

F.No.196/82/2024-ITA-I
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes
(ITA-I division)

North Block, New Delhi
Dated, the 20th August, 2024

Subject:- Standardizing the process of filing application under section 10(46A) of the Income-tax Act, 1961- regarding:-

The Finance Act, 2023 inserted clause (46A) in section 10 of the Income-tax Act, 1961 ('the Act') to exempt any income arising to a body or authority or Board or Trust or Commission, not being a company, which has been established or constituted by or under a Central or State Act with one or more of the following purposes, namely:-

- (i) dealing with and satisfying the need for housing accommodation;
- (ii) planning, development or improvement of cities, towns and villages;
- (iii) regulating, or regulating and developing, any activity for the benefit of the general public, or
- (iv) regulating any matter, for the benefit of the general public, arising out of the object for which it has been created; and

It has also been provided that such body or authority or Board or Trust or Commission, referred above is required to be notified by the Central Government in the official Gazette for the purposes of this Clause.

2. In order to standardize the manner of filing application u/s 10(46A) of the Act and to avoid procedural delays in processing the same, applicants are advised to file the applications alongwith requisite enclosures to the Pr. Commissioner/Commissioner of Income-tax/Pr. Director/Director of Income-tax under whose jurisdiction their cases fall. The applicants are further advised to adopt the Format laid down as per **Annexure-A** enclosed herewith while submitting the application alongwith all its enclosures to the Under Secretary (ITA-I), Central Board of Direct Taxes, accompanied by the

acknowledgement receipt forwarding evidence of having furnished the application in the office of jurisdictional Pr.CIT/CIT/Pr.DIT/DIT.

Encl: as above.

Yours faithfully,



(Ashwani Kumar)
DCIT (OSD), ITA-I, CBDT
Email id:- usita1-cbdt@gov.in

CHECKLIST

S.No.																				
(i)	Name of the Applicant																			
(ii)	PAN																			
(iii)	Name and Designation of principal officer, Contact No. and email																			
(iv)	Address																			
(v)	Legal Status (Select one of the following options Body or authority or Board or Trust or Commission)	<table border="1"> <tr> <td>S.no</td> <td>Legal Status</td> <td></td> </tr> <tr> <td>(a)</td> <td>Body</td> <td><input type="checkbox"/></td> </tr> <tr> <td>(b)</td> <td>Authority</td> <td><input type="checkbox"/></td> </tr> <tr> <td>(c)</td> <td>Board</td> <td><input type="checkbox"/></td> </tr> <tr> <td>(d)</td> <td>Trust</td> <td><input type="checkbox"/></td> </tr> <tr> <td>(e)</td> <td>Commission</td> <td><input type="checkbox"/></td> </tr> </table>	S.no	Legal Status		(a)	Body	<input type="checkbox"/>	(b)	Authority	<input type="checkbox"/>	(c)	Board	<input type="checkbox"/>	(d)	Trust	<input type="checkbox"/>	(e)	Commission	<input type="checkbox"/>
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(d)	Trust	<input type="checkbox"/>																		
(e)	Commission	<input type="checkbox"/>																		
(vi)	Whether the applicant is a company	Yes/no																		
(vii)	Name of Central or State Act by/under which the applicant has been established or constituted. Please also provide the reference to the relevant section and clause of the Central or State Act by/under which the applicant has been established or constituted.																			
(viii)	Activities to be carried out as per the Central or State Act by/under which the applicant has been established or constituted as referred in (vii)																			

(ix)	Nature of Activities actually carried out by the applicant. (In case of multiple activities undertaken tick all applicable activities)	S.no	Nature of Activity		
		(a)	dealing with and satisfying the need for housing accommodation;	<input type="checkbox"/>	
		(b)	planning, development or improvement of cities, towns and villages;	<input type="checkbox"/>	
		(c)	regulating, or regulating and developing, any activity for the benefit of the general public;	<input type="checkbox"/>	Specify the activity for the benefit of general public
		(d)	regulating any matter, for the benefit of the general public, arising out of the object for which it has been created	<input type="checkbox"/>	Specify the activity for the benefit of general public/matter being regulated.
(e)	Any other activity	<input type="checkbox"/>	Provide details		
(x)	Whether applicant has been granted approval under sub-clause (iv), (v), (vi), (via) of clause (23C) of section 10 of the Act.	: Yes/No			
(xi)	If yes in (x) provide details of the approval including certification in Form No. 10AC/ Form No. 10AD				

(xii)	Whether application for approval under sub-clause (iv), (v), (vi), (via) of clause (23C) of section 10 of the Act has ever been rejected.	: Yes/No
(xiii)	If yes in (xii) provide the details of rejection including the order for rejection in Form No. 10AD	
(xiv)	Whether the application for approval under sub-clause (iv), (v), (vi), (via) of clause (23C) of section 10 of the Act has been filed but it has neither been approved nor rejected?	: Yes/No
(xv)	Whether applicant is notified/ had been notified earlier under clause (46) of section 10?	: Yes/No
(xvi)	If yes in (xv) provide details of the notification number and date of notification.	
(xvii)	Whether the application for notification under clause (46) of section 10 has ever been rejected?	: Yes/No
(xviii)	If yes in (xvii) provide reasons for rejection of the application including copy of order of rejection	
(xix)	Whether the application for notification under clause (46) of section 10 has been filed but it has neither been approved nor rejected?	: Yes/No
(xx)	Whether applicant has been granted registration under section 12A of the Act.	: Yes/No
(xxi)	If yes in (xx) provide details of the registration including copy of order in Form No 10AC/ Form No 10AD	

(xxii)	Whether application for registration under section 12A of the Act has ever been rejected.	: Yes/No				
(xxiii)	If yes in (xxii) provide the details of rejection including the order for rejection in Form No. 10AD etc.					
(xxiv)	Whether the application for application for registration under section 12A of the Act has been filed but it has neither been approved nor rejected?	: Yes/No				
(xxv)	Whether annual accounts including balance sheet, profit and loss account or income and expenditure Statement of the applicant for the last three financial years have been enclosed?	: Yes/No/Not applicable		If No or Not applicable then provide reasons.		
(xxvi)	Whether the income tax returns of the applicant for the last three financial years have been enclosed?	: Yes/No/Not applicable		If No or Not applicable then provide reasons.		
(xxvii)	Whether a copy of the latest 3 assessment orders, if any, of the applicant have been enclosed?	: Yes/No/Not applicable		If No or Not applicable then provide reasons.		
(xxviii)	If applicant is undertaking multiple activities, provide the revenue generated from each activity during the last three financial years	S.no	Nature of Activity	Revenue Year 1 dd/mm/yyyy to dd/mm/yyyy	Revenue Year 2 dd/mm/yyyy to dd/mm/yyyy	Revenue Year 3 dd/mm/yyyy to dd/mm/yyyy
		(a)	Activity undertaken in respect of the purpose as provided in clause (46A) of section 10 i.e. (a) to (d) of			

				row (ix)				
			(b)	Any activity, other than the activity as provided in (a) above				