



To,
The Deputy Director of Income-tax (Intelligence) -1
3A, 1st Floor, ARA Centre, E-2,
Jhandewalan Extension,
New Delhi-110055.

Dated: 8 September 2010

Dear Sir,

Re: Re: Summons u/s 131 – Show cause notice for non-compliance.

With reference to your letter dated 30th August 2010 asking me to show cause why my non attendance in response to your summons should not be construed as an act calling for action of levy of penalty u/s 272A(1)(c) of the Income-tax Act, 1961 and why the same should not referred to the Additional Director (Intelligence) -1, New Delhi, I have to state as under:-

I am quite surprised that you should consider my non appearance as a default warranting such an action. You are well aware and have also been informed by Mr. Rajeev Kapoor, DGM-Finance, Godfery Phillips India Ltd whom I have authorized to appear before you on my behalf the reason why I cannot appear before you in person. You are well aware as I have informed you vide my earlier letter dated 25.08.2010 (Submitted on 30.08.2010) that I have received some death threats and my security has become a serious issue. I have communicated to you earlier vide my letter dated 25.08.2010 that I am always willing and ready to answer all the questions you have to ask me and am willing to send in my replies in writing as and when you send me the questionnaire. However unfortunately you have taken the matter differently and have issued me a show cause notice for not complying with your summons. I submit that it would be human to appreciate that I fear harm to my physical self on coming to India.

I am also willing to answer all the questions via a video conference which is a well recognized and legal mode of communication throughout the world. I am ready and willing to sit across a camera and reply to all the issues that concern the matters of the Income-tax department and hence pray that you may adopt this mode of investigation to enable you to complete the investigation.

Alternatively I request you to kindly approach the Finance Ministry through the correct channels of the income-tax department and deploy a team of officers who would like to record my statement to a mutually agreeable location and I undertake to make myself available to you for the same at the said place.



In view of the above, I have to state that my non appearance in person should be seen in the right perspective and not considered as a sufficient and reasonable cause for the same.

I hope that in view of the above you will be pleased to drop the penalty proceedings initiated u/s 272A(1)(c) and oblige.

**Thanking you,
Yours faithfully**

Lalit Kumar Modi