

## **Comprehensive note on new Forms (Form No. 46 and 47)**

The rule 82 for exercise of option for determination of arm's length price (ALP) under section 166(9) of the Income-tax Act, 2025 prescribes two forms –

1. Form No. 46
2. Form No. 47

### **Form No. 46**

#### **Who is required to file the form?**

It is a form furnished by an assessee for exercising an option or options for determination of Arm's length price in respect of international transactions or specified domestic transactions for multiple year in a single proceeding for two consecutive tax years (the second tax year and the third tax year respectively) immediately following the tax year (the first tax year) in respect of which reference has been made in its case under section 166.

#### **Due date:**

Form No. 46 must be furnished, within the period, beginning from the end of the third tax year and ending on the 30th day of June succeeding the third tax year.

For example: If the first tax year is 2026-27, second tax year is 2027-28 and third tax year is 2028-29, the assessee can furnish Form No. 46 by 30<sup>th</sup> June, 2029.

#### **Structure of the Form No. 46**

The form comprises of two parts, Part A contains general information of the taxpayer and Part B contains the following-

- a) Tax years for which the option is exercised under section 166(9)
- b) Dates of furnishing ITRs, and Form No. 48
- c) Details of the transactions for which determination of ALP is to be carried out as per section 166(9)

### **Form No. 47**

This is a certificate from an accountant, accompanying the Form No. 46, certifying the fulfilment of the conditions prescribed under the rule 82 for the option exercised by the assessee under section 166(9).