

Finance Act, 1988

Section 47 - Amendment of Section 279

In section 279 of the Income-tax Act, with effect from the 1st day of April, 1989, -

(a) for sub-section (1), the following sub-section shall be substituted, namely :-

'(1) A person shall not be proceeded against for an offence under section 275A, section 276, section 276A, section 276B, section 276BB, section 276C, section 276CC, section 276D, section 277 or section 278 except with the previous sanction of the Chief Commissioner or Director General or Commissioner :

Provided that no such sanction shall be required if the prosecution is at the instance of the Commissioner (Appeals) or the appropriate authority.

Explanation : For the purposes of this section, "appropriate authority" shall have the same meaning as in clause (c) of section 269UA.;

(b) for sub-section (2), the following sub-section shall be substituted, namely :-

"(2) Any offence under this Chapter may, either before or after the institution of proceedings, be compounded by -

(a) the Board or a Chief Commissioner or a Director General authorised by the Board in this behalf, in a case where the prosecution would lie at the instance of the Commissioner (Appeals) or the appropriate authority;

(b) the Chief Commissioner or Director General or Commissioner, in any other case."
