

take place wherein action is taken by the respective State /UT Governments as per the law.

(c) and (d) The Ministry has received no such reports, wherein the agencies concerned have cut trees in Delhi without permission of the Competent Authority, Permission for cutting of trees is given by the respective State/UT Governments.

Appeal against demerger of telecom company

183. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Commissioner of Income Tax has filed an appeal before the Hon'ble High Court in the matter of demerger of a leading Telecom Company with its Tower Division.

(b) if so, the details thereof;

(c) whether it is also a fact that the demerger scheme was undertaken by the company to evade tax; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) and (b) Some of the leading telecom companies had filed petitions under provisions of Companies Act before jurisdictional High Courts seeking sanction of scheme of arrangements for demerger/transfer of their Passive Infrastructure Assets. In one of the cases where the said scheme was sanctioned by the division bench of High Court of Gujarat, the Income tax department has filed a Special leave petition before the Supreme Court in which a notice has been issued to the respondents. In some other cases, a single judge bench of the Delhi High Court sanctioned the scheme and the Commissioners of Income Tax concerned have filed appeals before the division bench, which are pending.

(c) and (d) It has been the stand of the Income Tax department before the Courts that the demerger schemes were undertaken by the companies to evade tax. The matter is sub-judice.

Indirect Tax collections