

Contents

Chapter 1: Introduction

Meaning of the word 'Survey'	1
Legislative Intention & Purpose of enactment of Survey provisions	2
Need for survey in tax administration	2
Objects of Survey	3
Circumstances	4
Person against whom survey is conducted need not be a taxpayer	5
Survey can be carried out without presence of owner	5
Even survey can be done when assessment is not pending	5
Whether police can accompany the survey party?	5
Precautions to be taken before the conduct of survey	5
Care to be taken by assessee during survey operation	6
What does the Survey Party generally look out for ?	6
Post-survey steps to be taken by assessee	7
Even where based on assurance of survey party that return of income would not be taken-up for scrutiny, petitioner disclosed additional income, Assessing Officer was still empowered to select it for scrutiny assessment	7
Illegality does not vitiate evidence collected during survey	7
Sections dealing with Income-tax survey	8
Survey Statistics	8

Chapter 2: Legislative History

Memorandum explaining provisions of Finance Bill 1964	9
Section 133A originally inserted with effect from 01.04.1964	9
Scope and effect of insertion of section 133A	10
Power of Survey—Insertion of section 133A	10

Chapter 3: Categories of Surveys

CASE NO. 1	20
CASE NO. 2	21
CASE NO. 3	21
Survey under Section 133A by Transfer Pricing Officer [Section 92CA(7)]	22
Survey for the purpose of recovery of Arrear Taxes by Tax Recovery Officer (TRO)	22

TDS Survey [Section 133A(2A)] – Verification of provisions relating to TDS.....	22
Expansion of Power of Survey to Charitable Activities [with effect from 01.04.2017].....	22
Conduct of recovery surveys by Assessing Officers—Purpose of recovery survey by Assessing Officers	23
Selection of cases for recovery survey.....	23
Invoking section 226(5).....	24
Procedure for section 226(5)	24
THE THIRD SCHEDULE.....	25

Chapter 4: Who can conduct the Survey Authorised/Authorising Officer [Explanation to Section 133A(1)]

CBDT Guideline on power of survey under section 133A [F. No. 187/3/2020-ITA-I, dated 19.10.2020]	26
Survey Guidelines – CBDT F. No. 187/3/2020-ITA-I, dated 18.09.2020.....	28
New power to authorize survey operations under section 133A [Proviso to section 133A(6) as substituted by the Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Act, 2020, with effect from 01.11.2020].....	30
Up to 12.08.2020.....	32
Action cannot be taken without prior approval of Joint Director or the Joint Commissioner [Proviso to section 133A(6)]	32
Powers cannot be given to Inspector.....	33
Inspector cannot be authorized to exercise following powers and purpose	33
Inspector acted beyond the purview of his powers in an illegal manner since the Inspector is neither empowered to take statement on oath nor to make inventory of the stock.....	34
Inspector is neither empowered to record statement nor to prepare the stock inventory at time of survey	35

Chapter 5: Place on Which Survey Can be Conducted [Section 133A(1)]

Jurisdiction for conducting survey under section 133A(1)	36
Jurisdictional Limit	37
Income-Tax Authority means.....	37

Place of Survey	37
♦ Business premises	37
♦ Survey at residential premises	38
Written statement necessary for survey of residential premises	39
♦ Survey at the place of a third party or office of Tax Consultant	39
Can Income Tax Authorities enter into the premises of Chartered Accountant of the assessee?	40
♦ Charitable institutions	41
No separate authorization needs to be issued to conduct the survey of any other place [<i>Explanation</i> to section 133A(1)]	41
Text of <i>Explanation</i> to section 133A(1)	41

Chapter 6: Timing of Survey [Section 133A(2)]

Text of section 133A(2)	42
Hours of Survey	42
Surveys can continue even after business hours	43
Assessee working on a Sunday or Holiday	43
Survey of a place other than the business place can be done beyond the normal business hours under section 133A	43

Chapter 7: Survey for Verifying the Compliance of the Provisions of TDS and TCS [Section 133A(2A)]

Text of Section 133A(2A)	44
Purpose of TDS survey	45
Selection of case	45
No action under section 133A(3)(ia) or (ii) shall be taken acting under section 133A(2A) [Proviso to section 133A(3)]	45
Term 'proceeding', under section 133A, includes TDS proceedings also, thus, survey could be conducted for obtaining information in regard to TDS proceedings also	45
TDS authorities can authorize a survey, but the survey is restricted to TDS issues only	46

Chapter 8: Powers of Income Tax Authority Regarding Survey [Section 133A(3)]

Powers of Income Tax Authority regarding survey	47
○ Rights to Enter Premises	47
Impound and retain the books of account or documents inspected by him	48
Limitations upon the survey team	48

Chapter 9: Place Marks of Identification on the Books of Account or Other Documents [Section 133A(3)(i)]

Text of Section 133A(3)(i)	51
----------------------------------	----

Chapter 10: Impounding and Retention of Books of Accounts [Section 133A(3)(ia)]

Upto 30.05.2002 – No power to impound and retain any books of account or other documents in his custody	52
With effect from 01.06.2002 – Power to impound and retain any books of account or other documents in his custody [Section 133A(3)(ia)]	52
Text of Section 133A(3)(ia)	52
Power of retention is not an absolute power	53
What can be impounded?	53
Computer outside definition of Books or Books of Accounts under section 2(12A)	54
Can hard disk be seized?	54
DEFINITION OF BOOKS OF ACCOUNTS	54
DEFINITION OF DOCUMENT	54
DEFINITION OF ELECTRONIC RECORD (UNDER THE INFORMATION TECHNOLOGY ACT)	54
Impound and retain books of accounts only after recording reasons [with effect from 01.06.2002]	54
Reason for impounding of books of account to be specifically mentioned	54
Authority impounding should pass an order in writing	55
It is illegal to keep books in custody beyond the time limit approved by competent authority	55
Assessee is not entitled to copies of the proposal	55
Assessee is entitled to copy of approval extending the time for further retention	56
Books or documents impounded are to be kept in safe custody by the Income Tax Authorities	56
In case books are lost by department, can assessee claim damages	56
Assessment without giving impounded documents – Matter remanded to the Assessing Officer	57

Chapter 11: Recording of Statement during Survey [Section 133A(3)(iii)]

Text of <i>Explanation</i> to Section 133A	59
Recording of statement.....	59
Art of recording of statement of assessees/witnesses.....	60
Points of prime importance	60
In which language the statement could be recorded	62
Presence of Police	63
Oath.....	63
Statement could be recorded after the commencement of survey action.....	63
Whose statement can be recorded during survey?	63
Statements of third party	63
Oath is a solemn declaration or undertaking after naming God	64
Section 69 - Unexplained investment - Statement in the course of survey - Documents discovered in the course of survey - Failure to explain the source satisfactorily - Addition is held to be valid	64
Statement recorded under section 133A of the Act does not hold any evidentiary value without any corroborative evidence - Deletion of addition is held to be justified	64
Addition not maintainable on the basis of mere statement recorded during survey	65
No merit in sustaining the addition only based on the statement recorded during the course of survey	66
Evidentiary value of statement recorded during survey proceeding	66
Assessee-company represented by one of its directors, who had not given a statement during survey, could not be allowed to seek copies of statements given by other persons as it would hamper investigation by department.....	67
Assessment cannot be made merely based on the statement recorded in a survey conducted under section 133A.....	67
Evidentiary Value of Statement made before Income-tax Officer under Indian Evidence Act, 1872	68
Statement recorded during the course of survey has no evidentiary value	68
Admission made on an anterior date, which was not based on correct state of facts, was not conclusive to hold the issue against the assessee.....	69

Statement recorded during the survey was not signed.....	70
What significance could be attached to such admission through the statement?	70
No provision for permitting cross-examination of the person present in course of survey	70
Seeking copy of statement at the time of recording the same	71
Whether disclosure by CA would be disclosure of privileged information under section 127 of the Evidence Act?	71
No confessional statement in the course of search, seizure and survey.....	71
Board's F. No. 286/2/2003-IT (Inv.), dated 10.03.2003	71
Specimen of statement.....	72
QUESTIONS TO BE ASKED IN THE PRELIMINARY STATEMENT	72
Assessee can amend the statement earlier given, in case he realizes that the statement earlier given is not correct or incomplete	74
It is not advisable to give answer to every question by saying, 'I do not remember because of the confused state of my mind created due to the sudden raid'	74
Effect of refusal to answer or sign	74
Text of Section 179 of Indian Penal Code, 1860	74
Text of Section 180 of the Indian Penal Code, 1860.....	75
Unexplained investment—Statement in the course of survey—Documents discovered in the course of survey—Failure to explain the source satisfactorily—Addition is held to be valid	75
Bogus expenditure—Information received subsequent to scrutiny assessment—Survey report and statements of employees during course of survey—Reassessment is held to be valid.....	75
Confessional statement of assessee's brother who is an employee of the assessee—Gross profit shown was much lesser than profit in said line of business—Unaccounted receipts—Addition of sales instead of net profit thereon—Failure to provide stock register—Addition is held to be justified	76
Disclosure in the course of survey—Project completion method—Addition can be made only in the year of completion of project—Deletion of addition is held to be justified	76
Merely on the basis of statement of partner addition cannot be made in respect of difference between stamp valuation and sale price of property on basis of such offering made by partner—Reassessment was quashed	77

Statement recorded under section 133A of the Act does not hold any evidentiary value without any corroborative evidence— Deletion of addition is held to be justified	77
Sworn statement—Addition cannot be made only on the basis of statement of managing director recorded under section 131 during survey, without any corroborative evidence	78
Assessee-company represented by one of its directors, who had not given a statement during survey, could not be allowed to seek copies of statements given by other persons as it would hamper investigation by department	78
Section 69B – Amounts of investments not fully disclosed in books of account – Statement of partner cannot be relied upon – Addition made only on the basis of statement was deleted	79
Section 69 – Unexplained investments – Survey – Statement – Survey does not empower any ITO to examine any person on oath, statement recorded under section 133A has no evidentiary value addition cannot be made merely on the basis of such statement.....	80
Statement recorded under section 133A was not recorded on oath – No evidentiary value	80
Addition made on the strength of a statement recorded during the survey cannot be sustained	80
Section 69B - Undisclosed investment - Where no material was brought on record by Assessing Officer to substantiate that any expenditure on renovation was incurred by assessee, nor Assessing Officer had made any reference to Departmental Valuation Officer to find out correct state of affairs, addition could not be made in hands of assessee merely on basis of statement given by assessee during survey in a disturbed state of mind.....	81
No addition can be made merely on confession.....	82

Chapter 12: Statement on Oath Made by an Assessee to Income-Tax Authority During Survey Proceedings

Legal Provisions	83
Statement on oath - Merely on the basis of statement made in the course of survey - Depreciation cannot be disallowed.....	83
Statement on oath made by an assessee to income-tax authority during survey proceedings under section 133A is not conclusive; assessee can explain or withdraw admission, if any, made by him in such statement and assessment of tax cannot be made solely on basis of such sworn statement made by assessee under section 133A(3)(iii) and such statement can be used to corroborate other materials before assessing authority, including contents of any document.....	84

Section 69 – Unexplained investments – Survey – Statement – Survey does not empower any ITO to examine any person on oath, statement recorded under section 133A has no evidentiary value addition cannot be made merely on the basis of such statement.....	84
---	----

Chapter 13: Cross Examination

What is Cross-Examination?.....	86
No addition on sole basis of statement without cross examination when specifically requested.....	86
Failure to give the assessee the right to cross-examine witnesses whose statements are relied up results in breach of principles of natural justice. It is a serious flaw which renders the order a nullity	88
No addition if cross-examination not provided	88

Chapter 14: Retraction of Confession made in Statement Recorded During Survey

Retraction of Confession made in Statement	89
Burden to prove the 'Admission' as incorrect is on the maker	89
Onus lies on the assessee to prove the statements as incorrect.....	90
Reasons of Retraction	90
Deponent is liable to be cross-examined	92
False affidavit is criminal offence	92
Retraction should be made within a reasonable time.....	92
No Confession can be extorted [CBDT F. No. 286/2/2003-IT (Inv.), dated 10.03.2003]	93
Assessing Officer was clinched with tangible information from investigation wing which suggested possible escapement of income in the hands of the assessee, thus addition made by Assessing Officer was justified.....	93
Retraction – Notice based solely on statement recorded during survey – Held to be not valid	94
Retraction of statement after eight months – Addition on the basis of statement is held to be justified – Appeal of revenue is allowed	95
Addition of undisclosed income cannot be made on the basis of (a) entries in diary found during survey and (b) admission of director in section 133A survey if assessee has filed a retraction and alleged that the entries/ statement were recorded under pressure	95

Bogus expenditure – Statement – Retraction – A statement recorded under section 133A under fear/coercion cannot be relied upon by the Assessing Officer if it is not corroborated by documentary evidence	96
Validity of addition based on statement retracted later on by assessee - no merit in sustaining the addition only based on the statement recorded during the course of survey.....	97
Voluntary declaration of unaccounted money after two months of survey – Retraction of statement after two years, addition as undisclosed income was held to be justified.....	97
Where assessee surrendered certain income by way of declaration and withdrew same after two years without any satisfactory explanation, it could not be treated as bona fide and, hence, addition would sustain.....	97
Statement was retracted – Statement in survey operations no evidentiary value – Merely on the basis of statement, addition cannot be made	98
Statement is not conclusive – In absence of any contrary evidence or explanation the same can be acted upon	98
Assessment – Income of any other person – Search – Survey – Merely on the basis of statement in the course of survey addition was held to be not justified, however if the maker of the statement himself reaffirms the statement addition was held to be justified.....	99
Section 69 - Unexplained investments (Stocks) - Where there was no material with revenue to make addition in excess of physical stock found during survey, no addition could be sustained on basis of retracted surrender of unaccounted stock by assessee in survey proceedings.....	99
Unexplained investments (Others) - Where documents found during survey established that assessee was in possession of assets over and above assets declared in books of account against which surrender was made, retraction made by assessee after more than three months would not absolve assessee from its liability	100
While an assessment cannot be made on the basis of a statement recorded under section 133A, if the maker of the statement has re-affirmed the statement and nothing has been produced to show that the contents of the statement are incorrect, the assessment is valid	100

Retraction of statement – No other evidence of suppression of income – Addition of income not justified	101
Survey statement were retracted- court ruled that no addition can be made based on the statement - Where assessment order was passed on sole basis of statements recorded during course of survey and after retraction of statements, Assessing Officer did not produce any other material to support understatement of sale consideration of land, assessment order was to be set aside.....	101
Even though statement by assessee during survey regarding undisclosed investment was not given on oath, same could not be retracted at whim and fancy of assessee.....	102
Where assessee had not offered any satisfactory explanation regarding surrendered amount being not bona fide and it was also not borne out in any contentions raised before lower authorities, additions so made after adjusting expenditure were justified.....	102
Addition made purely on basis of statement made during course of survey under section 133A which was later on retracted by assessee was to be deleted	103
Where assessee retracted from surrender as same was obtained through intimidation and forged documents and no additional evidence was allowed to produce, addition would not be sustained	103
Statement on oath – Block assessment – Seizure of cash – Retraction of statement after four years was held to be afterthought	104
Where assessee, in course of survey, admitted that certain amount written on loose papers represented its income, in case of subsequent retraction from said statement, onus on assessee was heavy to show as to what mistake of fact resulted in admission of income and, thus, mere denial, without anything more, would by itself not lead to a valid retraction in law.....	104
Statement on oath – Retraction of statement – Disclosure in statement was found to be correct and complete, retraction of statement was not accepted	105
Retraction of statement made under section 132(4) is not permissible after considerable time has elapsed	106
Assessee can retract his statement but that should be at earliest opportunity; where addition was made on basis of assessee's statement recorded during survey offering certain unexplained investment to tax but after a gap of two months, he retracted from said statement by taking a stand that he had agricultural income and investment was from that source but he did not produce any other authentic contemporaneous evidence of agricultural income, addition made could not be set aside.....	106

Retracted confession can be relied only if there is independent and cogent evidence to corroborate the statement.....	107
No addition can be made merely on confession.....	108
Statement given under section 132(4) is on oath and under section 133A is not on oath and therefore it is difficult to retract the disclosure made in the statement under section 132(4) as compared to the disclosure made in the statement made under section 133A	109
Sufficient material have to be placed on record for acceptance or retraction	109
Proof of threat or coercion is necessary for valid retraction	109
Evidentiary value of retracted statement	110
Effect of retraction of statement of confession	110
Evidence brought by confession, if successfully retracted, must be corroborated by independent and cogent evidences.....	111
Confession made during survey is not conclusive and can be retracted.....	111
Assessee entitled to retract from admission and explain the incorrect statement made.....	113

Chapter 15: Prohibition on Removing or Causing to be Removed from the Place Surveyed

Prohibition contained in section 133A(4) is absolute and unqualified....	114
Sealing the business would be violation of Article 19(1)(g).....	115
Survey party cannot close the survey on one day and continue the same on next day	116
Promissory notes are not documents	116

Chapter 16: Duties and Rights of Persons Whose Premise is Surveyed

Text of Section 133A(6).....	117
Duties of the person being surveyed.....	118
Rights of Person Present in the Premises.....	119

Chapter 17: Legal assistance During Survey

APPEARANCE BY AUTHORISED REPRESENTATIVE [SECTION 288(1)].....	121
Counsel's presence during survey.....	121

Chapter 18: Consequences of Non-Compliance/Non-cooperation

Duty of the assessee to help the survey party.....	123
Duties of the person present.....	123
What would happen, if the assessee does not co-operate in survey proceedings?	123
Survey at residential premises of assessee could not have been converted into search and seizure without tax authorities recording that assessee had failed to co-operate or there was a suspicion that income had been concealed by assessee warranting resort to process of search and seizure	124
In case assessee co-operates, powers under section 131(1) cannot be exercised	125
Arbitrary exercise of power under section 133A.....	125
Non-cooperation – Levy of penalty Rs. 10,000 for each default or failure under section 272A(1)	125

Chapter 19: Conversion of Survey into Search

Conversion of survey into search	126
Circumstances where survey under section 133A converted into search under section 132	126
Circumstances – Text of section 132(1)	127
Survey is permitted to convert into search.....	129
CBDT Instruction No. F. No. 414/16/2014-IT (Inv.), dated 30.09.2014..	129
In what circumstances, can the survey be converted into search	131
Search held invalid at Residential premises—Conversion of survey into search—Survey at residential premises is held to be invalid	131
Huge cash and incriminating documents were found – Survey converted into search was held to be valid	132
Conversion of survey into search without application of mind held to be invalid.....	132
Survey—Conversion on the basis of the authority given by the Additional Director is legal	133

Chapter 20: Survey Findings Affecting the Determination of Income

Survey findings affecting the determination of income	134
Effect of finding during the survey	136
Major survey findings affecting the determination of income	136
Incomplete books and records at the time of survey	136
Duplicate set of books of account found during survey	136
No addition if cross-examination not provided	137

Order becomes null if based merely on statements of witness without allowing assessee to cross-examine them.....	137
Assessee must be found to be owner and not merely in possession of asset, investment, etc.....	139
Search and seizure – Survey – Assessment – It is but natural that concealed income found at the time of search and survey has to be distributed among all the family members who were carrying on business – It is also a reasonable conclusion that the income had been earned over a period of time and should be spread over various years.....	139
On the basis of evidence for a particular period, extrapolation of the income to the whole period of assessment is not permissible	140
Presumption in brief	140
Once affidavit is filed, the contents of the affidavit should be regarded as correct.....	141

Chapter 21: Discrepancy in Stock in Trade Found at the Time of Survey Operation

Some of the reasons for which there may be difference in stock found .	143
Stock Inventory – Classification & Measurement Principles.....	144
Determination of value addition of stocks found in different stages of production	144
Verification of stock	145
Precautions to be taken during stock taking by survey party	146
Common defects in stock taking.....	146
Assessee does not maintain stock records – Closing stock every year is calculated on basis of physical verification – How stock found during survey should be tallied with books?.....	147
Effect of the stock difference in assessment proceedings.....	148
Reasons for excess stock found during the course of survey	149
Implication if stock found excess during the course of survey	149
Valuation of stock – Excess stock found during Survey	149
Excess stock was found during the course of survey – Assessing Officer made addition under section 69. Further, he applied under section 40A(3) – Whether section 40A(3) can be applied?.....	154
Assessee is covered under section 44AD/44AF – Provisions of the other sections of the Act would be independently applicable	154
No books are maintained – Stock found during survey is in excess of what could be	154

Reasons for shortage of stock found during the course of survey.....	154
Implication of short stock found during the course of survey	155
Stock found short – sale out of books – only profit from such sale could be brought to tax	155
Incomplete books and records at the time of survey – Books of accounts, if incomplete, must be updated on the basis of purchase and sale vouchers	157
When valuation of stock is under progress.....	157
For detecting suppression in sales or inflation in purchases.....	157
For detecting any irregularities in the books or suppression of production.....	157
In cases of manufacturing concerns	158
Specimen of Statement relating to verification of stock	158
Where opening stock was accepted in scrutiny assessment, revenue could not treat sales made by assessee out of such opening stock as income from unexplained sources.....	158
SLP dismissed as withdrawn due to low tax effect against High Court ruling that when undisclosed purchases are discovered in course of assessment, it is only profit embedded in said transactions which can be added to total income under section 69C	159
Undisclosed income—Admission of excess stock and excess cash— Addition is held to be valid—Mentioning of wrong section in the assessment order does not make addition as unsustainable	159
Where there was practically no difference in physical inventory taken by survey team vis-a-vis inventory as per Books of Account, impugned addition made on account of difference in value of stock was to be deleted	160
Unexplained expenditure (Section 69C) – Survey – Confessional statement of assessee's brother who is an employee of the assessee – Gross profit shown was much lesser than profit in said line of business – Unaccounted receipts – Addition of sales instead of net profit thereon – Failure to provide stock register – Addition is held to be justified	160
Difference in stock noticed during survey - Assessee duly reconciled discrepancy with positive material - Addition to income - Assessing Officer was not justified in making addition	161

When undisclosed purchases are discovered in course of assessment, it is only profit embedded in said transactions which can be added to total income under section 69C	161
Income surrendered by assessee during survey on account of discrepancy in cost of construction of building, discrepancy in stock and discrepancy in advances and receivables would be considered as business income and not as deemed income under section 69.....	161
Unexplained investments – Survey – Merely on the basis of stock found in the premises – Additions cannot be made as undisclosed stock when proper explanation was furnished with supporting evidence	162
Where survey authority alleged excess stock by weighing stock on basis of cartons and not on basis of standard weights, addition was made in income of assessee and upheld by Commissioner (Appeals) observing that there was no evidence that assessee provided to survey team necessary facility of weighment by a standardized scale, action of Commissioner (Appeals) was not justified as it is surveying authority who never required assessee to provide him with weighment facility	162
Where after including income surrendered during survey on account of excess stock, gross profit rate became more than that worked out by AO, no addition could be made on account of low GP rate	163
Where stock was estimated by tampering inventory sheets, etc. and allowing lesser deduction which resulted in excessively high GP rate, addition was to be deleted.....	164
Inventory of physical stock is the foundation, if the addition to be made under section 69C - Assessing Officer could not provide inventory of any physical stock there cannot be any ground for working out any excess stock as it has not been quantified by the survey party as to what was the actual stock lying on the day of survey without appreciating the facts.....	165
Valuation of stock – Addition merely on statements of Third Parties not valid.....	166
Income from other Sources	166
Unexplained investments - Value of excess stock ought to be treated as deemed income under section 69	167

Section 69 - Unexplained investments - Whether marginal error in making inventory will not make it incredible deserving its total rejection - In course of a survey conducted at business premises of assessee-firm, unaccounted stock of Rs. 3,16,537 was found with assessee - One of partners of assessee-firm, in his statement, declared value of unaccounted stock at Rs. 5 lakhs - Assessing Officer made addition of Rs. 5 lakhs to assessee's income on account of unexplained investments - On appeal, Commissioner (Appeals) affirmed addition, but Tribunal, granting benefits of margin of error in making inventory of goods, reduced addition to Rs. 3 lakhs - On facts, Tribunal had taken correct decision	170
Assessee does not maintain stock records – Closing stock every year is calculated on basis of physical verification – How stock found during survey should be tallied with books?	171
On survey under section 133A department found certain discrepancies in stock of assessee-firm - Survey party did not conduct actual weighment of commodities but estimated shortages which were agreed to by one of partners of assessee who was present there - IAC after considering contentions of assessee estimated shortages in stocks and made additions to income of assessee - Commissioner (Appeals) was not justified in deleting addition on ground that actual weighment was not done by survey party.....	173
Stock register not verifiable at the time of survey – Produced at the assessment stage.....	175

Chapter 22: Discrepancy in Cash Found at the Time of Survey Operation

○ Excess cash found during the course of survey	176
Implication of excess cash found during the course of survey	176
Reasons for excess cash found during the course of survey	176
○ Cash found short during the course of survey	176
Implication of cash found short during the course of survey	176
Reasons for short cash found during the course of survey	176
SLP dismissed against High Court ruling that where in return filed in response to reassessment notice, assessee declared undisclosed income found during search and Assessing Officer passed assessment order accepting same, another reassessment notice issued beyond a period of four years was unjustified in absence of any new information or material.....	177

Section 69A - Unexplained moneys - Where cash found during survey was duly entered in books of account of assessee, said amount could not be treated as assessee's income from undisclosed sources	177
Unexplained money – Statement in the course of Survey	178

Chapter 23: Treatment of Undisclosed Sales/Turnover/Suppressed Sales

Implication if unrecorded turnover is found during survey	179
Assessee does not maintain stock records	179
Suppression of sales price	180
Where accounts are maintained on a computer	180
Where entire unaccounted sales are treated as income	180
Where High Court upheld Tribunal's order confirming addition made to assessee's income in respect of unaccounted business receipts having regard to fact that gross profit declared by assessee was much lesser than profit in said line of business and, moreover assessee had failed to provide stock register despite several opportunities, SLP filed against said decision was to be dismissed	180
Where pursuant to survey proceedings, Assessing Officer made addition to assessee's income on basis of estimated gross profit on sales, in view of fact that Assessing Officer had rejected assessee's books of account without giving any specific details and, moreover, there was decline of only 1.04 per cent in rate of gross profit in relevant year for which assessee had given detailed explanation, impugned addition was to be deleted	181
Unaccounted sales cannot be regarded as turnover for section 44AB	181
Where there was no restriction with respect to price for which liquor had to be sold, and it was found during survey that assessee-bar had sold liquor in excess of price shown in return since price was variable, sale suppression detected during survey could be said to be actual price for which liquor was sold	182
Only net profit on unaccounted sales can be taken as income if purchase is duly accounted	182
Addition in respect of unaccounted sales was to be made not in respect of the sale consideration but only in respect of the profits	183
Income from Undisclosed Source	184
Total unaccounted sales could not be regarded as the profit of the assessee	184

Whole of the unaccounted sales cannot be treated as income and only net profit can be added to total income.....	184
For every unaccounted sale there must be corresponding unaccounted purchase.....	185

Chapter 24: Treatment of Notings in Diary, Loose Papers, Found During Survey Operation

What is a loose paper?	186
What is a document?.....	186
What is a book?.....	186
Corroborative Evidence, Substantial Evidence and Circumstantial Evidence	187
Diary seized during the survey/search operation, without corroboration, have no authenticity and therefore, cannot be relied upon - No addition for mere entry in dairy without any corroborative evidence	188
File containing loose sheets of papers are not 'book' and hence entries therein are not admissible under section 34 of the Evidence Act, 1872	189
Merely on the basis of seized documents in third party premises, additions cannot be made – Addition cannot be made on estimation/extrapolation – Addition on the basis of seized document print out from Blackberry mobile Digital was held to be not justified	190
Addition on the basis of e-mails recovered in the course of search proceedings of third party was held to be not valid.....	191
Where findings recorded by authorities in respect of addition under section 68 on account of bogus purchases and disallowance of expenses were on minute analysis of loose papers impounded during survey, same could not be interfered with.....	191
Section 69 - Unexplained investments - Where sale of old bardana mentioned in loose paper found during survey was subsequently recorded in books of account and computation of income included such sale, amount of such sale could not be treated as unexplained moneys.....	191
Entry on loose sheet of paper	192
Loose paper cannot be construed	192

Section 68 - Cash credit (Loans and advances) - Where assessee explained that loose paper found during survey represented transaction in course of its cheque discounting business, Assessing Officer could not draw inference that recording was transaction of loan when it was not reflected in some of transactions either at assets side or along with liability	193
Noting on loose papers – Additions cannot be made as undisclosed income.....	193
Where loose paper found in survey showed receipts in hands of assessee, and assessee admitted same as his undisclosed income but in assessment reverted back from said admission, since he could not furnish evidence to justify his stand, said receipts be treated as undisclosed income of assessee	194
Statement on oath – Addition – Loose papers – On the basis of admission of third person and jointly signed by assessee addition was held to be justified.....	194
Treatment of notings on loose sheets found during search and requirement of Corroborative Evidence	195
Material gathered in course of survey under section 133A, which is not found or seized in search carried out under section 132, cannot be made a basis for making an assessment of undisclosed income for block period	196
Any noting in the loose sheet is no evidence by itself – There has to be something more	198
Treatment of Loose Papers/Loose Sheets	199
Where survey was conducted in case of assessee, he was required to explain entries written on loose papers at time of survey itself and, therefore, where he explained said entries in appellate proceedings and obtained some relief, Tribunal was justified in remanding matter back to Assessing Officer for disposal afresh	199
Chits/Slips found during survey	200
Slip found contained only rough calculations – No transaction was denoted therein – No corroborative material to show any transaction – No addition can be made	201
Loose sheets have been ruled out as of any evidentiary value	201
Undisclosed Investments, Assets, Cash, Stock, etc.	202
Any material or evidence found/collected in a survey which has been simultaneously made at premises of a connected person can be utilized while making block assessment in respect of an assessee under section 158BB, read with section 158BH.....	202

Chapter 25: Evidence Found at the Time of Survey - Undisclosed Investments in Assets, Valuables, etc.

Addition of the same amount again during assessment proceedings amounted to double addition.....	203
On-money – No addition can be made on the basis of the documents found from premises of third party neither the name of assessee was mentioned nor any evidence was found for purchase of any property	204
Seized papers – Merely on the basis of seized papers addition cannot be made when the assessee has not purchased any land from persons mentioned in the seized documents	204
On-money – Noting in seized papers – Additions cannot be made as undisclosed income – Additions cannot be made on the basis of estimate and extrapolation theory – Accounting Standard-7 is not applicable when sale of flats on ownership basis – Receipt is taxable only in the year when possession of flats or occupation certificate is given where assessee follows projection certificate.....	204

Chapter 26: Dumb Document Found During Survey and its Implications on the Assessee

What is a dumb document?	205
Entries recorded in two diaries seized from the assessee's premises holding these diaries as dumb documents.....	206
Uncorroborated/Dumbed documents having possessed by the Department	207
Dumb documents or loose papers have no evidentiary value unless corroborative material is found.....	207
No addition can be made on basis of dumb document.....	207
In the case of dumb document, revenue should collect necessary evidence to prove that the figures represent incomes earned by the assessee.....	207

Chapter 27: Treatment of Material Collected During Illegal Survey

Assessing Officer can make additions on basis of materials collected during course of illegal survey.....	208
---	-----

Chapter 28: Handling of Digital Evidence

Income Tax Act, 1961 takes cognizance of digital evidence	210
Computer is the principal digital device	210

Access to the data storage devices, password protections.....	211
Retrieval of deleted files.....	211
Remote storage of data	212
Modus of impounding of the devices and their authentication.....	212
Printout of data stored digitally.....	213
Precautions to be taken for retaining the integrity of the retrieved data for assessment/appeal purposes	213

Chapter 29: Set Off of Loss Against Income Offered in Survey

Undisclosed income declared in survey can be set off against Current year's loss	214
Section 71, read with sections 69 and 14, of the Act—Losses— Intra head set off [Set off against undisclosed income].....	215
Business loss has to be set off against the other income, even though the assessee surrendered the income at the time of survey under section 133A of the Act	219
Loss set off against surrendered income – Business income – Loss was allowed to be set off [Sections 28(i), 56].....	222
Income surrendered during survey.....	222
Surrendered income during course of survey has to be assessed separately	222
No set off of loss or allowance against deemed income under sections 68, 69, 69A, 69B, 69C and 69D	223
Set-off of current year's losses under other heads as per section 71.....	223
Tax on income referred in Sections 68, 69, 69B, 69C, 69D—Set off of loss – Survey—Surrender of income—Set off of losses was to be allowed— The amendment made to section 115BBE denying the benefit of set off of losses with effect from 01.04.2017 was retrospective in nature.....	223
Unaccounted receivables– Surrender of income— Deemed income– Categorization/ characterization of income surrendered-business income — Set off of losses was to be allowed.....	223
Undisclosed income—Loose papers—Bona fide mistake by director in surrendering income—Set off of expenditure is allowable	224

Chapter 30: Surrender of Income During Survey Operation

<i>Explanation 5</i> to section 271(1)(c) would cover section 133A also	225
Surrender of Income during Survey.....	225

Treatment of income declared without specifying the nature thereof.....	225
Under which head, the income offered during survey shall be taxed	226
Unexplained money – Surrendering amount during survey – Retraction from surrender and declaring a loss in the return of income – Addition solely on basis of admission given by Managing Director during survey was not justified.....	227
Addition of undisclosed income could not be made in the hands of assessee solely on the basis of statement of its tax consultant.....	227
Admission – Provisional trading account – Addition made only on the basis of admission in the course of survey was deleted	227
Admission was substantial evidence of fact	228
Even statement not given on oath could not be retracted at whim and fancy of assessee	228
Specimen of Statement of assessee recorded under section 133A(3)(i) of the Act	229
An admission or acquiescence cannot be foundation of assessment	229
Capitalisation of declared income when represented by tangible assets	229
Assessee's declaration that additional income invested in trading stock ignored and income was assessed independently – Assessing Officer was not justified	230
It cannot be a basis for rejecting the books of accounts where survey was conducted on assessee and assessee disclosed his income	231
No material or evidence found in survey to support the amount surrendered – Addition made only on basis of surrender deleted.....	231
Surrendered income during course of survey has to be assessed separately as deemed income without setting off of losses under sections 70 and 71	232
Whether partnership firm can pay remuneration to partners from income found during survey?	232
Income from undisclosed sources – Survey – Addition on the basis of statement	232
Voluntary surrendering of income does not mean immunity from penalties.....	233
No penalty on income surrendered during survey	234
Do not Coerce Taxpayers to Admit Undisclosed Income – CBDT to Assessing Officers	235
CBDT's letter dated 18.12.2014 on coercive disclosure of undisclosed income.....	235

No Confessional Statement in the course of Search and Seizure & Survey	236
CBDT'S Clarification issued vide F. No. 286/2/2003-IT (Inv.), dated 10.03.2003.....	236
CBDT's Circular No. 32 of 2016, dated : 01.09.2016	236
Circular No. 2 of 2017, Dated 18.01.2017	237
Entries in books of accounts for various types of declaration.....	240
Effect of finding during the survey	240
Amendment to Section 115BBE by The Taxation Laws (Second Amendment) Act, 2016.....	240
Where additional income declared during survey had been duly considered in profit and loss account, no separate addition could be made on account of additional income	241

Chapter 31: Income Escaping Assessment in Survey Cases

Where reopening notice was issued against assessee on grounds that during survey under section 133A it was noticed that assessee had claimed certain expenses but failed to produce relevant documents to prove such expenses, since assessee failed to furnish details of invoices for such expenses incurred by it even during original scrutiny assessment, impugned reopening was justified.....	242
SLP dismissed against High Court ruling that where pursuant to survey, assessee-company had voluntarily disclosed certain amount as its undisclosed income towards allotment of shares to several companies but director of assessee-company failed to give details of investors of companies and investment made by them, reassessment was justified.....	242
Where Assessing Officer did not have fresh material but he noticed that certain documents escaped consideration during scrutiny which resulted into escapement of income chargeable to tax, re-opening was justified	243
Where there was no proximate link between material found in survey of third party in respect of alleged bogus transactions and assessee's alleged concealed income, reopening of assessment could not be sustained.....	243
Where Assessing Officer conducted survey upon assessee and thereafter issued on it a notice under section 148 dated 27.03.2015 and assessee by letter dated 29.04.2015 raised objection to territorial jurisdiction of Assessing Officer, since objection was not raised within 30 days even from date of issuance of notice under section 148, assessee had lost right to raise objection by efflux of time ..	244

Where neither survey report nor any other material indicated that any income chargeable to tax for relevant assessment year had escaped assessment, issue of reassessment notice on basis of survey report was invalid	245
Where Assessing Officer on basis of documents impounded during survey, passed an assessment order under section 143(3), he could not initiate reassessment proceedings subsequently by merely taking a view that in terms of entries recorded on a loose paper impounded during survey, certain income chargeable to tax had escaped assessment.....	245
Where facts of survey were unavailable at time of assessment and additional amount offered to tax at survey was not mentioned in return of income, notice issued for reassessment beyond period of four years was valid	246
In absence of any independent material, statement of assessee's son recorded during survey would not form a valid basis for reopening assessment of assessee	247

**Chapter 32: Revision of Orders Prejudicial to Interests of Revenue -
Section 263, Read with Section 133A of the Income-Tax Act, 1961848**

Chapter 33: Tax Rates Applicable on Income Surrendered During Survey

Tax rates applicable to amount charged to tax by virtue of sections 68, 69, 69A, 69B, 69C and 69D [Section 115BBE].....	251
Text of Section 115BBE	251
Assessment year 2017-18 onwards	252
Text of Section 115BBE	252
Section 115BBE can be applied in the following circumstances.....	252

Chapter 34: Interest Chargeable

Where pursuant to survey conducted upon assessee, it admitted an undisclosed income, however, no advance tax was paid on said admitted income, assessee could not claim waiver of interest under sections 234B and 234C.....	255
--	-----

Chapter 35: Penalties in Survey Cases

○ Penalty for under-reporting and mis-reporting of income [Section 270A]	256
--	-----

Under-reported income [Section 270A(2)].....	256
Intangible Addition Section 270A(4) & (5)	257
Under-reporting exclusions – Addition to returned Income – No Under- Reported Income [Section 270A(6)]	257
Penalty for Under-Reporting [Section 270A(7)].....	258
Where the under-reporting is because of misreporting then provision of Section 270A(6) shall not apply [Section 270A(8)]	258
“Misreporting of income” means [Section 270A(9)]	258
Tax payable in respect of the under-reported income [Section 270A(10)]	259
Quantum of penalty that can be levied under section 270A	259
Up to assessment year 2016-17	260
Where High Court upheld Tribunal’s order deleting addition as well as penalty on ground that excess stock existed only on account of wrong entries in assessee’s books of account and not due to purchases made outside books of account, SLP filed against decision of High Court was to be dismissed.....	260
Penalty under section 271(1)(c) – Concealment – Survey – Agreed addition – Revised return – Burden is on the assessee to show that there was an omission or wrong statement in original return must be due to <i>bona fide</i> inadvertence or <i>bona fide</i> mistake on part of assessee and even if assessee agreed to addition with a condition that penalty could not be imposed, department is not precluded from initiating penalty proceedings – Levy of penalty is held to be valid.....	260
Undisclosed income surrendered during survey not included in the return—Tax was paid – <i>Bonafide</i> mistake – Deletion of penalty under section 271(1)(c) is held to be justified	261
Section 271(1)(c) : Penalty – Concealment – Penalty imposed on addition made on the basis of confessional statement of assessee and supplier after search was held to be valid	261
No penalty for mere non-reflection of income surrendered voluntarily in ITR.....	261
Penalty under section 271(1)(c) cannot be imposed based on original Return in section 153A assessment.....	262
Levy of penalty was justified where it was only when faced with statements as also unrecorded/recorded documents found at business premises of assessee during survey, that assessee came with a surrender and even in penalty proceedings it did not establish its bona fides.....	262

Survey - Surrender of income - Only part of undisclosed income had been surrendered—Levy of penalty under section 271(1)(c) was held to be justified	263
Survey—Levy of penalty under section 271(1)(c) was upheld rejecting assessee's contention that the income was not disclosed as the books of accounts were impounded and the correct income figure could not be determined.....	263
Survey— Capital gains on sale of shares—Penalty under section 271(1)(c) is not leviable on income declared during survey and offered in return—A mere change of head of income from capital gains to business income does not attract penalty	264
Penalty was not justified where a revised return was filed after survey but before issue of notice under section 148 and taxes due with interest were paid.....	265
Where assessee deliberately prepared trading account in such a way so as to nullify effect of excess stock found during course of survey, conduct of assessee clearly showed that assessee had concealed income.....	265
○ Penalty under section 271AAC	267
○ Penalty for failure to answer questions, sign statements, furnish information, returns or statements, allow inspections, etc. [Section 272A]	267
Text of Section 272A.....	267
○ Penalty for failure to comply with the provisions of section 133B [Section 272AA]	268
Text of Section 272A.....	268

Chapter 36: Offences and Prosecution in Survey Cases

Text of Section 276C.....	269
Difference between the two sub-sections	270
Wilful Attempt to evade Tax – Section 276C(1) & 276C(2)	271
Brief Description of offence under section 276C(1).....	271
Brief Description of offence under section 276C(2).....	271
Once penalty under section 271(1)(c) of the Act is set aside by the Tribunal, prosecution would end automatically	272
On survey of assessee's business premises excess stock worth about Rs. 34,000 was found which was not accounted for in account books - Thereafter assessee added amount in return of income as supplementary profit - Whether in view of petitioner having declared amount in return of income, it amounted to admission on its part regarding concealment of income, thus, making it liable to prosecution for wilful attempt to evade tax liability - Held, no	272

Text of Section 277	273
Brief Description of offence under section 277	273
Section 277 – No time limit for launching of prosecution	274
Prosecution possible only if there is tax evasion	274
Offence under the Act is said to be committed at the place where a false return of income is submitted	274
Initiation of penal proceedings is not a condition precedent to institution of a complaint under section 277	274
False statement or verification	274
Findings of the Appellate Tribunal	275
Certain aspects to be kept in mind relating to launching of prosecution proceedings	275
Hearing before granting of sanction	276
Prosecution need not normally be initiated against persons who have attained the age of 70 years at the time of commission of the offence	276

Chapter 37: Peak Credit Theories Under Income Tax

What is peak theory	277
Theory of Peak Credit	277
Peak Credit and telescoping theories under income-tax	277
Working of peak principles	278
Peak credit principle	279
Benefit of peak credit needs to be allowed	281
Peak credit theory has been accepted in many cases like: Holding that the peak amount of credit and debit entries on the seized papers could be validly taxed in the hands of the assessee	282
Peak credit theory for addition to income is applicable when deposit in bank account is out of cash withdrawals	282
Working of the peak credit should be confined to credits and withdrawals in accounts admittedly non-genuine	283

Chapter 38: Telescoping Theories Under Income Tax

Telescoping	284
What is telescoping?	284
Brief background of Telescoping	284
Stock-in-trade found in short and Cash in hand is found in excess	286

Acceptance of plea of telescoping depends upon the facts of each case and the burden of proof lies on the assessee	286
Theory of peak credit and telescoping will be applicable for addition under section 69.....	286
Where an addition in respect of undisclosed income is made, the assessee could very well plead that there should be no separate addition in respect of unexplained expenditure from the said income since it would amount to double taxation.....	286
Income taxed in earlier year telescoped to subsequent year	287
When there are two additions one can be telescopic against the other ..	287
Telescoping – Income to investment and income to expenditure.....	287
One type of income already taxed could be telescoped into another.....	288

Chapter 39: Determination of Income in Pursuance of Survey

Common additions	289
Assessment for cases where survey has been undertaken.....	289
Assessment vis-a-vis material collected during survey	290
Agreement found during the course of survey	291
Unsigned draft agreement to sell.....	291
Impact in the assessment proceedings pursuant to survey if unrecorded turnover is discovered	291
Question of disallowance in respect of cash payment under section 40A(3).....	291
Whether in such case a question of disallowance in respect of cash payment under section 40A(3) would arise?	291
Assessing Officer made addition under section 69 – Further, he applied section 40A(3) – Whether section 40A(3) can be applied?	292
Capitalisation of declared income when represented by tangible assets	292
Material found during survey, not confronted to assessee during survey, cannot be used against assessee.....	292
In case any material found during survey is used against assessee same should be confronted to assessee. Otherwise, it would amount to non-compliance of natural justice	292
No separate addition on account of G.P. after surrender in stock.....	292
Evidence collected illegally can be used by the Department.....	293
Rejection of audited books of account was not justified merely on the basis of documents found in the course of survey	293

Assessment/Re-assessment of preceding assessment years under section 147 of the Act	298
Re-assessment on the basis of survey report.....	293
Re-assessment based on the survey report is valid if material found	293
Reassessment not on the basis of survey report	294
Assessment can be reopened for earlier years based on information obtained in survey.....	294
Application before Income Tax Settlement Commission post survey action under section 133A.....	294
♦ Text of section 245A(b).....	296

Chapter 40: Survey of Ostentatious Expenditure Under Section 133A(5)

Survey of expenditure on marriages, parties etc. under section 133A(5).....	297
Powers to collect information in respect of ostentatious expenditure	297
Objective for conducting such survey	298
Conditions for invoking section 133A(5).....	298
Action not intended in petty cases of honest taxpayers	298
Survey at Ceremony	299
What is an occasion, ceremony or event?	299
Types of functions, ceremonies and events which can be covered under section 133A(5).....	299
Survey after the function and not during the function.....	299
Income-tax authorities empowered to carry out a survey under section 133A(5).....	300
Powers of the Income-tax authority acting under section 133A(5).....	300
Identification and selection of cases for survey under section 133A(5) and gathering of intelligence.....	301
Recording of statement.....	302
Investigation after collection of information	302
Inventory cannot be taken	302
Survey at the time of functions and ceremonies.....	302
Whether powers under section 133A(3) are available?	303
Whether video shooting can be conducted or photographs taken?	303
What are the powers and restrictions on conducting such survey?	303
Such information cannot be obtained prior to ceremony.....	304
Specimen proforma for obtaining such information	304

Chapter 41: Survey under Section 133B

Distinction between survey under sections 133A and 133B	308
Objective of survey under section 133B	309
Text of section 133B	309
Selection of area for survey	310
Powers of the income-tax authority acting under section 133B	310
Income-tax authorities empowered to carry out survey	310
Procedures for survey under section 133B	310
Information gathered in Form No. 45D	312
Report of survey under section 133B	312
Processing of Form No. 45D collected by the Inspector	312
Follow up action in the Range	313

Chapter 42: Survey Cases where Additions made by the Assessing Officer held Justified

Where only after survey operation disclosing undisclosed income, an expenditure was shown to have been incurred during current year for first time which was not claimed in earlier years, it was to be inferred that same was deliberately booked to neutralize obligation to report additional income over and above normal income	314
Where in course of survey, assessee admitted that he was unable to explain unaccounted stock, authorities below were justified in making addition in respect of same under section 69B	315

Chapter 43: Survey Cases where Additions made by the Assessing Officer held Unjustified

Where Assessing Officer made additions to income of assessee on account of bogus purchase and sale transactions merely on basis of statement of a director of assessee that assessee had provided only bill entries and there was no such actual transaction, since assessee discharged onus of proving its transactions of sale and purchase as genuine by furnishing relevant documents and revenue had not found any incriminating evidence that could establish stand of Assessing Officer, impugned addition was unjustified	316
Income from undisclosed sources – Disclosure in the course of survey – Project completion method – Addition can be made only in the year of completion of project – Deletion of addition is held to be justified	317

SLP dismissed against High Court ruling that where assessee, engaged in construction business, was following project completion method, its income could be brought to tax only in year when sale deeds of units sold were registered even though sale consideration might have been received earlier from buyer	317
Where High Court upheld Tribunal's order deleting addition made by Assessing Officer under section 69A on ground that there was no reliable or independent evidence to come to conclusion that assessee had accepted on-money for sale of constructed properties, SLP filed against decision of High Court was to be dismissed	318
Where High Court confirmed Tribunal's order deleting addition made to assessee's income under section 68 on ground that assessee had discharged initial burden cast upon it by providing necessary details, SLP filed against said decision of High Court was to be dismissed	318
Where Assessing Officer made addition on account of unexplained investment on basis of document impounded during survey and statement recorded by partner of assessee-firm, in view of fact that said documents did not suggest that noting were of loans and advances and, moreover, statement recorded during survey could not be relied upon, impugned addition was to be set aside	319

Chapter 44: Presumptions are there when Material is Collected During Survey

Text of section 292C	320
Concept of Presumption as to ownership	321
Text of Section 110 of the Indian Evidence Act, 1872.....	321
Presumption as to ownership [Section 292C]	321
It is not a mandate that whenever the books of account are seized, the court shall necessarily draw the presumption, irrespective of any other factors which may dissuade the court from doing so	323
Loose sheets found during survey	323
Jotting on loose paper	324
Presumption – Seized paper did not reflect the name of assessee – Deletion of addition was held to be justified	324
Diary seized – Presumption is applicable	324

Unexplained investment – Document discovered during search – Presumption that contents of document are true	325
--	-----

Chapter 45: Important Forms

○ Authorization for survey under section 133A(1) of the Income-tax Act, 1961	326
○ Authorisation to Income-tax Inspector for survey under section 133A(1) of the Income-tax Act, 1961	327
○ Authorisation for survey under section 133A(5) of the Income-tax Act, 1961	327
○ FORM NO. 45D	328
◆ INFORMATION TO BE FURNISHED TO THE INCOME-TAX AUTHORITY UNDER SECTION 133B OF THE INCOME-TAX ACT, 1961	328
FORMS FOR RECOVERY SURVEY	330