



GOVERNMENT OF INDIA
MINISTRY OF FINANCE
INCOME TAX DEPARTMENT
OFFICE OF THE CHIEF
COMMISSIONER OF INCOME TAX
CCIT, COIMBATORE

To, THE PRINCIPAL OFFICER, M/S EAST WEST PHARMA 10/8 2nd CROSS, MARAVANERI EXTENSION SALEM 636007, Tamil Nadu India	
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PAN: AADFE3892M	Dated: 21/06/2023	DIN & Order No : ITBA/COM/F/17/2023-24/1053826777(1)
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Sir/ Madam/ M/s,

Subject: Proceedings under section 17(2) - Order

**PROCEEDINGS OF THE CHIEF COMMISSIONER OF INCOME-TAX,
COIMBATORE**

Present: Smt. SEEMA RAJ, I.R.S.
Chief Commissioner of Income-tax,
Coimbatore.

Sub : Approval of Hospital under Section 17(2) of the Income-tax Act, 1961, in the case of M/s East West Pharma, (PAN: AADFE3892M), 10/8, Second Cross, Maravaneri Extension, Salem – 636 007, lessee of M/s Chennai National Hospital, No. 12, Jaffer Serang Street, 2nd Line, Beach Road, Parrys, Chennai – 600 001 - Regarding.

Ref : Application from the assessee-hospital dated 19/04/2023 received in this office on 24.04.2023.

ORDER UNDER SECTION 17(2) OF THE INCOME TAX ACT, 1961

In exercise of the powers conferred under sub clause (b) of clause (ii) of the proviso to clause (viii) of sub section (2) of Section 17 of the Income Tax Act, 1961

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,REAC, COIMBATORE, REAC, COIMBATORE, COIMBATORE, Tamil Nadu, 641018
Email: COIMBATORE.CCIT@INCOMETAX.GOV.IN,

(hereinafter, for brevity, referred to as 'the Act') read with Rule 3A of the Income-tax Rules, 1962, approval was accorded to ***M/s East West Pharma, 10/8, Second Cross, Maravaneri Extension, Salem – 636 007, lessee of M/s Chennai National Hospital, No. 12, Jaffer Serang Street, 2nd Line, Beach Road, Parrys, Chennai – 600 001***, for the purpose of said sub-clause (b) of clause (ii) of the proviso, by the Chief Commissioner of Income Tax, Coimbatore, vide order dated 08.11.2021. The approval was effective till 19.04.2023.

2. The assessee hospital, M/s East West Pharma, Salem, vide application dated 19.04.2023, has requested for renewal of the approval supra for a further period of two years.

3. In exercise of the powers conferred by proviso (ii)(b) to clause (viii) of sub-section (2) of Section 17 of the Act, I, the Chief Commissioner of Income Tax, Coimbatore hereby approve ***M/s East West Pharma, 10/8, Second Cross, Maravaneri Extension, Salem – 636 007, lessee of M/s Chennai National Hospital, No. 12, Jaffer Serang Street, 2nd Line, Beach Road, Parrys, Chennai – 600 001***, for the purpose of the said sub-clause (b) of clause (ii) of the said proviso, in respect of the below mentioned diseases or ailments prescribed under **Rule 3A(2)** of the Income Tax Rules, 1962.

Sub-rule No.	Diseases or ailments prescribed under Rule 3A(2)
(a)	cancer
(b)	tuberculosis
(d)	disease or ailment of the heart, blood, lymph glands, bone marrow, respiratory system, central nervous system, urinary system, liver, gall bladder, digestive system, endocrine glands or the skin, requiring surgical operation
(e)	ailment or disease of the eye, ear, nose or throat, requiring surgical operation
(f)	fracture in any part of the skeletal system or dislocation of vertebrae requiring surgical operation or orthopaedic treatment

(g)	gynaecological or obstetric ailment or disease requiring surgical operation, caesarean operation or laparoscopic intervention
(h)	ailment or disease of the organs mentioned at (d), requiring medical treatment in a hospital for at least three continuous days
(i)	gynaecological or obstetric ailment or disease requiring medical treatment in a hospital for at least three continuous days
(k)	mental disorder – neurotic or psychotic – requiring medical treatment in a hospital for at least three continuous days
(m)	anaphylactic shocks including insulin shocks, drug reactions and other allergic manifestations requiring medical treatment in a hospital for at least three continuous days

4. Accordingly, any sum paid by an employer directly to the hospital, ***M/s East West Pharma, 10/8, Second Cross, Maravaneri Extension, Salem – 636 007, lessee of M/s Chennai National Hospital, No. 12, Jaffer Serang Street, 2nd Line, Beach Road, Parrys, Chennai – 600 001***, for the purpose of medical treatment of the specified diseases or ailments mentioned in rule 3A(2) of the Income Tax Rules, 1962, on account of treatment of the employee or any member of the family of the employee, shall not be treated as a perquisite for the purpose of Sections 15, 16 and 17 of the Act, 1961 and such sum shall be exempt from Income Tax in the hands of the employee. The employer will not be liable to deduct tax under section 192 of the Act in respect of such sum.

5. The said hospital shall issue a certificate to the employee who avails the medical facility specifying the disease or ailment for which medical treatment was given and the amount of expenditure incurred on payments made to the hospital and for the medicines along with the relevant bills.

6. The approval accorded above is only for the purpose of sub clause (b) of clause (ii) of the proviso to clause (viii) to sub section (2) of Section 17 of the Income tax Act, 1961 and shall not be construed as approval of the Central Government or the Chief Commissioner of Income tax, Coimbatore, or any other statutory authority under the Government for any other purpose(s).

7. This approval is subject to withdrawal at any time if it is found that the approval has been obtained through misrepresentation of facts or that the necessary conditions as stipulated in sub-rule (1) of Rule 3A of the Income-tax Rules, 1962 are not fulfilled and is subject to modification / withdrawal, if necessitated by subsequent changes in the provisions governing the approval.

8. The order of the approval is effective for a period of **two years from 20/04/2023 to 19/04/2025**. This approval is subject to the Hospital's continued compliance with the statutory conditions under Rule 3A of the Income Tax Rules, 1962 necessary for such approval and such modifications as may be necessitated by any amendment to the provisions governing the approval under the Income Tax Act, 1961.

9. This order of the approval is subject to the following terms and conditions:

(a) This approval is not transferable;

(b) The said hospital shall at all reasonable times be open for inspection by such Officers of the Income tax Department as are duly authorized in this behalf;

(c) The said hospital shall conform to such conditions as are prescribed under this proviso (ii) (b) to Clause (viii) of sub-section 2 of Section 17 of the Income tax Act, 1961 read with Rule 3A of the Income tax Rules, 1962. In the event that the hospital ceases to satisfy any of the conditions prescribed by law, it will be mandatory on the part of the hospital to notify the approval issuing authority of such fact immediately;

*(d) The application for renewal of approval should be submitted at least **30 days** before the expiry of current approval;*

(e) For the purpose of extension of approval, a certificate should be filed to the effect that all the conditions specified in Rule 3A of the IT Rules, 1962, continue to be satisfied and that no substantive / material change has occurred in the facts reported in the original application.

(f) This approval is subject to the subsistence of lease between M/s East West Pharma, Salem and M/s Chennai National Hospital, Chennai. Any change in the terms of the lease deed provided in XXV & XXVI should be brought to the notice of this office forthwith.

SEEMA RAJ
CCIT, COIMBATORE

Copy to:

- 1) The Secretary, Central Board of Direct Taxes, North Block, New Delhi.
- 2) The Chief Commissioner of Income-tax (Exemptions), New Delhi.
- 3) All the Chief Commissioners of Income-Tax in Tamil Nadu Region.
- 4) All the Principal Commissioners of Income-tax in Coimbatore.
- 5) The Commissioner of Income-tax (Exemptions), Chennai.
- 6) All the Addl. / Joint Commissioner of Income-tax, Coimbatore Region.
- 7) The Deputy Commissioner of Income-tax (Exemptions), Coimbatore.
- 8) The DCIT/ACIT, Circle-1, Salem.
- 9) The ITO (HQ)(PR & TPS-1), O/o CCIT, Coimbatore.

SEEMA RAJ
CCIT, COIMBATORE

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