

आयकर अपीलीय अधिकरण, 'ए' न्यायपीठ, चेन्नई  
IN THE INCOME-TAX APPELLATE TRIBUNAL 'A' BENCH, CHENNAI  
श्री एस.एस. विश्वनेत्र रवि, न्यायिक सदस्य एवं श्री जगदीश, लेखा सदस्य के समक्ष ।  
Before Shri S.S. Viswanethra Ravi, Judicial Member &  
Shri Jagadish, Accountant Member

आयकर अपील सं./I.T.A. Nos.2435 & 2434/Chny/2025  
निर्धारण वर्ष/Assessment Year: -

INDOI Samuday Foundation,  
3F, Sridev Apartments, 31- 1<sup>st</sup> Main  
Road, CIT Nagar, Chennai 600 035.

Vs. The Commissioner of Income Tax  
[Exemptions],  
Chennai.

**[PAN:AACTI0374H]**

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से / Appellant by : Shri S. Anandh, Advocate  
प्रत्यर्थी की ओर से/Respondent by : Ms. E. Pavuna Sundari, CIT  
सुनवाई की तारीख/ Date of hearing : 20.11.2025  
घोषणा की तारीख /Date of Pronouncement : 25.11.2025

**आदेश /O R D E R**

**PER S.S. VISWANETHRA RAVI, JUDICIAL MEMBER:**

Both the appeals filed by the assessee are directed against the order dated 25.06.2025 passed by the Id. Commissioner of Income Tax (Exemption), Chennai in rejecting Form 10AB in respect of seeking registration under section 12A(1)(ac)(iii) of the Income Tax Act, 1961 ["Act" in short] as well as seeking approval under section 80G(5)(iii) of the Act respectively.

2. Since issues raised in both the appeals are similar based on the same identical facts, with the consent of both the parties, we proceed to

hear the appeals together and pass consolidated order for the sake of convenience.

3. We note that the assessee filed online application on 07.10.2024 in Form No. 10AB under section 12A(1)(ac)(iii) of the Act seeking registration under section 12AB of the Act. The assessee also filed online application on 07.10.2024 in Form No. 10AB seeking approval under clause (iii) of first proviso to section 80G(5) of the Act. Not satisfying with the explanations offered by the assessee, the Id. CIT(E) rejected the application in Form No.10AB filed in respect of seeking registration under section 12A(1)(ac)(iii) of the Act as well as seeking approval under section 80G(5)(iii) of the Act.

4. The Id. AR Shri S. Anandh, Advocate submits that the Id. CIT(E) rejected the application made under section 80G(5) and under section 12A(1)(ac)(iii) of the Act without issuing of show-cause notice to the assessee, thereby violated principles of natural justice and prayed to afford one more opportunity of being heard to the assessee.

5. The Id. DR Ms. E. Pavuna Sundari, CIT vehemently objected to the submissions of the Id. AR. She drew our attention to para 3.2 of the order under section 12A(1)(ac)(iii) of the Act and para 2.2 of the order under

section 80G(5) of the Act and submits that the Id. CIT(E) issued show-cause notice and considering the reply of the assessee in both the cases, the Id. CIT(E) rejected the applications filed by the assessee in Form 10AB by observing that the activities of the assessee do not qualify as a charitable purpose. Thus, the Id. DR prayed to dismiss the appeals filed by the assessee.

6. Heard both the parties and perused the material available on record. The assessee filed application in Form 10AB in respect of seeking registration under section 12A(1)(ac)(iii) of the Act as well as seeking approval under section 80G(5)(iii) of the Act. The Id. CIT(E), while processing the application, asked the assessee to furnish certain documents including Note on activities and annual accounts/financial statements of the Institution, certified copies of certain important documents, etc. mandatorily required for verification. Upon perusal of the reply furnished by the assessee on 06.06.2025 in response to the show-cause notice, by reproducing the reply of the assessee at pages 8 and 9 of the impugned order, the Id. CIT(E) discussed the issue at length from para 4.1 to 4.10 and observed that the major activity of the assessee is conducting events and failed to demonstrate any structured dissemination of knowledge, measurable impact on a target population in need, or

activity that falls within recognized heads of charity. The Id. CIT(E) further observed that the act of organizing public events regardless of their theme of focus is not charitable and mere occasional gatherings of audience for cultural or literary events without focused programme of education, relief or community welfare do not qualify as a charitable purpose and prayed to the appeals filed by the assessee. Accordingly, vide para 5 of the impugned orders, the Id. CIT(E) held that the applications of the assessee cannot be processed and deserves to be rejected. Be that as it may, before us, the Id. AR contended that in the show-cause notice, the Id. CIT(E) asked only the details as required for process, but, however, no proposed finding seeking explanation from the assessee in rejecting the application seeking approval was given in the said show-cause notice. He vehemently argued that the said show-cause notice cannot be treated as show-cause notice in the eyes of law. He pleaded that the assessee is ready to furnish explanation in personal hearing before the Id. CIT(E) and pray to remand the matters to the file of the Id. CIT(E) for the purpose of seeking registration under section 12A(1)(ac)(iii) of the Act as well as seeking approval under section 80G(5)(iii) of the Act. The Id. DR reported no objection in this regard. Therefore, considering the facts and circumstances of the case and submissions of the Id. AR and the Id. DR and in the interest of justice, we

deem it proper to remand the matter to the file of the Id. CIT(E) to afford an opportunity to the assessee for personal hearing and decide the issue. The assessee is at liberty furnish the details, if any, in support of his claim. Thus, the order of the Id. CIT(E) is set aside and the grounds raised by the assessee are allowed for statistical purposes.

7. In the result, both the appeals filed by the assessee are allowed for statistical purposes.

Order pronounced on 25<sup>th</sup> November, 2025 at Chennai.

Sd/-  
(JAGADISH)  
ACCOUNTANT MEMBER

Sd/-  
(S.S. VISWANETHRA RAVI)  
JUDICIAL MEMBER

Chennai, Dated, 25.11.2025

Vm/-

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. अपीलार्थी/Appellant,
2. प्रत्यर्थी/ Respondent,
3. आयकर आयुक्त/CIT, Chennai/Madurai/Coimbatore/Salem
4. विभागीय प्रतिनिधि/DR &
5. गार्ड फाईल/GF.