

IN THE INCOME TAX APPELLATE TRIBUNAL  
HYDERABAD "A" BENCH: HYDERABAD

BEFORE SHRI MANJUNATHA G, ACCOUNTANT MEMBER  
AND  
SHRI RAVISH SOOD, JUDICIAL MEMBER

ITA.Nos.998 & 999/Hyd./2025  
Assessment Year 2025-2026

Sangam Charitable Organisation, Hyderabad. PIN-500 074. Telangana. PAN ABRAS0119B	vs.	The Commissioner of Income Tax-(Exemptions), Hyderabad - 500 004. Telangana.
(Appellant)		(Respondent)

For Assessee :	CA, Hemalatha K
For Revenue :	MS. U. Mini Chandran, CIT-DR

Date of Hearing :	21.08.2025
Date of Pronouncement :	22.08.2025

**ORDER**

**PER MANJUNATHA, G.**

The above appeals are filed by the assessee viz., "Sangam Charitable Organisation" against the Orders dated 07.12.2024 and 13.12.2024 of the learned Commissioner of Income Tax (Exemptions), Hyderabad in rejecting the applications filed by the assessee in Form-10AB for regular registration u/sec.12AB and 80G of the Income Tax Act, 1961, respectively, relating to assessment year 2025-2026.

2. At the outset, there is a delay of 97 days in filing the appeal before the Tribunal. The assessee has filed Affidavit explaining the reasons for the delay which is mainly on account of the Accountant who is responsible for managing tax matters and since the said Accountant is not properly monitoring the tax matters, he was removed and appointed a new Accountant to deal with tax matters. The Learned Counsel for the Assessee submitted that, the delay in filing the appeal before the Tribunal is neither willful nor wanton or to get any undue benefit, but, due to the circumstances beyond the control of the assessee and there was a 'sufficient cause' for the delay which prevented the assessee to file the instant appeals before the Tribunal. The Learned Counsel for the Assessee, therefore, pleaded that, the delay of 97 days in filing the appeals may please be condoned in the interest of justice.

3. MS. U. Mini Chandran, Learned DR for the Revenue, on the other hand, strongly opposed for condonation of the delay of 97 days in filing the appeals before the Tribunal. She submitted that, the assessee was

failed to file the appeals before the Tribunal within the stipulated period and furnished vague and general reasons and, therefore, she submitted that, since there is no 'sufficient cause' for condoning the delay, the delay in filing of appeals before the Tribunal, should not be condoned and that the appeals of the assessee be dismissed *in limine*.

4. We have heard both the parties and perused the affidavit filed by the assessee seeking for condonation of 97 days in filing the instant appeals before the Tribunal. We are satisfied with the reasons explained the assessee which prevented the assessee in not filing the appeals before the Tribunal are seems to be genuine and bonafide by taking note of chronology of dates and events furnished by the assessee. The Hon'ble Supreme Court in the case of Collector, Land Acquisituon vs., MST Katiji [1987] 167 ITR 471 (SC) has laid down certain principles for condoning the delay and also directed the lower courts to follow a lenient approach for condoning the delay. Going by the principles laid down by the Hon'ble Supreme Court in the case of MST Katiji (supra), there is no dispute if an appeal is dismissed

on account of technicalities, a meritorious case may be thrown-out of judicial review. Therefore, while condoning the delay, the courts must have a liberal approach or lenient approach considering the reasons given by the petitioners or appellants. Therefore, going by the principles laid down by the Hon'ble Supreme Court in the case of MST Katiji (supra) and also considering the submissions of the assessee, we condone the delay of 321 days in filing the appeal before the Tribunal and admit the appeal for adjudication.

5. Brief facts of the case are that, the assessee is a Society formed in the year 2021 with an object to Relief to the Poor, Education and Medical Relief. The Appellant-Society has applied for registration under section 12AB and 80G of the Income Tax Act, 1961 vide Form No. 10A filed, separately for each, online on dt.27.11.2021 and was granted provisional registrations under the said sections vide Form No. 10AC on dated 31.12.2021. Thereafter, assessee applied for permanent registration u/sec.12AB and 80G vide Form No.10AB on 28.06.2024 and on 29.06.2024 respectively before the learned CIT(E). With respect to the

above application filed for permanent registrations u/sec.12A and 80G of the Income Tax Act, 1961, the learned CIT(E) has issued notices on various dates calling for certain details related to the activities of the trust. In response, the assessee has filed a detailed reply dated 07.09.2024 and 11.11.2024 responding to all the queries raised in the said notices along with the supporting annexures, including photos evidencing activities run by the Trust towards charitable nature. Thus, established it's case and prayed before the Ld. CIT(E) to grant regular registration u/sec.12AB and 80G of the Income Tax Act, 1961. However, the learned CIT(E) has rejected the applications vide order dated 07.12.2024 and 13.12.2024 in para-3 stating as under:

*"On perusal of the submissions made by the assessee, it is observed that no substantial activities which are charitable in nature are being carried out by the assessee, which is in violation of the provisions of the section 12AB of the IT Act, 1961. In view of the above,*

*the present application in form 10AB for registration u/s 12AB/80G is herewith rejected."*

6. Aggrieved by the above orders of the learned CIT(E), the assessee is now, in appeals before the Tribunal.

7. CA, Hemalatha K. Learned Counsel for the Assessee submitted that, the assessee has filed application in Form-1AB seeking for permanent registration u/sec.12AB and 80G of the Income Tax Act, 1961, which has been rejected by the learned CIT(E) merely by stating that, no activities which are charitable in nature are being carried out by the trust. The orders of the learned CIT(E) are cryptic in nature and passed the impugned orders casually without considering the submissions of the assessee which is evident from para-3 of the orders of the learned CIT(E). Further, before passing such orders rejecting the applications, the learned CIT(E) failed to give a show cause to the assessee, which is in violation of principles of natural justice. She, therefore submitted that, the matter may be set-aside to the file of learned CIT(E) to give another

opportunity of hearing to the assessee and also to decide the matter on merits by the learned CIT(A) in the interest of substantial justice.

8. MS U. Mini Chandran, learned CIT-DR supporting the order of the learned CIT(E), on the other hand, submitted that, since the assessee did not respond to the notices issued by the learned CIT(E) and failed to furnish full information along with documentary evidences, the learned CIT(E) has rightly rejected the application filed by the assessee in Form 10AB seeking for regular registration u/sec.12AB and approval u/sec.80G of the Act. She, accordingly, pleaded that the orders of the learned CIT(E) should be upheld. However, did not strongly opposed for remitting the issues back to the file of learned CIT(E) for fresh consideration.

9. We have heard both the parties, perused the material on record and the orders of the authorities below. It is an admitted fact that, the assessee trust is formed with an object of providing charitable activities including relief to the poor, education, medical relief and advancement of any

other objects of general public utility. In support of the activities performed by trust, assessee filed copies of audited Income and Expenditure account statement of affairs including photos evidencing the activities conducted during preceding three years. Further, the contention of the learned CIT(E) that, assessee's activities are not charitable in nature is contrary to the facts and the orders passed rejecting the registrations u/sec.12A/80G are non-speaking. We find force in the submissions of the Learned Counsel for the Assessee. We find that, from perusal of para-3 of the order of the learned CIT(E), the learned CIT(E) has simply rejected the application filed by the assessee in Form 10AB seeking for regular registration u/sec.12AB/80G of the Income Tax Act, 1961, without giving reasons for decision. Further, the learned CIT(E) ought to have considered the documents and evidences filed by assessee in it's detailed reply filed in response to the notices issued, instead, concluded the order by making adverse observation stating that the trusts activities are not charitable in nature, despite assessee filing substantial proof in this regard. From the evidences filed by

the assessee-society, we found that, the activities carried-out by the Society are charitable in nature and in principle, the assessee-society is eligible for registration. We, therefore, disinclined to uphold the orders of the learned CIT(A) and restore the issues back to the file of learned CIT(E) with a direction to the learned CIT(E) to reconsider the application filed by the assessee in Form-10AB for granting permanent registration u/sec.12AB and 80G of the Income Tax Act, 1961, after providing sufficient opportunity of being heard to the assessee and also considering relevant evidences filed in support of it's applications.

10. In the result, appeals of the Assessee are allowed for statistical purposes. A copy of this common order be placed in the respective case files.

Order pronounced in the open Court on 22.08.2025.

Sd/-  
[RAVISH SOOD]  
JUDICIAL MEMBER

Sd/-  
[MANJUNATHA G]  
ACCOUNTANT MEMBER

Hyderabad, Dated 22<sup>nd</sup> August, 2025

VBP

Copy to

1.	Sangam Charitable Organisation, 8-15-106/1, 3 <sup>rd</sup> Floor, Sriram Nagar, Lane Beside BVK Multiplex, LB Nagar, SO Chintalkunta, KV Ranga Reddy, Hyderabad. PIN – 500 074. Telangana.
2.	The Income Tax Officer, [Exemptions], 3 <sup>rd</sup> Floor Annex, Aaykar Bhavan, Basheerbagh, Hyderabad.
3.	The CIT(E), Aayakar Bhawan, Opp. LB Stadium, Basheerbagh, Hyderabad – 500 004. Telangana.
4.	The DR ITAT “A” Bench, Hyderabad.
5.	Guard File.

//By Order//

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