

भारत सरकार / Government of India
वित्त मंत्रालय / Ministry of Finance
राजस्व विभाग / Department of Revenue
आयकर विभाग / Income-tax Department,
शिमला / Shimla



कार्यालय / Office of the
मुख्य आयकर आयुक्त / Chief Commissioner of Income-tax
हिमाचल क्षेत्र / H.P. Region,
रेलवे बोर्ड भवन / Railway Board Building,
दी माल, शिमला / The Mall, Shimla - 171 003

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F. No. CCIT/HP/10(23C)/78/2014-15/ 2825

Dated:-15.09.2014

Order u/s 10 (23C) (vi) of the Income Tax, 1961 in the case of M/s OCEAN (Organization for Career Education and Environmental Awareness in Next Generation), Tehsil Shahpur, Distt. Kangra.

In exercise of the powers conferred by the sub-clause (vi) of Clause (23C) of Section 10 of the Income Tax, Act, 1961, I Chief Commissioner of Income Tax, H.P. Region, Shimla hereby approve "M/s OCEAN (Organization for Career Education and Environmental Awareness in Next Generation), Tehsil Shahpur, Distt. Kangra." for the purpose of the said clause for the assessment year 2013-14 onwards, subject to the following conditions:-

- (i) That the Society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income Tax Act, 1961 read with Rule 2CA of the Income Tax Rules, 1962.
- (ii) The assessee will apply or accumulate its Income for application, wholly and exclusively to the Objects for which it is established, in accordance with clause (a) of third proviso to clause (23C) of Section 10 of the I.T. Act, 1961.
- (iii) The assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the forms of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms of modes specified in sub-section (5) of section 11.
- (iv) This Order will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.
- (v) The assessee will regularly file its return of income in accordance with the provisions of the Income Tax Act, 1961.
- (vi) That in the event of dissolution, its surplus and the assets will be given to a Charitable Organization with similar objectives.
- (vii) This Approval shall be void if it is subsequently found that it has been obtained by fraud or misrepresentation of facts.
- (viii) The above Approval is given only for the purpose of Sec. 10(23C)(vi) of the Income Tax Act, 1961 and not for any other purposes under the I.T. Act, 1961.

- (ix) That any anonymous donations referred to in sec. 115BBC of the I.T. Act, 1961 on which tax is payable in accordance with the provisions of the said section shall be included in the total income.
- (x) This Order is applicable to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, otherwise, of income of the institution would be separately considered as per the provisions of the Income tax Act, 1961.
- (xi) The Institution shall exist solely for education purpose and not for purpose of profit. If for any assessment year it is held that the institution is not existing solely for education but for profit as per ratio/ observations of Hon'ble Supreme Court in the case of P.A. Inamdar Vs. State of Maharashtra, (6SCC 537), this Approval is liable to be withdrawn for that assessment year onwards.
- (xii) Reasonable surplus income i.e. upto 15% of the gross receipts as per ratio of Hon'ble Supreme Court in 6 SCC 537 (supra) as referred to in condition (xi) shall be applied or accumulated for application wholly & exclusively to the objects for which it is established.
- (xiii) Any infringement of these conditions will result in cancellation of the exemption granted by this Order.

sd/—

(B.D. Gupta)

**Chief Commissioner of Income Tax
H.P. Region, Shimla.**

Copy to:

1. The Pr. Chief Commissioner of Income Tax, N.W. Region, Chandigarh and Chief Commissioner of Income Tax, Panchkula/ Ludhiana and Amritsar for kind information.
2. The Commissioner of Income Tax, Shimla.
3. The Jt. Commissioner of Income Tax, Palampur Range, Palampur.
4. The Dy. Commissioner of Income Tax (Circle), Palampur.
5. **M/s OCEAN (Organization for Career Education and Environmental Awareness in Next Generation), Tehsil Shahpur, Distt. Kangra.**



(Rajinder Tikoo)

**Income Tax Officer HQ (Tech.),
Shimla.**