

IN THE INCOME TAX APPELLATE TRIBUNAL  
BANGALORE BENCH 'A', BANGALORE

BEFORE SHRI. N. V. VASUDEVAN, JUDICIAL MEMBER

AND

SHRI. ABRAHAM P. GEORGE, ACCOUNTANT MEMBER

I.T.A No.605/Bang/2015  
(Assessment Year : 2010-11)

Income-tax Officer,  
Ward -4(3(3), Bangalore

..Appellant

v.

Shri. Narendra Reddy Thappetta,  
No.158, Phase – One, Adarsh Palm Meadows,  
Whitefield Road, Ramagondanahalli,  
Bangalore 560 066  
PAN : ACKPT2378J

..Respondent

Assessee by : Shri. S. V. Ravishankar, Advocate  
Revenue by : Smt. Nandini Das, JCIT

Heard on : 03.08.2015

Pronounced on : .08.2015

**ORDER**

**PER ABRAHAM P. GEORGE, ACCOUNTANT MEMBER :**

In this appeal filed by Revenue its grievance is that CIT (A) held the assessee to be eligible for deduction u/s.10A of the Income-tax Act, 1961 ('the Act' in short).

02. When the matter came up before us, Ld. Counsel for Assessee submitted that the issue of deduction u/s.10A of the Act had come up

before this Tribunal in assessee's own case for A. Ys. 2006-07 and 2006-07. As per the Ld. AR, this Tribunal had upheld the order of CIT (A) whereby it was given deduction u/s.10A of the Act. Ld. AR pointed out that for the impugned assessment year also, CIT (A) had followed his own decision for A. Ys. 2006-07 and 2006-07.

03. Ld. DR submitted that assessee was not entitled for deduction u/s.10A of the Act since it was simply providing legal services to its clients and not doing any type of business mentioned in Section 10A of the Act.

04. We have perused the orders and heard the contentions. We find that CIT (A) had relied on the decision of this Tribunal in assessee's own case in ITA.1550/Bang/2010, dt.03.01.2014. Relevant observations are reproduced hereunder :

*“On question whether the nature of services rendered by the assessee fell within the definition of Computer Software as the definition of the term as given in Sect.10A and 80HHE of the Act, we find that the circular issued by the Board in Notification No.SO 890(E) dated 26.09.2000 is clearly applicable to the case of the assessee and the services rendered by the assessee can be categorised as per the notification issued by the Board as Bank Office Operations, Data Processing, Legal Databases or even under remote maintenance and the same is termed as Information Technology enabled products or services. The assessee is in the business of data processing for legal matters like making patent applications, etc. The work done by the appellant will come clearly under the category of data processing back office operation, legal data base and remote maintenance.”*

Thus it has been held by the coordinate bench that the services rendered by the assessee falls under the definition of computer software and it was eligible for deduction u/s.10A of the Act. Nothing was brought by the

Department to warrant a different view for the present assessment year.

Assessee was carrying on the same business. We are therefore not inclined to interfere with the order of the CIT (A).

05. In the result, appeal of the Revenue stands dismissed.

Order pronounced in the open court on 7th day of August, 2015.

Sd/-

Sd/-

(N. V. VASUDEVAN)  
JUDICIAL MEMBER

(ABRAHAM P GEORGE)  
ACCOUNTANT MEMBER

MCN

Copy to:

1. The assessee
2. The Assessing Officer
3. The Commissioner of Income-tax
4. Commissioner of Income-tax(A)
5. DR
6. GF, ITAT, Bangalore

By Order

Assistant Registrar