

FORM NO. 8

[See rule 16]

Declaration under section 158A(1) of the Income-tax Act, 1961 to be made by an assessee claiming that identical question of law is pending before the High Court or the Supreme Court

I, _____, son/daughter/wife of Shri _____ being the * _____ of
do hereby declare :

1. That the following question(s) of law ** is/are pending in ** my case/in the case of _____ before the
** High Court/Supreme Court on a reference under section 256/257
Supreme Court on an appeal under section 261
in respect of the assessment year

** A copy of the statement of the case and the question(s) of law referred to the High Court/Supreme Court is/are enclosed.

A copy of the judgment of the High Court and grounds of appeal to the Supreme Court is/are enclosed.

2. That the said question(s) of law ** is/are identical with the question(s) of law arising in ** my case/in the case of _____ in respect of the assessment year _____ which is pending before ***
3. That if the *** _____ agrees to apply to the case referred to in paragraph 2 above the final decision on the question of law in the case referred to in paragraph 1 above, ** I/the assessee mentioned in paragraphs 1 and 2 above, shall not raise the said question(s) of law in the case referred to in paragraph 2 above in appeal before any appellate authority or for a reference before the High Court under section 256 or the Supreme Court under section 257 or in appeal before the Supreme Court under section 261.

Signature of the declarant

Permanent Account No.

Address of the assessee

Verification

I, _____, do hereby declare that to the best of my knowledge and belief what is stated above is correct, complete and is truly stated. I further declare that I am making the declaration in my capacity as and that I am competent to make this declaration and verify it.

Verified today the _____ day of

Place: _____

Signature of the declarant

Notes :

1. The declaration should be in duplicate when it is furnished to the Deputy Commissioner (Appeals) or the Commissioner (Appeals) and in triplicate when it is furnished to the Appellate Tribunal.
2. * Mention the capacity in which the declaration is made.
3. **Delete whichever is not applicable.
4. ***Mention the designation of the officer or authority to whom or to which the declaration is furnished.
5. Give complete postal address. Where the declarant is not the assessee, also give the complete postal address of the assessee.