

**IN THE INCOME TAX APPELLATE TRIBUNAL 'GAUHATI BENCH', GUWAHATI**

**BEFORE SHRI DUVVURU RL REDDY, VICE PRESIDENT  
AND  
SHRI RAJESH KUMAR, ACCOUNTANT MEMBER**

**ITA Nos.319, 351, 357, 369 to 371/GTY/2025  
(Assessment Years: 2009-10 to 2014-15)**

**Arunachal Pradesh State Co-  
operative Apex Bank Limited,**  
Sector-D, Naharlagun, Papumpare,  
Papumpare, PIN-791110,  
Arunachal Pradesh.  
**(Appellant)**

**Vs.**

**DCIT/ACIT  
Circle-1,**  
Aayakar Bhawan, Christian  
Basti, G.S. Road,  
Guwahati-781005, Assam  
**(Respondent)**

**PAN No. AABTA2070M**

**Assessee by** : Shri Gaurav Chandak, FCA  
**Revenue by** : Shri Santosh Kumar Karnani, Addl.CIT

**Date of hearing:** 09.03.2026  
**Date of pronouncement:** 13/03/2026

**ORDER**

**PER: BENCH**

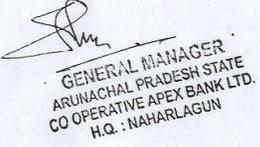
These are the appeals preferred by the assessee against the orders of the National Faceless Appeal Centre, Delhi (hereinafter referred to as the "Ld. CIT(A)") dated 08.08.2025, 04.09.2025, 17.09.2025, 18.09.2025 for the AYs 2009-10 to 2014-15 respectively. Since these appeals relating to same assessee and are involving common issues, therefore, these are being disposed off by this consolidated order for the sake of brevity and convenience. We would first take up the appeal ITA No. 319/GTY/2025 for the A.Y. 2009-10.

2. The only issue raised by the assessee in the various grounds of appeal is against the order of the Id. CIT(A) in confirming the addition of ₹ 3,18,63,960/- as made by the Assessing Officer by rejecting the claim of assessee on account of brought forward losses and also without there being any evidence brought on record by the Assessing Officer of prior allowance of the same.
3. At the outset of hearing, the Id. counsel of the assessee submitted before us a chart containing the net taxable income of various assessment years right from A.Y. 2006-07 to A.Y. 2014-15 which is extracted below:

ARUNACHAL PRADESH STATE CO-OPERATIVE APEX BANK LIMITED

ANNEXURE A

Assessment Year	Net Profit After Considering the provision debited / credited in P&L A/c	Depreciation as per Profit & Loss Account	Disallowed Expenses as per Income Tax Act, 1961	Depreciation as per Income Tax Act, 1961	Expenses allowed u/s 43B	Net Profit After Considering all adjustments	Value of Total Rural Advances	Allowable Provision @7.5% of Total Income	Allowable Provision @ 10% of Rural Advance	Net Taxable Income
2006-07	-2,51,41,571.78	-	-	-	-	-2,51,41,571.78	50,53,25,000.00	-	5,05,32,500.00	-7,56,74,071.78
2007-08	-5,09,86,264.35	-	-	-	-	-5,09,86,264.35	45,20,65,000.00	-	4,52,06,500.00	-9,61,92,764.35
2008-09	-10,95,90,743.44	-	-	-	-	-10,95,90,743.44	43,74,79,000.00	-	4,37,47,900.00	-15,33,38,643.44
2009-10	-7,46,14,262.70	20,15,974.35	-	20,90,887.00	-	-7,46,89,175.35	40,38,46,000.00	-	4,03,84,600.00	-11,50,73,775.35
2010-11	3,00,70,999.38	18,29,812.41	-	18,91,498.00	-	3,00,09,313.79	36,70,74,000.00	22,50,698.53	3,67,07,400.00	-89,48,784.74
2011-12	-2,69,86,653.50	20,13,964.53	12,26,949.00	25,28,796.00	-	-2,62,74,535.97	37,14,52,000.00	-	3,71,45,200.00	-6,34,19,735.97
2012-13	-2,49,69,461.78	19,57,169.71	17,52,299.00	22,43,770.00	11,40,980.00	-2,46,44,743.07	40,33,45,000.00	-	4,03,34,500.00	-6,49,79,243.07
2013-14	-54,93,548.00	19,37,200.02	10,00,000.00	23,84,448.00	-	-49,40,795.98	44,19,08,000.00	-	4,41,90,800.00	-4,91,31,595.98
2014-15	-61,50,838.07	1,06,88,980.00	10,00,000.00	83,98,013.00	9,95,300.00	-38,55,171.07	49,42,18,000.00	-	4,94,21,800.00	-5,32,76,971.07

4. We note that the assessee has not filed its return of income for the earlier assessment years and claimed brought forward losses against the current

year income which is incorrect and is not permissible under the Act. Therefore, so far as the brought forward losses of earlier assessment years are concerned, in respect of which, the assessee has not filed returns of income, the same are not allowed to be carried forward and set off against the income of the subsequent year.

5. However, necessary adjustments which are required to be made in order to ascertain the correct income have to be allowed to the assessee. Since, this chart as extracted above was not before the Assessing Officer as well as the Id. CIT(A) during the course of the proceedings before them, therefore, in the interests of justice, we are inclined to restore these appeals back to the file of the Assessing Officer for re-adjudication with a direction that real income of the assessee may be ascertained and accordingly the correct income may be brought to tax.
6. In the result, this appeals of the assessee are allowed for statistical purposes only.
7. Now we take up ITA No. 351, 357, 369, 370 and 371/GTY/2025 for the A.Y. 2010-11 to 2014-15. Since the issues raised in these appeals are substantially similar as decided by us in ITA No. 319/GTY/2025 for the A.Y. 2009-10. Therefore, our decision in ITA No. 319/GTY/2025 would *mutatis mutandis* apply to these appeals as well. Consequently, the issues involved in all these appeals are also restored to the file of Assessing

Officer for readjudication with a direction that real income of the assessee may be ascertained and accordingly the income may be brought to tax.

8. In the result, all these appeals of the assessee are allowed for statistical purposes only.

Order pronounced in the open court on 13/03/2026.

Sd/-  
(DUVVURU RL REDDY)  
VICE PRESIDENT

Sd/-  
(RAJESH KUMAR)  
ACCOUNTANT MEMBER

Guwahati, Dated:13/03/2026

*\*Ranjan*

Copy to:

1. Assessee
2. Revenue
3. CIT(A)
4. CIT
5. DR
6. Guard File

By Order

Assistant Registrar, ITAT, Guwahati