

F.No.299/10/2022-Dir(Inv.III)/1522
Government of India / भारत सरकार
Ministry of Finance / वित्त मंत्रालय
Department of Revenue / राजस्व विभाग
Central Board of Direct Taxes / केंद्रीय प्रत्यक्ष कर बोर्ड

Room No. 001, Ground Floor
Dr. S P Mukherjee Civic Centre,
New Delhi - 110002
Dated: 28/06/2024

To,

All the Principal Chief Commissioners of Income Tax
The Principal Chief Commissioner of Income Tax (Exemption)
The Principal Chief Commissioner of Income Tax (International Taxation)
The Director General of Income Tax (Systems), New Delhi
All the Chief Commissioners of Income Tax (Central)
All the Director Generals of Income Tax (Investigation)

Madam/Sir,

Sub: Guidelines for issuance of notice u/s 148 of the Income Tax Act, 1961.

Ref: F.No.299/10/2022-Dir (Inv.III)/611 dated 01.08.2022

1. In supersession of the earlier guidelines as referred above, the following new guidelines are hereby issued.
2. The salient features of Section 148 to 151A of the Income-tax Act, 1961 (the Act) till amendments made by Finance Act, 2023 w.r.t. assessment/reassessment/recomputation are as under:
 - 2.1 Before issuing notice u/s 148, the Assessing Officer (AO) must observe the following procedures laid down u/s 148A except in certain categories of cases (specified in the proviso to section 148A):
 - i. Notice under section 148 can be issued only if there is an **“information”** with the assessing officer which suggest that income chargeable to tax has escaped assessment in the case of assessee for the relevant assessment year. Information has been defined as per Explanation 1 of Section 148 of the Act.

Explanation 1- For the purposes of this section and section 148A, the information with the assessing officer which suggest that the income chargeable to tax has escaped assessment means,

 - (i) any information in the case of the assessee for the relevant assessment year in accordance with the risk management strategy formulated by the Board from time to time;
 - (ii) any audit objection to the effect that the assessment in the case of the assessee for the relevant assessment year has not been made in accordance with the provisions of this Act; or
 - (iii) any information received under an agreement referred to in section 90 or section 90A of the Act; or

- (iv) any information made available to the Assessing Officer under the scheme notified under section 135A; or
- (v) any information which requires action in consequence of the order of a Tribunal or a Court.

ii. Further, explanation 2 to section 148 provides the incidence where assessing officer shall be deemed to have information.

Explanation 2- For the purposes of this section, where,

- (i) a search is initiated under section 132 or books of account, other documents or any assets are requisitioned under section 132A, on or after the 1st day of April, 2021, in the case of the assessee; or
- (ii) a survey is conducted under section 133A, other than under sub-section (2A) of that section, on or after the 1st day of April, 2021, in the case of the assessee; or
- (iii) the Assessing Officer is satisfied, with the prior approval of the Principal Commissioner or Commissioner, that any money, bullion, jewellery or other valuable article or thing, seized or requisitioned under section 132 or section 132A in case of any other person on or after the 1st day of April, 2021, belongs to the assessee; or
- (iv) the Assessing Officer is satisfied, with the prior approval of Principal Commissioner or Commissioner, that any books of account or documents, seized or requisitioned under section 132 or section 132A in case of any other person on or after the 1st day of April, 2021, pertains or pertain to, or any information contained therein, relate to, the assessee,

the Assessing Officer shall be deemed to have information which suggests that the income chargeable to tax has escaped assessment in the case of the assessee where the search is initiated or books of account, other documents or any assets are requisitioned or survey is conducted in the case of the assessee or money, bullion, jewellery or other valuable article or thing or books of account or documents are seized or requisitioned in case of any other person.

Books or books of account as defined by section- 2(12A) as under-

“books or books of account” includes ledgers, day-books, cash books, account-books and other books, whether kept in the written form or in electronic form or in digital form or as print-outs of data stored in such electronic form or in digital form or in a floppy, disc, tape or any other form of electro-magnetic data storage device.

iii. Proviso to section 148A provides that in the following category of cases the provisions of Section 148A shall not apply, if,

- (a) a search is initiated under section 132 or books of account, other documents or any assets are requisitioned under section 132A in the case of the assessee on or after the 1st day of April, 2021; or
- (b) the Assessing Officer is satisfied, with the prior approval of the Principal Commissioner or Commissioner that any money, bullion, jewellery or other valuable article or thing, seized in a search under section 132 or requisitioned under section 132A, in the case of any other person on or after the 1st day of April, 2021, belongs to the assessee; or
- (c) the Assessing Officer is satisfied, with the prior approval of the Principal Commissioner or Commissioner that any books of account or documents, seized in a search under section 132 or requisitioned under section 132A, in case of any other person on or after the 1st day of April, 2021, pertains or pertain to, or any information contained therein, relate to, the assessee; or

(d) the Assessing Officer has received any information under the scheme notified under section 135A pertaining to income chargeable to tax escaping assessment for any assessment year in the case of the assessee.

In other words, in above mentioned category of cases, notice under section 148 can be issued with the prior approval of specified authority without following the procedure mentioned in the section 148A.

iv. The “**specified authority**” for the seeking approval for conducting enquiry u/s 148A(a), passing order u/s 148A(d) and issuance of notice u/s 148 shall be:

| Specified Authority for sanction for issue of notice u/s 148/ 148A (a)/ 148A (d) | Time limit (Calculated from the end of the relevant AY) |
|--|--|
| PCIT or PDIT or CIT or DIT (ref Section 151(i)) | Upto 3 years* |
| -PCCIT or PDGIT or CCIT or DGIT (ref Section 151(ii)) | More than 3 years but upto 10 years |

* As per the proviso to section 151 of the Act “the period of three years for the purposes of clause (i) shall be computed after taking into account the period of limitation as excluded by the third or fourth or fifth provisos or extended by the sixth proviso to sub-section (1) of section 149.”

v. Explanation 2 to section 148 of the Act provides that if a **survey u/s 133A of the Act** (other than under section 133A (2A)) was conducted in the case of the assessee on or after 1st April, 2021, the Assessing officer shall be *deemed to have information* which suggests that income chargeable to tax has escaped assessment. However, it is to clarify that the due procedure as prescribed u/s 148A needs to be followed in such cases before issuing a notice u/s 148 of the Act. (refer proviso to section 148A).

vi. a. Information for cases covered under Explanation 1(i) to Section 148 of the Act shall be uploaded to the CRIU/VRU for RMS.

b. As per F.No. 299/44/2022-Dir.(Inv.III)/1264 dated 12.01.2024, information, which is covered by explanation 2 to the section 148 of the Act, inter-alia including information arising out of **Search / Survey cases, should not be uploaded on CRIU/VRU but should be sent directly to the JAO** for taking action as per the Act, since it does not require RMS.

c. **Similarly, information for cases covered under clauses (ii), (iii), (iv) and (v) of Explanation 1 to Section 148 are not required to be uploaded to the CRIU/VRU for RMS.**

vii. The AO shall, if required, undertake enquiries on any “**information**” received/available with him which suggests that the income chargeable to tax has escaped assessment in a previous year only with the prior approval of “**specified authority**”. [refer to section 148A(a) of the Act]

viii. If the result of enquiry/information available suggests that the income chargeable to tax has escaped assessment, the AO shall provide an opportunity of being heard to the assessee by issuing a show cause notice u/s 148A(b) of the Act. The said notice shall provide between 7 to 30 days time to the assessee

for submitting the reply. **A template of show cause notice is enclosed at Annexure-A1.**

ix. Exclusion period of 15 days:-

Proviso 3 & 4 to section 149 of the Act have been inserted by the Finance Act, 2023 w.e.f. 01.04.2023 which provide for exclusion of a period of 15 days for computation of limitation period in the cases of search u/s 132 / requisition u/s 132A of the Act or information emanating from a statement recorded or document impounded u/s 131 or 133A, in consequence to such search initiated / requisition made after 15th day March of financial year. The same are reproduced as under, for ready reference:-

“Provided also that for the cases referred to in clauses (i), (iii) & (iv) of Explanation 2 to section 148, where-

(a) A search is initiated under section 132; or

(b) A search under section 132 for which the last of authorisations is executed; or

(c) Requisition is made under section 132A, after the 15th day of March of any financial year and the period for issuance of notice under section 148 expires on the 31st day of March of such financial year, a period of fifteen days shall be excluded for the purpose of computing the period of limitation as per this section and the notice issued under section 148 in such case shall be deemed to have been issued on the 31st day of March of such financial year:

Provided also that where the information as referred to in Explanation 1 to section 148 emanates from a statement recorded or documents impounded under section 131 or section 133A, as the case may be, on or before the 31st day of March of a financial year, in consequence of,-

(a) A search is initiated under section 132; or

(b) A search under section 132 for which the last of authorisations is executed; or

(c) Requisition is made under section 132A,

after the 15th day of March of such financial year, a period of fifteen days shall be excluded for the purpose of computing the period of limitation as per this section and the notice issued under clause (b) of section 148A in such case shall be deemed to have been issued on the 31st day of march of such financial year.”

x. As per 5th proviso to section 149, for the purposes of computing the period of limitation as per this section, the time or extended time allowed to the assessee, as per show-cause notice issued under clause (b) of section 148A or the period during which the proceeding under section 148A is stayed by an order or injunction of any court, shall be excluded.

xi. Further, as per 6th proviso to section 149, where immediately after the exclusion of the period referred to in the immediately preceding proviso (i.e. 5th proviso), the period of limitation available to the Assessing Officer for passing an order under clause (d) of section 148A does not exceed seven days, such remaining period

shall be extended to seven days and the period of limitation under this sub-section shall be deemed to be extended accordingly.

- xii.** If an assessee requests for a personal hearing, the same may be dealt with, in a manner, to ensure the principle of natural justice, by giving a reasonable period for compliance of notice specifying the date of hearing.
- xiii.** The AO has to consider the reply of assessee furnished, if any, in response to the show-cause notice u/s 148A(b) of the Act or during personal hearing, if requested before passing the order u/s 148A(d).
- xiv.** The AO shall mandatorily pass a speaking order u/s 148A(d) in all cases with the 'prior approval of the specified authority' (**Annexure- A3**) for such order u/s. 148A (d), except in the cases covered in Para 2.1 (iii) (search and requisition cases) above of these guidelines, irrespective of whether issuance of notice u/s 148 is being recommended or not. **A template of such order u/s. 148A (d) is enclosed at Annexure- A4.** For cases covered in Para 2.1 (iii) above of these guidelines, template for 'prior approval of the specified authority' is enclosed at **Annexure A2.**
- xv.** Once an order under section 148A(d) has been passed, no further approval is required for issuance of notice u/s 148 by the AO, with effect from 1.4.2022.
- xvi.** In the cases emanating out of Audit objection, AO has to ensure that extant instructions/ guidelines/ SOPs have been duly adhered with.
- xvii.** The **confidential information such as from FIU, Foreign Jurisdictions, LEAs, etc.** would be governed by respective guidelines governing sharing of such information.
- xviii.** Information relevant to the case of the assessee's income escaping assessment must be provided, to the assessee and information not relevant to the case of the assessee must be redacted.

2.2 Notices along with annexures shall be sent to assessee as follows-

| Category of case | Order/sanction document to be sent along with notice u/s 148 |
|--|--|
| Cases covered under para 2.1 (iii) above | <ul style="list-style-type: none"> • Notice u/s. 148 (Annexure B) • Prior approval of specified authority u/s 151 of the Income Tax Act (Annexure A2) |
| Other cases | <ul style="list-style-type: none"> • Notice u/s. 148 - (Annexure B), • the Order u/s. 148A (d) - (Annexure A4) • approval of the specified authority for such order u/s 148A(d) - (Annexure A3) |

(Proforma of above notices/orders are illustrative and suggestive in nature and may be modified suitably based on the facts and circumstances of the case, if required.)

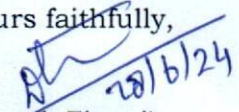
- 3.** For the purposes of assessment or reassessment or recomputation under section 147 read with section 148/148A, the Assessing Officer may assess or reassess or recompute the income in respect of any other issue, which has escaped assessment, and such other issue comes to his notice subsequently in the course of the

proceedings u/s 147, irrespective of the fact that the provisions of section 148A have not been complied with, in respect of that issue. In this regard, if any information which pertains to Income escaping assessment is received during the pendency of assessment proceedings for a particular year by Jurisdictional AO, it shall be communicated to Faceless AO.

4. The statutory timelines given in Section 149 for issue of notice specified shall not apply for the purpose of making an assessment or reassessment or recomputation in consequence of or to give effect to any finding or direction contained in an order passed by any authority in any proceeding under this Act by way of appeal, reference or revision or by a Court in any proceeding under any other law. (refer to section 150(1) and 150(2) of the Act).
5. As far as possible the Assessing officer to make endeavor that at the stage of compliance of provisions u/s 148A/ issuance of notice u/s 148, all issues even if spread over more than one assessment year may be taken up simultaneously i.e. information suggesting escapement of income relating to a particular assessee for more than one AY may be reopened at one go.
6. The Assessing Officer, as far as possible, may dispose-off all such pending matters relating to passing of orders u/s 148A(d)/ issuance of notice u/s 148 on a continuous basis rather than towards close to time barring date. This will enable passing of reasoned orders. Supervisory authorities are hereby advised to keep an effective supervision and monitor the progress of disposal of these work on continuous basis.
7. The present guidelines are only indicative, illustrative and not exhaustive. The AO may take suitable decision on a case-to-case basis for the situations not specifically covered in these guidelines. However, in doing so, he/she shall follow the general principles enunciated in these guidelines.
8. These guidelines are to be brought to the notice of all officers working under your jurisdiction for information and compliance.

Encl: As above

Yours faithfully,


(Deepak Tiwari)

CIT(OSD)Investigation, CBDT

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
OFFICE OF THE -----
(Designation of AO along with Office address)

| | |
|-----|--|
| To, | |
|-----|--|

| | | | |
|------|------|--------|-------------------|
| PAN: | A.Y: | Dated: | DIN* & Notice No: |
|------|------|--------|-------------------|

Notice under clause (b) of section 148A of the Income-tax Act.1961

Sir/Madam/M/s

1. Whereas I have information which suggests that income chargeable to tax for the Assessment Year _____ has escaped assessment within the meaning of Section 147 of the Income-tax Act, 1961. The details of the information/ enquiry conducted on which reliance is being placed, along with supporting documents, are enclosed with this notice.
2. You are required to show-cause as to why, in view of the details contained in enclosures mentioned in point number 1 above, a notice under section 148 of the Income tax Act, 1961 should not be issued.
3. You may submit your reply to this notice, along with supporting documents (if any) on the above-mentioned issues on or before _____electronically at www.incometax.gov.in.

Encl. as above

Name and designation of AO

*DIN- Document Identification No.

Guidelines for Enclosures

- The AO should enclose copy of all the relevant **'information'****available on which reliance is being placed, along with supporting documents (if any).
- In the cases where information is received from the Investigation Wing or any other law enforcement agency, details of letter, brief summary of information along with relevant portion of such report and details of relied upon documents may be enclosed. Such a portion as does not bear reference to the assessee concerned may be appropriately redacted.
- Details of enquiry conducted, if any, may be shared if reliance is being placed by the AO on it.
- Name and designation of the AO should be mandatorily mentioned in the notices to be sent to the assessee.
- Judicial order (i.e. case laws) on which reliance is being placed, if any.

*Refer Explanation 1 and Explanation 2 of Section 148 for what constitutes "information".

Annexure-A2

Proforma for approval by the Specified Authority for the issuance of notice u/s 148 of the Act [in respect of all cases mentioned in Para 2.1 (iii) of the guideline].

| | | |
|----|---|---|
| 1. | Name of the assessee | |
| 2 | Address and e-mail of the assessee | |
| 3 | PAN | |
| 4 | Status | |
| 5 | Circle/Ward/Range/Pr.CIT/ CIT Charge | |
| 6 | Assessment year | |
| 7 | The quantum of income which has escaped assessment in the case where three years, but not more than ten years, have elapsed from the end of the relevant Assessment Year. | |
| 8 | <p>The clause and explanation to section 148 of the Act under which it shall be deemed as information suggesting that income chargeable to tax has escaped assessment</p> <p>Remark:- If clause (iii) and (iv) of Explanation 2 to section 148 is applicable. Annexure C-proforma for approval by the PCIT/ CIT as required under clause (iii) and (iv) of explanation 2 to section 148, shall be attached.</p> | <input type="checkbox"/> Clause (i) of explanation 2- action 132/ 132A of the Act in the case of assessee <input type="checkbox"/> Clause (iii) of explanation 2- money / bullion / jewellery / other valuable article or thing seized / requisitioned in other case but belongs to the assessee <input type="checkbox"/> Clause (iv) of explanation 2- books of account / document seized or requisitioned in other case but pertains to the assessee or any information contained therein relate to the assessee <input type="checkbox"/> Clause (iv) of explanation 1: Information made available to AO under scheme notified u/s 135A of the Act |
| 9 | Time-limit for current proceedings covered under (tick appropriate box) | <input type="checkbox"/> u/s 149(1)(a)- for 3 years <input type="checkbox"/> u/s 149(1)(b)- for more than 3 years but no more than 10 years |
| 10 | Limitation date for issuance of notice u/s 148 | |
| 11 | Whether the provision of Sec. 150(1) are applicable. If yes, relevant facts to be provided | Yes/No |
| 12 | Details of the information which suggests that income chargeable to tax has escaped assessment. | |
| 13 | Purpose of issuance of notice u/s 148 of the Act | <input type="checkbox"/> Assessment <input type="checkbox"/> Reassessment <input type="checkbox"/> Re-computation |

(Name and designation of AO)

Dated:

| | | |
|----|--|--|
| 14 | Recommendations of the Additional/ Joint CIT | |
|----|--|--|

(Name and designation of Additional/ Joint CIT)

Dated:

| | | |
|----|---|--|
| 15 | Recommendations of the PCIT/PDIT / DIT/ CIT (where PCCIT/PDGIT/ DGIT/ CCIT is the specified authority) | |
|----|---|--|

Dated:

(Name and designation of PCIT/PDIT/CIT/DIT)

Sanction by Specified Authority

| | | |
|----|---|--|
| 16 | Reasons for according approval/rejection by the specified authority for issuance of notice under section 148 of the Income Tax Act, 1961? | |
|----|---|--|

Dated:

(Name and designation PCCIT/ PDGIT/CCIT/DGIT/PCIT/PDIT/CIT/DIT)

Proforma for approval by the Specified Authority [in respect of other than those cases mentioned in Para 2.1 (iii) of the guideline].

| | | |
|-----|---|--|
| 1. | Name of the assessee | |
| 2 | Address and e-mail of the assessee | |
| 3 | PAN | |
| 4 | Status (firm, individual, etc.) | |
| 5 | Circle/Ward/Range/Pr.CIT/ CIT Charge | |
| 6 | Assessment year | |
| 7 | The quantum of income which has escaped assessment in the case where three years, but not more than ten years, have elapsed from the end of the relevant Assessment Year. | |
| 8 | Approval needed for (tick appropriate box) | <input type="checkbox"/> Order u/s 148A(d) required for issuance of notice u/s 148 <input type="checkbox"/> Order u/s 148A(d) for dropping proceedings |
| 9 | Time-limit for current proceedings covered under (tick appropriate box) | <input type="checkbox"/> u/s 149(1)(a)- for 3 years <input type="checkbox"/> u/s 149(1)(b)- for more than 3 years but no more than 10 years |
| 10 | Limitation date for issuance of notice u/s 148 | |
| 11. | The show cause notice u/s 148A(b) contains the details of the information which suggest income has escaped assessment based on [Tick appropriate box] | <input type="checkbox"/> Risk Management Strategy <input type="checkbox"/> Audit objection <input type="checkbox"/> Survey action u/s 133A <input type="checkbox"/> Agreement referred to in section 90 /90A <input type="checkbox"/> Action in consequence of the order of a Tribunal / Court |
| 12. | Enquiry conducted (if any), u/s 148A(a) If yes, date of approval of Specified Authority | [Yes/No] |
| 13. | Date of issue of show cause notice to assessee u/s 148A(b) | |
| 14. | Date by which assessee was required to submit reply to show cause notice u/s 148A(b), or the final extended date on the basis of application of the assessee. | |
| 15. | Whether any reply received from assessee u/s 148A(b)? If yes, date(s) of reply. | Yes/No |
| 16. | Whether the provision of Sec. 150(1) are applicable. | Yes/No If yes, relevant facts to be provided |

| | | |
|-----|---|--|
| 17. | Details of the information which suggests that income chargeable to tax has escaped assessment. | |
|-----|---|--|

(Name and designation of AO)

Dated:

| | | |
|-----|--|--|
| 18. | Recommendations of the Additional/ Joint CIT | |
|-----|--|--|

(Name and designation of Additional/ Joint CIT)

Dated:

| | | |
|-----|--|--|
| 19. | Recommendations of the PCIT/ PDIT/CIT/ DIT (where CCIT/PCCIT is the specified authority) | |
|-----|--|--|

(Name and designation of PCIT/PDIT/CIT/DIT)

Dated:

Approval of Specified Authority

| | | |
|-----|--|--|
| 20. | Reasons for according approval/rejection by the specified authority to order u/s 148A(d) | |
|-----|--|--|

(Name and designation of PCCIT/ PDGIT/CCIT/DGIT/PCIT/PDIT/ CIT/DIT)

Dated:



GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
OFFICE OF THE -----

(Designation of AO along with Office address)

| | | | |
|------|------|--------|------------------|
| To, | | | |
| PAN: | A.Y: | Dated: | DIN & Notice No: |

| | |
|---|--|
| Name of the assessee | |
| Address of the assessee | |
| Status (individual, firm, etc.) | |
| E-mail of the assessee | |
| Resident/ Not Ordinarily Resident/ Non-Resident | |
| Date of order | |
| Name & Designation of Specified Authority | |
| Specified authority approval date | |

Order under clause (d) of section 148A of the Income-tax Act, 1961

**Name and designation of
JAO**

The AO may paste screenshots of all relied upon information in this order as far as possible.

- Encl: (i) Copy of approval of specified authority.
(ii) Notice u/s. 148 of the I T Act

- **Note: Order under clause (d) of section 148A may include the followings (as far as available):**
- Details of return of income filed earlier along with details of scrutiny assessment/ reassessment proceeding.
- Exact details of the documents / evidences which reveals that the income chargeable to tax and represented in the form of an asset / expenditure related to an event or occasion / entry in the books of accounts has escaped assessment.
- Timelines of proceedings including date of issuance of notice u/s 148A(a), u/s 148A(b) prescribed date of compliance, date of reply.
- Brief of relevant information available, material evidences of details of enquiry conducted by the AO on the basis of which a prima facie opinion of escapement of income has been arrived at by the AO.
- Gist of explanation/contention raised by assessee in reply.
- Rebuttal of assessee's reply on merits & legal grounds raised.
- With respect to cases being reopened beyond three years from end of relevant assessment year it should be clearly brought out that income chargeable to tax in the form of an asset/expenditure/entry in books of accounts has escaped assessment & amount is Rs. 50 lakhs or more.
- This order passed with approval of Specified Authority.



GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
OFFICE OF THE -----

(Designation of AO along with Office address)

| | | | |
|------|------|--------|------------------|
| To, | | | |
| PAN: | A.Y: | Dated: | DIN & Notice No: |

Notice under section 148 of the Income-tax Act, 1961

Sir/ Madam/ M/s.

1. (A) I have the following information in your case or in the case of the person in respect of which you are assessable under the Income tax Act, 1961 (hereinafter referred to as "the Act") for Assessment Year _____:-

- information in accordance with the risk management strategy formulated in this regard;
- audit objection has been raised in your case to the effect that the assessment has not been made in accordance with the provisions of Act;
- information under an agreement referred to in section 90 or section 90A of the Act;
- information which requires action in consequence of the order of a Tribunal or a Court;
- a survey was conducted under section 133A of the Act, other than under section 133A(2A) of the Act,

suggesting that income chargeable to tax has escaped assessment within the meaning of section 147 of the Act. Order under sub-section (d) of section 148A of the Act has been passed in such case vide DIN _____ dated _____ and annexed herewith for reference,

(B) I have information that a search was initiated under section 132 of the Act in your case or in the case of the person in respect of which you are assessable under the Act on the date _____ (date of search).

(C) I have information that books of accounts, other documents or any assets have been requisitioned under section 132A of the Act in your case or in the case of the person in respect of which you are assessable under the Act.

(D) I am satisfied, with the approval of Principal Commissioner or Commissioner, that money, bullion, jewellery or other valuable article or thing, seized or requisitioned under section 132 or section 132A of the Act in case of _____ relate to you or the person in respect of which you are assessable under the Act.

(E) I am satisfied, with the approval of Principal Commissioner or Commissioner, that books of accounts or documents, seized or requisitioned under section 132 or section 132A of the Act in case of _____ pertains or pertain to, or any information

contained therein, relate to you or the person in respect of which you are assessable under the Act.

(F) I have received information under the scheme notified u/s 135A pertaining to income chargeable to tax escaping assessment for the Assessment Year under consideration in your case.

Notice in cases covered in point (B) to (F), above is being issued after obtaining the prior approval of the _____ accorded on date _____ vide Reference No. _____ and **annexed** herewith.

2. I, therefore, propose to assess or reassess such income or recompute the loss or the depreciation allowance or any other allowance or deduction for the Assessment Year _____ and I, hereby, require you to furnish, within a period of three months from the end of the month in which this notice is issued, a return in the prescribed form for the Assessment Year _____.

Note: Please note that any return of income, required to be furnished by you under this section and furnished beyond the period allowed shall not be deemed to be a return under section 139 of the Act. **(Proviso 3 to Section 148)**

**Name and designation of
JAO**



GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
OFFICE OF THE -----

Proforma for approval by the Pr. Commissioner of Income-tax/ Commissioner of Income-tax
[as required under clause (iii)/(iv) of explanation 2 to section 148 of the income-tax act, 1961].

| | | |
|----|--|--|
| 1 | Name of the assessee in whose case approval required | |
| 2 | Address and e-mail of the assessee | |
| 3 | PAN | |
| 4 | Status | |
| 5 | Circle/Ward/Range/Pr.CIT/ CIT Charge | |
| 6 | Approval needed under (Tick appropriate box) | <input type="checkbox"/> Clause (iii) of Explanation 2 u/s 148 <input type="checkbox"/> Clause (iv) of Explanation 2 u/s 148 |
| 7 | Details of the information received along with date of receipt & designation of the officer from whom the information is received. | |
| 8 | Other person/persons (with PAN) in whose case assets/books of accounts/ documents have been seized/ requisitioned under Sec. 132/132A as referred in Clause (iii)/(iv) of Explanation 2 u/s 148 | |
| 9 | Group to which the person(s) referred in Col. 8 belong to | |
| 10 | Date of initiation of action u/s 132/132A in case of persons(s) referred in Col. 8 | |
| 11 | Basis of applicability of clause (iii) of explanation 2 to Section 148 (Tick appropriate box) | <input type="checkbox"/> Money <input type="checkbox"/> Bullion <input type="checkbox"/> Jewellery <input type="checkbox"/> Other valuable article or thing, seized or requisitioned in case of any other person but belongs to the assessee. |
| 12 | The details of person in whose case the money / bullion / jewellery/ other valuable article or thing are seized / requisitioned:- 1. Details of the premises from where money / bullion / jewellery / other valuable article or thing are seized/ requisitioned. 2. Date of the panchanama alongwith the annexure etc. reflecting seizure. | |

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| 13 | <p>Basis of applicability of clause (iv) of explanation 2 to section 148:-</p> <p>(i) Details of Books of accounts, documents seized / requisitioned in case of any other person which pertains to or pertain to, or any information contained therein, relate to the assessee.</p> <p>(ii) The details of person in whose case the above books of account, documents are seized / requisitioned.</p> <p>(iii) Details of the premises from where the documents were seized.</p> <p>(iv) Date of panchanama along with the annexure etc. reflecting seizure.</p> | |
| 14 | <p>Reasons for the satisfaction of the Assessing Officer that any money, bullion, jewelry or other valuable article or thing, seized or requisitioned u/s 132/ 132A in case of the other person(s) referred in Col. 8, belongs to the assessee.</p> <p>(Explanation 2(iii) u/s 148)</p> | (Detailed reasons to be given. If required, Annexure may be enclosed) |
| 15 | <p>Reasons for the satisfaction of the Assessing Officer that any books of accounts or documents, seized or requisitioned u/s 132/ 132A in case of person(s) referred in Col. 8, pertains or pertain to, or any information contained therein, relate to the assessee (Explanation 2(iv) u/s 148)</p> | (Detailed reasons to be given. If required, Annexure may be enclosed). |

Dated : _____ **(Name and Designation of Assessing Officer)**

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| 16 | Recommendations of the Additional/ Joint CIT | |
|----|--|--|

Dated : _____ **(Name and Designation of the Additional/ Joint CIT)**

| | | |
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| 17 | Approval/ Rejection of the PCIT/ CIT | |
|----|--------------------------------------|--|

Dated : _____ **Name and Designation of the PCIT/ CIT)**