

Form 29 – Certificate regarding achievement and maintenance of prescribed level of production in case of amalgamation

Name of form as per I.T. Rules, 1962	Form 62	Name of form as per I.T. Rules, 2026	Form 29
Corresponding section of I.T. Act, 1961	72A(2)(iii)	Corresponding section of I.T. Act, 2025	116(4)(b)(iii)
Corresponding Rule of I.T. Rules, 1962	9C	Corresponding Rule of I.T. Rules, 2026	60

Purpose:

Form **29** is prescribed under Rule **60** of the Income Tax Rules, **2026** and is required to be filed by the amalgamated company to certify the achievement and maintenance of the prescribed level of production of the undertaking(s) received through amalgamation.

This form serves as an evidence of compliance with the conditions laid down in Section **116(4)(b)(iii)** of the Income Tax Act, **2025** for allowing carry forward and set-off of accumulated loss and unabsorbed depreciation of the amalgamating company.

The form must be certified by the principal officer of the amalgamated company and verified by an accountant (as defined in **section 515(3)(b)** of the Income Tax Act, **2025**).

Who Should File:

Every amalgamated company that has acquired an industrial undertaking of one or more amalgamating companies by way of amalgamation, and seeks to claim the benefit of set-off or carry-forward of accumulated loss or unabsorbed depreciation of the amalgamating entity, must file Form **29**.

When and How to File:

1. The form shall be furnished to the Assessing Officer along with the return of income for:
 - the tax year during which the amalgamated company achieves at least 50% of the installed capacity of production of the amalgamated undertaking, and
 - each of the subsequent tax years falling within five years from the date of amalgamation.
2. Filing is required for every amalgamated undertaking covered under Rule **60** of the Income Tax Rules, **2026**.
3. The form shall be digitally signed by the principal officer of the amalgamated company and electronically verified by the accountant through the Income-tax portal.

Legal Framework (Rule 60 of the Income Tax Rules, 2026 Overview):

Under Rule 60 of the Income Tax Rules, 2026, the following key conditions apply:

- The amalgamated company must achieve at least 50% of installed capacity of the undertaking acquired by way of amalgamation within four years from the date of amalgamation.
- The said minimum level must be maintained continuously for five years from the date of amalgamation.
- The Central Government may relax the conditions in genuine cases upon application by the amalgamated company.
- A certificate in Form 29, verified by an accountant, must be furnished with the return of income for the relevant years.

Verification:

The accountant is required to:

1. Examine books of account and supporting records showing production data.
2. Verify that prescribed production levels were achieved and maintained.
3. Declare correctness of particulars under his signature and details.

Outcome and Usage:

- **For Amalgamated Company:**

Filing Form 29 ensures continued eligibility for tax benefits under Section 116(4)(b)(iii) of the Income Tax Act, 2025. Non-furnishing or inaccurate certification can lead to disallowance of set off and carry-forward benefits.

- **For Assessing Officer:**

Enables verification of compliance with prescribed production thresholds and maintenance conditions under Rule 60 of the Income Tax Rules, 2026.
