

e-Proceedings Response Acknowledgement

INCOME TAX DEPARTMENT

PROCEEDING DETAILS

PAN/TAN	AACTB3742N
Name	BASUKINATH SHIV MANDIR NYAS SAMITY
Financial Year	2017-18
Assessment Year	2018-19
Proceeding Name	Penalty Proceeding
Notice/Communication Reference ID	100060772424
Notice Section	271B
Description	[ITBA]Show Cause Notice u/s 271B of Income Tax Act 1961.
Notice Issue Date	31-Mar-2023
Due Date for Submission	28-Apr-2023
Communication Sent date	
Document Reference ID	ITBA/PNL/S/271B/2022-23/1051816001(1)

RESPONSE SUBMITTED

Remarks	<p>Respected Sir, Ref:- Your letter No. ITBA/PNL/S/271B/2022-23/1051816001(1) Dated:-31/03/2023 Re:- Basukinath Shiv Mandir Nyas Samity (PAN:- AACTB3742N) (A.Y:- 2018-19) Sub:- Reply to Notice U/s 274 read with section 271B of the Income Tax Act, 1961 With reference to the above I on behalf of the said assessee most humbly and respectfully would like to submit before your honour as under:-</p> <ol style="list-style-type: none"> 1. That scrutiny proceedings has been completed vide assessment order dated 31.03.2023 in which Income to the tune of Rs. 2,86,812 /- has been assessed and simultaneously said notice has been issued by initiating the application of said section. 2. That the assessee is a religious trust and not carrying on any business . The only source of revenue is the voluntary donation from the pilgrims and interest from Bank account. 3. Section 44AB of the Income Tax Act,1961 states Every person carrying on business and if total turnover exceeds one crore rupees is required to get its accounts audited. Further section 274 read with section 271B states . If any person fails, without reasonable cause, to get his accounts audited in respect of any previous year or years relevant to an assessment year or obtain a report of such audit as required under section 44AB, the Income-tax Officer may direct that such person shall pay, by way of penalty, a sum equal to one-half per cent. of the total sales, turnover or gross receipts, as the case may be, in business, or of the gross receipts in profession, in such previous year or years or a sum of one hundred thousand rupees, whichever is less". Under the circumstances the assessee is not required to get its accounts audited under section 44AB of Income Tax Act , 1961 since there is no business activity in the
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	trust. 3 The assessee requests your kind honour to drop the penalty proceedings under section 271B of the Income Tax Act 1961 as the applicability of the said section shall be unjustified to the assessee. And for this act of kindness , we shall ever pray.			
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