

Definitions.

245A. In this Chapter, unless the context otherwise requires,—

- (a) "Bench" means a Bench of the Settlement Commission;
- (b) "case" means any proceeding for assessment under this Act, of any person in respect of any assessment year or assessment years which may be pending before an Assessing Officer on the date on which an application under sub-section (1) of section 245C is made:

Provided that—

- (i) a proceeding for assessment or reassessment or recomputation under section 147;
- (ii) [***]
- (iii) [***]
- (iv) a proceeding for making fresh assessment in pursuance of an order under section 254 or section 263 or section 264, setting aside or cancelling an assessment, shall not be a proceeding for assessment for the purposes of this clause.

Explanation.—For the purposes of this clause—

- (i) ¹[a proceeding for assessment or reassessment or recomputation under section 147 shall be deemed to have commenced—
 - (a) from the date on which a notice under section 148 is issued for any assessment year;
 - (b) from the date of issuance of the notice referred to in sub-clause (a), for any other assessment year or assessment years for which a notice under section 148 has not been issued, but such notice could have been issued on such date, if the return of income for the other assessment year or assessment years has been furnished under section 139 or in response to a notice under section 142];
- (ii) [***]
- (iii) a proceeding for making fresh assessment in pursuance of an order under section 254 or section 263 or section 264, setting aside or cancelling an assessment shall be deemed to have commenced from the date on which such order, setting aside or cancelling an assessment was passed;
- (iiia) a proceeding for assessment or reassessment for any of the assessment years, referred to in clause (b) of sub-section (1) of section 153A in case of a person referred to in section 153A or section 153C, shall be deemed to have commenced on the date of issue of notice initiating such proceeding and concluded on the date on which the assessment is made;

¹ Substituted with effect from June 1, 2015

- (iv) a proceeding for assessment for any assessment year, other than the proceedings of assessment or reassessment referred to in clause (i) or clause (iii) or clause (iiia), shall be deemed to have commenced ²[from the date on which the return of income for that assessment year is furnished under section 139 or in response to a notice served under section 142 and concluded on the date on which the assessment is made; or on the expiry of two years from the end of the relevant assessment year, in case where no assessment is made];
- (c) "Chairman" means the Chairman of the Settlement Commission;
- (d) "income-tax authority" means an income-tax authority specified in section 116;
- (e) "Member" means a Member of the Settlement Commission, and includes the Chairman and a Vice-Chairman;
- (f) "Settlement Commission" means the Income-tax Settlement Commission constituted under section 245B;
- (g) "Vice-Chairman" means a Vice-Chairman of the Settlement Commission [and includes a Member who is senior amongst the Members of a Bench].

² Substituted with effect from June 1, 2015