

## PROCEEDINGS OF THE DIRECTOR OF INCOME TAX (EXEMPTIONS) : HYDERABAD

C.R. PATI, I.R.S.,  
Director of Income Tax (Exemptions)

F.No. DIT(E)/HYD/25(01)/80G/2013-14

Dated: 18-07-2014

SUB: Granting of an approval or for continuance thereof to an Institution or a fund (referred to u/s. 80G(2) & (5) of the I.T. Act, 1961) - Reg.

REF: The application in Form No.10G filed by **Smile Always Foundation** (PAN: AAGAS3398L), Plot No.13, Mamatha Nagar, Nagole, Hyderabad - 500 068 .

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**APPROVAL U/S .80G(5)(vi) OF THE INCOME TAX ACT, 1961:**

The application filed by the above society, which was earlier granted registration under Section 12AA(1)(b)(i) of the Income Tax Act, 1961, vide order in F.No.DIT(E)/HYD/07(07)/12A/12-13 dated 29-01-2013, in Form No.10G on 22-01-2014 seeking approval u/s.80G(5) of the Income Tax Act, 1961, has been examined and I am satisfied that:

- (i) This is a fund/institution as mentioned in clause (iv) of sub-section 2 of Sec.80G of the I.T. Act, 1961;
- (ii) The donations made to the said institution/fund/ do qualify for deduction in computing the income of a person who makes the donation i.e. in the hands of the donor.

Accordingly, the approval sought for is hereby accorded under Section 80G(5)(vi) of the Income Tax Act, 1961.

2. The approval shall have effect from **18-07-2014 onwards** subject to all other provisions of the I.T. Act, 1961 as applicable and the following conditions:-

- i) The receipts issued to the donors should bear the number and the date of this order and the period of validity.
- ii) The institution shall submit the statement of income and expenditure and other financial statements for the year ended on 31.03.2014 and subsequent year(s) within the prescribed time before the prescribed authority.
- iii) The institution shall maintain the books of account regularly and also get the same audited as required under Clause (b) of Subsection (1) of Section 12A of the I.T. Act.
- iv) The institution shall file the Return of Income regularly as stipulated under Section 139(1) read with section 139(4A)



(Contd..2..)

- v) No change in the Memorandum of Association shall be effected without due procedure of law and its intimation shall be given immediately to this Office.
  - vi) The institution shall maintain separate books of account in respect of business activity as stipulated in the proviso to Clause (i) of Sub-section (5) of Section 80G. The donations received should not be used directly or indirectly for the purpose of business.
  - vii) No Expenditure should be incurred which is of religious nature in any previous year in excess of five percent of its Total Income of that previous year.
  - viii) Charitable purpose does not include any purpose the whole or substantially the whole of which is of a religious nature.
  - ix) No deduction under Section 80G shall be allowed in respect of any donation unless such donation is of a sum of money.
  - x) The institution shall not violate the provisions of Section 13.
3. The institution seeking exemption shall fulfill the conditions specified in Sub-Section (5) of Section 80G of I.T.Act, 1961.

Sd/-  
(C.R.PATI)  
Director of Income Tax (Exemptions)  
Hyderabad.

Copy to :

- ✓ 1. Smile Always Foundation  
Plot No.13, Mamatha Nagar,  
Nagole, Hyderabad - 500 068 .

2. Copy to the DDIT (E)- II, Hyderabad



(M. BHARADWAJA)  
Income Tax Officer(H.Qrs)(Exem)  
O/o DIT(E), Hyderabad