

Income Tax Act 1961 s 139B - Scheme for submission of returns through Tax Return Preparers

(1) For the purpose of enabling any specified class or classes of persons in preparing and furnishing returns of income, the Board may, without prejudice to the provisions of section 139, frame a Scheme, by notification in the Official Gazette, providing that such persons may furnish their returns of income through a Tax Return Preparer authorised to act as such under the Scheme.

(2) Every Tax Return Preparer shall assist the persons furnishing the return of income in such manner as may be specified in the Scheme framed under this section and affix his signature on such return.

(3) For the purposes of this section,—

(a) “Tax Return Preparer” means any individual, not being a person referred to in clause

(ii) or clause (iii) or clause (iv) of sub-section (2) of section 288 or an employee of the “specified class or classes of persons”, who has been authorised to act as a Tax Return Preparer under the Scheme framed under this section;

(b) “specified class or classes of persons” means any person, other than a company or a person, whose accounts are required to be audited under section 44AB or under any other law for the time being in force, who is required to furnish a return of income under this Act.

(4) The Scheme framed by the Board under this section may provide for the following, namely:—

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- (a) the manner in which and the period for which the Tax Return Preparers shall be authorised under sub-section (3);**
- (b) the educational and other qualifications to be possessed, and the training and other conditions required to be fulfilled, by a person to act as a Tax Return Preparer;**
- (c) the code of conduct for the Tax Return Preparers;**
- (d) the duties and obligations of the Tax Return Preparers;**
- (e) the circumstances under which the authorisation given to a Tax Return Preparer may be withdrawn;**
- (f) any other matter which is required to be, or may be, specified by the Scheme for the purposes of this section.**

**(5) The Scheme framed by the Board under this section shall be laid, as soon as may be after it is framed, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Scheme or both Houses agree that the Scheme should not be framed, the Scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Scheme.**

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