

## TOPICS: RIGHTS & DUTIES OF ASSESSING OFFICER (AO)

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An Assessing officer is an income tax officer who has jurisdiction to make an assessment of a tax payer who is liable to tax under the act.

The Assessing Officer who would handle the return filed by you may vary according to the volume of income/nature of trade as assign by CBDT. (Central Board of Direct Taxes)

Tax return which are either processed or unprocessed by CPC may require further detailed enquiry in order to ensure correctness of returned income and also to discover intentional/unintentional errors if any.

This process of detailed examination ROI (Return of Income) is called "assessment". An identical officer of IT department who is entrusted with this task of assessment is called as Assessing officer.

Important of Assessing officer (AO)

As mentioned above an AO is required for detailed examination of return of income to ensure its correctness keeping in mind income tax law & provision, various circulars, notifications, instructions issued by Board and application of mind in interpreting the same. In this process, the AO may be responsible for the income of the taxpayer and further purpose.

The AO has the authority to ask for books for account, various other supporting documents in any others details from the assessee for verification. This is initiated by issuing a notice to the assessee. Once the assessment is complete, assessed order and tax demand if any, is also served on the taxpayer. Further, taxpayer, may also write to income tax department any on their concern such as rectification of return issue & return etc.



## Purpose of Jurisdiction

A Jurisdiction becomes imperative for all kind of correspondence from the Income Tax department and to income tax department from tax payer. Jurisdiction of AO is the geographical area for which AO has his rights and duties. The assessee will either be covered under a range or a circle depending on the income.

## According to

SECTION 2(7A) — An Assessing officer

means the Assistant Commissioner or Deputy Director or Deputy Commissioner or Assistant Director or the Income tax officer who is vested with the relevant jurisdiction by virtue of directions or orders issued by the Central Board of Direct Taxes and it also includes the additional Commissioner or Additional Director or Joint Commissioner or Joint

Director who is directed to exercise or perform all or any of the powers and functions conferred on or assigned to an Assessing officer.

## RIGHTS & DUTIES OF an Assessing Officer (AO)

The following rights & duties are given below:

- 1> He assesses the assessors, who are in his jurisdiction
- 2> If any income of an assessee has been under assessed or any excessive loss or relief or depreciation allowance has been allowed, he can re-assess him,
- 3> For assessment purposes, he can demand books of account and other information.
- 4> He can record the statement of a person on oath
- 5> At the time of hearing a case, he has all the powers which a court has under the Code of Civil procedure, 1908
- 6> He issues PAN (Permanent Account Number) to the person who fall in his jurisdiction.
- 7> He issued a demand for payment of tax; interest and penalty and recovers these.
- 8> If in his opinion a person is liable to pay tax but he has not furnished returns of income /



he may issue a notice to him to furnish the RoI.

9> If the Tax payer has paid excess tax as advance tax and deducted at source (TDS) etc. he gets the refund to him.

10> If an assessee has to pay tax and has is eligible for a refund of excess tax paid, with the prior approval of the Commissioner he can adjust the tax demand against such refund.

11> He may inspect registers, accounts memo, cashbook of a company or businessman and if necessary, take a copy of any books of account, registers of members, debentureholders, or investment papers.

12> In his jurisdiction, he can search a place etc. and seize the required books of account and other material.

13> On the direction of Commissioner, he may file against the order

149 - He may rectify a mistake, which is apparent from the record of his own or an application made by the taxpayer.

The above discussion, it is clear that the Assessment office performs duties under the Commissioner or Director. He is obedient as an assistant to assist ~~to~~ his superior. But his jurisdiction, he performs the audit & duties well fully.