

Discussion on S: 149.

Time limit for issue of notice for income escaping assessment.

Sr. No.	Time Period	Conditions	Min. Amt. escaping Assessment	Who can re open ?
1	Upto 4 years from the end of relevant Assessment Year	Case was subject to scrutiny u/s 143(3) or 147	Any Amount	(a) Any A.O. not below the rank of AC or DC (b) Any A.O. below the rank of AC or DC, first has to satisfy JC for reasons recorded.
2	Upto 4 years from the end of relevant Assessment Year	In other cases (i.e. No return filed/143(1)/144)	Any Amount	Notice can be given by any A.O.
3	Beyond 4 years but up to 6 years from the end of relevant Assessment Year	Case was subject to scrutiny u/s 143(3) or 147	Rs.1,00,000.00 or more	Notice can be issued only if CC/Commissioner is satisfied for reasons recorded.
4	Beyond 4 years but up to 6 years from the end of relevant	In other cases (i.e. No return filed/143(1)/144)	Rs.1,00,000.00 or more	No notice can be issued by AO below the rank of JC/AC & before issuing notice, they have to satisfy JC/AC for reasons recorded.

* Note : - Very Important for point No. 3 & 4 above :

Except for the conditions mentioned above for reassessment, the following additional conditions should also be satisfied for taking up proceedings after the expiry of four years from the end of relevant assessment year

(This is a part of Section 150)

- (1) **Assessment** has **not** been **completed** under section **143(3)/147**
- (2) **Assessee** has **not filed return** under section **139** or in response to notice under section **142(1) & 148**
- & (3) (this is most important) **Assessee** has **not disclosed fully & truly - all material facts**, which were necessary for assessment.

Additional Point : - Relating to Non Resident

(This is a part of Section 150)

- (1) No notice can be issued to **the agent of a non resident** after the expiry of 2 years from the end of relevant assessment year
- (2) In case of a non resident, however, notice can **directly** be issued to **non resident** within the aforesaid time frame (above table)