in section 80AC of the Act applicable from 01.04.2018 and afterwards. The assessee has indeed not complied with the rigor of section 80AC(ii) by filing its returns well within the due date u/s. 139(1) of the Act.

We thus see no merit in assessee's instant last appeal ITA 573 /Coch/2024 for AY 2022-23. Rejected accordingly.

5. To sum up, the assessee's twin appeals herein ITA No. 577 & 572/Coch/2024 are allowed and third appeal ITA 573/Coch/2024 is dismissed in above terms. All the corresponding stay application SA Nos. 141, 142 & 143/Coch/2024 are dismissed as rendered infructuous. A copy of this common order be placed in the respective case files.

Order pronounced in the open court on 23<sup>rd</sup> October, 2024 under Rule 34 of The Income Tax (Appellate Tribunal) Rules, 1963.

Sd/-  
(Amarjit Singh)  
Accountant Member

Sd/-  
(Satbeer Singh Godara)  
Judicial Member

Cochin, Dated: 23<sup>rd</sup> October, 2024

n.p.

Copy to:

1. The Appellant
2. The Respondent
3. The Pr. CIT concerned
4. The Sr. DR, ITAT, Cochin
5. Guard File

By Order

Assistant Registrar  
ITAT, Cochin