

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 14686 of 2017

ORDER: (*Per VRS,J*)

Heard Mr. M.V.J.K. Kumar, learned senior counsel for the petitioner, and Mr. J.V. Prasad, learned senior standing counsel for the Income Tax Department, appearing for the respondents.

2. The petitioner was found on an inspection by the respondents to have a bank account in a Multi-State Cooperative Bank with a credit of Rs.5,00,000/-. Therefore, he declared the same as undisclosed income and paid 49.9% of the same towards, tax, interest, and surcharge, in terms of Section 199(d) (e) and (f) of the Income Tax Act, 1961 as amended by the Finance Act, 2016.

3. Originally, under the Pradhan Mantri Garib Kalyan Yojana Scheme, 2016 (PMGKY Scheme, 2016), the deadline for making payment of the above amount, depositing 25% of the amount in RBI bonds, and filing of declarations, expired on 31.03.2017. But later, it was extended to 10.04.2017. Now, by a notification, dated 21.04.2017, the deadline has been extended for making deposit in RBI bonds to 30.04.2017 and for filing of declarations in Form No.1 to 10.05.2017.

4. The petitioner has come up with the above writ petition, seeking a direction to permit him to take a bond for 25% of the amount and to file a declaration. The necessity for him to file the above writ petition was that at the time when he filed the writ petition, the notification, dated 21.04.2017, has not been issued.

5. In view of the notification, dated 21.04.2017, no orders are necessary in the writ petition. Obviously, the petitioner has already paid almost 50% of the amount disclosed towards tax, surcharge and penalty. All that remains to be done is to take RBI bonds to the extent of 25% of the income now disclosed and to file a declaration. The petitioner can take RBI bonds and submit the same on or before 30.04.2017 and file a declaration by 10.05.2017. Once this is done, the petitioner may come within the purview of PMGKY Scheme, 2016. Therefore, with the above observations, the Writ Petition is closed.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

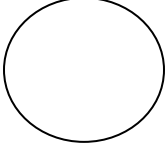
V. RAMASUBRAMANIAN, J

J. UMA DEVI, J.

24th April, 2017

Note: Issue C.C. by 25.04.2017.

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Writ Petition No. 14686 of 2017
(closed)

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