

FINANCE ACT, 1969

14 of 1969

[13th May, 1969]

CONTENTS

CHAPTER 1 :- PRELIMINARY

1. Short title and commencement

CHAPTER 2 :- RATES OF INCOME-TAX

2. Income-tax

CHAPTER 3 :- INCOME-TAX

3. <u>.</u> 4. <u>.</u> 5. <u>.</u> 6. <u>.</u> 7. <u>.</u> 8. <u>.</u> 9. <u>.</u> 10. . 11. <u>.</u> 12. <u>.</u> 13. <u>.</u> 14. <u>.</u> 15. <u>.</u> 16. <u>.</u> 17. <u>.</u> 18. <u>.</u> 19. <u>.</u> 20. <u>.</u> 21. <u>.</u> 22. <u>.</u> 23. <u>.</u>

CHAPTER 4 :- OTHER DIRECT TAXES

24. <u>.</u>

25. Amendment of Act 7 of I964

CHAPTER 5 :- INDIRECT TAXES

26. <u>26</u>

27. Special duties of customs

28. Regulatory duties of customs

29. Amendment of Act 1 of 1949

30. <u>Note</u>

31. Special duties of excise on certain goods

32. Regulatory duties of excise

33. Amendment of Act 58 of 1957

34. Discontinuance of salt duty

SCHEDULE 1 :- THE FIRST SCHEDULE

SCHEDULE 2 :- THE SECOND SCHEDULE

FINANCE ACT, 1969

14 of 1969

[13th May, 1969]

An Act to give effect to the financial proposals of the Central Government for the financial year 1969-70. Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows

CHAPTER 1 PRELIMINARY

1. Short title and commencement :-

(1) This Act may be called The Finance Act, 1969.

(2) Save as otherwise provided in this Act, sections 2 to 25 shall be deemed to have come into force on the 1st day of April, 1969.

2. Income-tax :-

(1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 1969, income-tax shall be charged at the rates specified in Part I of the First Schedule, and, in the cases to which Paragraphs A, B, C and D of that Part apply, shall be increased by a surcharge for purposes of the Union and in the cases to which Paragraph C applies, also by a special surcharge for purposes of the Union calculated in each case in the manner provided therein.

(2) In making any assessment for the assessment year commencing on the I st day of April, 1969, where the total income of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, includes any profits and gains from life insurance business, the income-tax payable by it shall be the aggregate of the income-tax calculated-

(i) on the amount of profits and gains from life insurance business so included, at the rate applicable in the case of the Life Insurance Corporation of India, in accordance with Paragraph E of part I of the First Schedule, to that part of its total income which consists of profits and gains from life insurance business; and

(ii) on the remaining part of its total income, at the rate applicable to the company on its total income.

(3) In cases to which Chapter XII of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act) applies, the tax chargeable shall be determined as provided in that Chapter, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter, as the case may be.

(4) In cases in which tax has to be deducted under sections 193, Section 194 of the Income Tax Act, 1961, Section 194A of the Income Tax Act, 1961 and Section 195 of the Income Tax Act, 1961 at the rate in force, the deduction shall be made at the rates specified in Part II of the First Schedule.

(5) In cases in which income-tax has to be calculated under the first proviso to sub-section (5) of Section 132 of the Income tax Act, 1961 or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of Section 80E of the Income tax Act, 1961 of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to becomputed, at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be so calculated, charged, deducted or computed at the rate or rates specified in Part III of the First Schedule.

(6) For the purposes of this section and the First Schedule,-

(a) "company in which the public are substantially interested" means a company which is such a company as is referred to in Section 108 of the Income tax Act, 1961;

(b) "domestic company" means an Indian company, or any other company which, in respect of its income liable to income-tax under the Income-tax Act for the assessment year commencing on the 1st day of April, 1969, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income in accordance with the provisions of section 194 of that Act;

(c) "industrial company" means a company which is mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining. Explanation,- For the purposes of this clause, a company shall be deemed to be mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining, if the income attributable to any one or more of the aforesaid activities included in its total income of the previous year (as computed before making any deduction under Chapter VI-A of the Income-tax Act) is not less than fifty-one per cent. of such total income.

(d) "tax-free security" means any security of the Central Government issued or declared to be income-tax free, or any security of a State Government issued income-tax free, the income-tax whereon is payable by the State Government;

(e) all other words and expressions used in this section and the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings respectively assigned to them in that Act.

CHAPTER 3 INCOME-TAX

<u>3.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

4. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961. These amendments were incorporated in that Act.

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>6.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>7.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961. These amendments were incorporated in that Act.

<u>8.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>9.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

10. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>11.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>12.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>13.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961. These amendments were incorporated in that Act.

14. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

15. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>16.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>17.</u>.:-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

18. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

19. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

20. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

21. : -

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

<u>22.</u> . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

23. . :-

Note.- These sections amended, various provisions of Income tax Act, 1961 . These amendments were incorporated in that Act.

24. . :-

Note.- This section amends Wealth-tax Act, 1957. These' amendments were incorporated in that Act.]

25. Amendment of Act 7 of I964 :-

In Companies (Profits) Surtax Act, 1964, in the Third Schedule, the proviso shall be omitted.

CHAPTER 5 INDIRECT TAXES

<u>26.</u> 26 :-

Note.- This section amended Tariff Act, 1934 which has been repealed and replaced by Customs Tariff Act, 1975.]

27. Special duties of customs :-

This section dealt with levy of special duty on certain goods chargeable to customs duty specified in Schedule to Tariff Act, 1934, which Act is now repealed and replaced by Customs Tariff Act, 1975.]

28. Regulatory duties of customs :-

(1) With a view to regulating or bringing greater economy in imports, there shall be levied and collected with effect from such date, and at such rate, as may be specified in this behalf by the Central Government by notification in the Official Gazette, on all or any of the goods mentioned in the First Schedule to the Tariff Act or in that Schedule as amended by a subsequent Central Act, if any, a regulatory duty of customs not exceeding -.

(a) 25 per cent. of the rate, if any, specified in the said First Schedule read with any notification issued under section 3A, or sub-section (1) of S.4 of the Tariff Act, 1975; or

(b) 10 per cent. of the value of the goods as determined inaccordance with the provisions of Section 14 of the Customs Act, 1962, whichever is higher: Provided that different dates and different rates may be specified by the Central Government for different kinds of goods.

(2) Sub-section (1) shall cease to have effect after the 15th day of May, 1970, except as respects things done or omitted to be done before such cesser; and Section 6 of the General Clauses Act, 1897, shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The regulatory duty of customs leviable under this section in respect of any goods referred to in sub-section (1) shall be in addition to any other duty of customs chargeable on sfich goods under Customs Act, 1962

(4) The provisions of Customs Act, 1962, and the rules and regulations made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the regulatory duty of customs leviable under 'this section in respect of any goods as they apply in relation to the levy and collection of the duties of customs on such goods under that Act or those rules and regulations.

(5) Every notification issued under sub-section (1) shall, as soon as may be after it is issued, be placed before each House of Parliament.

29. Amendment of Act 1 of 1949 :-

Indian Tariff (Amendment) Act, 1949 is now repealed and replaced by the Customs Tariff Act, 1975 (51 of 1975).]

30. Note :-

This section amended the Central Excises and Salt Act, 1944. These amendments were incorporated in that Act.]

31. Special duties of excise on certain goods :-

(1) When goods of the description mentioned in this section chargeable with duty of excise under the Central Excises Act (as amended by this Act or any subsequent Central Act) read with any notification for the time being in force issued by the Central Government in relation to the duty so chargeable, are assessed to duty, there shall be levied and collected-

(a) as respects goods comprised in Items Nos. 6, 8, 9, 14D, 22A, 23A except sub-item (1) thereof, 23B, 28, 29, sub-items (2) and (3) of Item No. 31 and Item No. 32 of the First Schedule to the Central Excises Act, a special duty of excise equal to 10 per cent of the total amount so chargeable on such goods;

(b) as respects goods comprised in Items Nos. 2,3(1), sub-items I, II (2) and II (3) of Item No. 4, Items Nos. 13, 14, 14F, 15, 15A, 15B, 16, 16A, 17, 18A (2), 21,22, 23, 23A (1), 27,30,31(1), 33, sub-items (1), (3a) and (4) of Item No. 34 and sub-items 11(1) and (II) (2) of Item No. 37 of that Schedule, a special duty of excise equal to 20 per cent of the total amount so chargeable on such goods; and

(c) as respects goods comprised in sub-item II (1) of Item No. 4 and Items Nos. 18, 18A (1), 18B, 20, 29A, 33A, and sub-items (2) and (3) of Item No. 34 of that Schedule, a special duty of excise equal to 331/2 per cent. of the total amount so chargeable on such goods.

(2) Sub-section (1) shall cease to have effect after the 31st day of March, 1970, except as respects things done or omitted to be done before such cesser; and S.6 of the General Clauses Act. 1897, shall apply upon such censer a-) if the said sub-section had then been repealed by a Central Act.

(3) The duties of excise referred to in sub-section (1) in respect of the goods specified therein shall be in addition to

the duties of excise chargeable on such goods under the Central Excises Act or any other law for the time being in force and such special duties shall be levied for purposes of the Union and the proceeds thereof shall not be distributed among the States.

(4) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of duties of excise on such goods under that Act or those rules.

32. Regulatory duties of excise :-

(1) With a view to regulating or bringing greater economy in consumption, there shall be levied and collected, with effect from such date and at such rate as may be specified in this behalf by the Central Government by notification in the Official Gazette, on all or any of the goods mentioned in the First Schedule to the Central Excises Act as amended by this Act or any subsequent Central Act, a regulatory duty of excise which shall not exceed 15 per cent. of the value of the goods as determined in accordance with the provisions of S.4 of the Central Excises Act, 1944 : Provided that different dates and different rates may be specified by the Central Government for different kinds of goods.

(2) Sub-section (1) shall cease to have effect after the 15th day of May, 1970, except as respects things done or omitted to be done before such cesser and Section 6 of the General Clauses Act, 1897, shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act.

(3) The duties of excise referred to in sub-section (1) in respect of the goods specified therein shall be in addition to the duties of excise chargeable on such goods under the Central Excises Act or any other law for the time being in force and such regulatory duties shall be levied for purposes of the Union and the proceeds thereof shall not be distributed among the States.

(4) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the regulatory duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules.

(5) Every notification issued under sub-section (1) shall, as soon as may be after it is issued, be placed before each House of Parliament.

33. Amendment of Act 58 of 1957 :-

Note.- This section amended the First Schedule to Additional Duties of Excise (Goods of SpecialImportance) Act, 1957.]

34. Discontinuance of salt duty :-

For the year beginning on the 1st day of April, 1969, no duty under the Central Excises Act, or the Tariff Act shall be levied in respect of the salt manufactured in, or imported into. India.

SCHEDULE 1

THE FIRST SCHEDULE

\ \ \ \ \(See section 2) \ \ \ \ \PART I Income-tax and surcharges on income-tax Paragraph A In the case of every individual or Hindu unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person re of clause (31) of S.2 of the Income tax Act, 1961, not being a case to which any other Paragraph of this Part applies,- \ \ \ \ \ \ Rates of in total income does not exceed Rs. 5,000 \5 per cent. of the total income; (2) where the total income exceeds Rs. 5,000 but does not Rs. 2 amount by which the total exceed Rupees 10,000 \ \income exceeds Rupees 5,000; (3) where the total income exceeds Rs. 10,000 but do cent. of the amount by which the total not exceed Rs. 15,000 \ \income exceeds Rs. 10,000; (4) where the total income exceeds Rs. 15,00 20 per cent. of the amount by which the not exceed Rs. 20,000 \ \total income exceeds Rs. 15,000; (5) where the total income exceeds R 2,500 plus 30 per cent. of the amount by which the not exceed Rs. 25,000 \ \total income exceeds Rs. 20,000; (6) where the total income does \Rs. 4,000 plus 40 per cent. of the amount by which the not exceed Rs. 30,000 \ \total income exceeds Rs. 25,000; (7) where the tc 30,000 but does \Rs. 6,000 plus 50 per cent. of the amount by which the not exceed Rs. 50,000 \ \total income exceeds Rs. 30,000; (8) \ exceeds Rs. 50,000 but does \Rs. 16,000 plus 60 per cent. of the amount by which the not exceed Rs. 70,000 \ \total income exceeds Rs. income exceeds Rs. 70,000 but does \Rs. 28,000 plus 65 per cent. of the amount by which the not exceed Rs. 1,00,000 \total income exc the total income exceeds Rs. 1,00,000 but does Rs.47,500 plus 70 per cent. of the amount by which the not exceed Rs. 2,50,000 \ \total in 1,00,000; (11) where the total income exceeds Rs. 2,50,000 \Rs. 1,52,500 plus 75 per cent. of the amount by which the \\\\\\\\\\ 2,50,000; Provided that for the purposes of this Paragraph, in the case of a person, not being a non-resident - (i) no income-tax shall be not exceeding the following limits, namely :- (a) Rs. 7,000 in the case of every Hindu undivided family which at any time during the previ the following two conditions, namely:- (1) that it has at least two members entitled to claim partition who are not less than eighteen year at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended fro of the family; (b) Rs. 4,000 in every other case; (ii) where such person is an individual whose total income does not exceed Rs. 10,000 a previous year, incurred any expenditure for the maintenance of any one or more of his parents or grand-parents mainly dependent on him at the rate hereinbefore specified shall be reduced by so much of the amount specified hereunder, as does not exceed the amount of incor Rs. 145 in the case of an unmarried individual; (b) Rs. 220 in the case of a married individual who has no child mainly dependent on him a married individual who has one child mainly dependent on 'him; (d) Rs. 260 in the case of a married individual who has more than one him; so, however, that in the case of a married individual whose spouse has a total income exceeding Rs. 4,000, in respect of the previou assessment year commencing on the 1st day of April, 1970, this clause shall have effect as if for the amounts of Rs. 220, Rs. 240 and Rs. 145, Rs. 165 and Rs. 185 had, respectively, been substituted; (iii) where such person is an individual not falling under clause (ii) or a Hir income-tax computed at the rate hereinbefore specified shall be reduced by so much of the amount specified hereunder, as does not exce tax so computed:- (a) Rs. 125 in the case of an unmarried individual; (b) Rs. 200 in the case of a married individual who has no child ma Hindu \ \ undivided family which has no minor coparcener; (c) Rs. 250 in the case of a married individual who has one child mainly depe undivided family which has one minor coparcener mainly supported from the income of such family; (d) Rs. 240 in the case of a married than one child mainly dependent on him or a \ \ Hindu undivided family which has more than one minor coparcener mainly supported from family; so, however, that in the case of a married individual whose spouse has a total income exceeding Rs. 4,000 in respect of the previo assessment year commencing on the I st day of April, 1970, this clause shall have effect as if for the amounts of Rs. 200, Rs. 220 and Rs. 125, Rs. 145 and Rs. 165, had, respectively, been substituted; (iv) (A) where such person is an individual whose total income exceeds Rs exceed Rs 20,000 and who has, during the previous year, incurred any expenditure for the maintenance of any one or more of his parents dependent on him, the income-tax payable by him in respect of such total income shall not exceed the aggregate of- (1) the income-tax w payable by the individual if his total income had been Rs. 10,000, and (2) 40 per cent of the amount by which the total income of the indi (B) where such person is not an individual whose case falls under sub-clause (A) and the total income of such person does not exceeds R payable thereon shall not exceed 40 per cent. of the amount by which the total income exceeds the limit specified in sub-clause (a) or, as clause (b) of clause (i) of this Proviso. Explanation.- For the purposes of clause (ii) and sub-clause (A) of clause (iv) of this proviso, a pa individual shall not be treated as being mainly dependent on such individual if the income of the parent or, as the case may be, the grand respect of the previous year relevant to the assessment year exceeds one thousand rupees. \ \ \ \Surcharge on income-tax The amount of accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the r total income exceeds Rs. 5,000; (3) where the total income exceeds Rs. 10,000 but does Rs. 750 plus 15 per cent of the amount by which \ total income exceeds Rs. 10,000; (4) where the total income exceeds Rs. 15,000 but does Rs. 1,500 plus 20 per cent of the amount by v 20,000 total income exceeds Rs. 15,000; (5) where the total income exceeds Rs. 20,000 but does Rs. 2, 500 plus 25 per cent of the amou Rs. 25,000 total income exceeds Rs. 20,000; (6) where the total inome exceeds Rs. 25,000 Rs. 3,750 plus 40 per cent of the amount by v total income exceeds Rs. 25,000; Provided that- (i) no income-tax shall be payable on a total income not exceeding Rs. 4,000; and (ii) w 20,000 or less, the income-tax payable shall not exceed 40 per cent. of the amount by which the total income exceeds Rs. 4,000. \\\\\ The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for the purposes of the Union cal per cent. of such income-tax. \ \ \ \ \ \ Paragraph C In the case of every registered firm,- \ \ \ \ \ Rates of income-tax (1) where the tot Rs. 25,000 Nil; (2) where the total income exceeds Rs. 25,000 but does 6 per cent of the amount by which the total income not exceed Rs 25,000; (3) where the total income exceeds Rs. 50,000 but does Rs. 1,500 plus 12 per cent of the amount by which the not exceed Rs. 1, exceeds Rs. 50,000; (4) where the total income exceeds Rs. 1,00,000 Rs. 7,500 plus 20 per cent of the amount by which the \\\\\\\ 1,00,000. \ \ \ \ \Surcharges on income-tax The amount of income-tax computed at the rate hereinbefore specified shall be increased by surcharges for purposes of the Union calculated as specified hereunder:- (a) in the case of a registered firm whose total income includes profession carried on by it and the income so included is not less than fifty-one per cent. of such total income, a surcharge calculated at t the amount of income-tax computed at the rate hereinbefore specified; (b) in the case of any other registered firm, a surcharge calculated cent of the amount of income-tax computed at the rate hereinbefore specified; and (c) a special surcharge calculated at the rate of ten per the following amounts, namely:- (i) the amount of income-tax computed at the rate hereinbefore specified; and (ii) the amount of the sur accordance with clause (a), or, as the case may be, clause (b), of this sub-paragraph. \ \ \ \ \ \ Paragraph D In the case of every local at tax computed at the rate hereinbefore specified shall be increased by a surcharges for purposes of the Union calculated at the rate of ten I tax. \ \ \ \ \ \ Paragraph E In the case of the Life Insurance Corporation of India established under Life Insurance Corporation Act, 1956, tax (i) on that part of its total income which consists of \52.5 per cent profits and gains from life insurance business (ii) on the balance, i \the rate of income-tax applicable in accordance with Paragraph F of this Part, to the total income of a domestic company which is a comp substantially interested. \ \ \ \ \ \Paragraph F In the case of a Company, other than the Life Insurance Corporation of India established Corporation Act, 1956,- \ \ \ \ \ Rates of Income-tax 1. In the case of a domestic company- (1) where the company is a company in whice substantially interested.- (i) in a case where the total income does not exceed 45 per cent. of the total income; Rs. 50,000 (ii) in a case w exceeds 55 per cent. of the total income; Rs. 50,000 (2) where the company is not a company in which the public are substantially interest industrial company- (1) on so. much of the total income as does not 55 per cent; exceed Rs. 10,00.000 (2) on the balance, if any, of the (ii) in any other case 65 per cent. of the total income; Provided that the income-tax payable by a domestic company, being a company in substantially interested, the total income of which exceeds Rs. 50,000 shall not exceed the aggregate of- (a) the income-tax which would company if its total income had been Rs. 50,000 (the income of Rs. 50,000 for this purpose being computed as if such income included ir in the same proportion as the total income of the company); and (b) 80 per cent of the amount by which its total income exceeds Rs. 50, company other than a domestic company:- (i) on so much of the total income as consists of- (a) royalties received from an Indian concer agreement made by it with the Indian concern after the 31st day of March 1961, or (b) fees for rendering technical services received from pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964 and where such agreement has, in eit the Central Government \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ PART II \ \Rat source in certain cases In every case in which under the provisions of Section 193, Section 194, Section 194-A and S.195 of the Income ta: deducted at the rates in force, deduction shall be made from the income subject to deduction, at the following rates:-

\Income-tax

person other than a company- (a) where the person is resident- (i) on income by way of interest other than "Interest on securities" \ \ \ Nil. (ii) on any other income (excluding interest payable \ \ \ on a tax free security) \ \ \ \ \ 2 per cent. \ \ \ 2 per cent.

\Income-tax \ \ \ \ \ \ \ \ \

_ \ \ \ \ \ \ \ \ Rate of Income-

where the person is not resident in India- \\\(i) on the whole income (excluding interest payable \Income-tax at 30 per cent. and surch free security) \\\\\\of the amount of the income \\\\\\\\Part III of this Schedule, if such income had been \\\\\\\ \\\whichever is higher, (ii) on the income by way of interest payable on a \\15 per cent \\\\\\1.5 per cent \\ tax free security 2. I (a) where the company is a domestic company- (i) on income by way of interest other than "Interest \\20 per cent. \\\\\Nil on secur income (excluding interest payable \\22 per cent. \\\\\\Nil on a tax free security) (b) where the company is not a domestic companyof dividends payable by an \\14 per cent. \\\\\Nil Indian company as is referred to in clause (a)(i) of sub-section (1) of S.80M of the on the income by way of dividends payable by \24.5 per cent. Nil any domestic company other than a company referred to in (i) hereinab way of royalties payable by \50 per cent. Nil an Indian concern in pursuance of an agreement made by it with the Indian concern services in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964, and which has been approved Government (v) on the income by way of interest payable on a \44 per cent. Nil tax free security (vi) on any other income \70 per cent. N

\\\\\\PART III Rates for calculating or charging income-tax in certain cases, deducting income-tax from income chargeable under the payment referred to in sub-section (9) of Section 80E and computing "advance tax". In cases in which income-tax has to be calculated un section (5) of S.132 of the Income tax Act, 1961 or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or sec of Section 176 of the said Act or deducted under Section 192 of the said Act from income chargeable under the head "Salaries" or deducted section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter to be computed, at the rate or rates in force such income-tax, or, as the case may be "advance tax" shall be so calculated, charged, deduc following rate or rates:- \ \ \ \ \ \ \ Paragraph A In the case of every individual or Hindu undivided family or unregistered firm or other a body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of S.2 of not being a case to which any other Paragraph of this Part applies,- \ \ \ \ \ \ Rates of Income-tax (1) where the total income does not e of the total income; (2) where the total income exceeds Rs. 5,000 but does Rs. 250 plus 10 per cent. of the amount by which the not exce income exceeds Rs. 5,000; (3) where the total income exceeds Rs. 10,000 but does Rs. 750 plus 17 per cent. of the amount by which the income exceeds Rs. 10,000; (4) where the total income exceeds Rs. 15,000 but does Rs. 1,600 plus 23 per ceint. of the amount by which total income exceeds Rs. 15,000; (5) where the total income exceeds Rs. 20,000 but does Rs. 2,750 plus 30 per cent. of the amount by w 25,000 total income exceeds Rs. 20,000; (6) where the total income exceeds Rs. 25,000 but does Rs. 4,250 plus 40 per cent. of the amou Rs. 30,000 total income exceeds Rs. 25,000; (7) where the total income exceeds Rs. 30,000 but docs Rs. 6,250 plus 50 per cent. of the a exceed Rs. 50,000 - total income exceeds Rs. 30,000; (8) where the total income exceeds Rs. 50,000 does \ Rs. 16,250 plus 60 per cent. not exceed Rs. 70,000 total income exceeds Rs.50,000 (9) where the total income exceeds Rs. 70,000 but does Rs. 28.250 plus 65 per ce the not exceed Rs. 1,00,000 \ total income exceeds Rs. 70,000: (10) where the total income exceeds Rs. 1.00.000 but Rs. 47,750 plus 70 resident- (i) no income-tax shall be payable on a total income not exceeding the following limit, namely : - (a) Rs. 7,000 in the case of e

which at any lime during the previous year relevant to the assessment year commencing on the 1st day of April. 1970, satisfies either of t namely : - (1) that it has at least two members entitled to claim partition who are not less than eighteen years of age; or (2) that it has a to claim partition who aie not lineally descended one from the other and who are not lineally descended from any othei living member of every other case; (ii) where such person is an individual whose total income does not exceed Rs. 10,000 and who has, during the previou assessment year commencing on the 1st day of April, 1970, incurred any expenditure for the maintenance of any one or more of his parer dependent on him, the income-tax computed at the rate hereinbefore specified shall be reduced by so much of the amount specified herei the amount of income-tax so computed : (a) Rs. 145 in the case of an unmarried individual: (b) Rs. 220 in the case of a married individu dependent on him; (c) Rs. 240 in the case of a married individual who has one child mainly dependent on him; (d) Rs. 260 in the case of has more than one child mainly dependent on him, so, however, that in the case of a married individual whose spouse has a total income respect of the previous year relevant to the assessment year commencing on the Is', day of April, 1970, this clause shall have effect as if Rs. 240 and Rs 260 the amounts of Rs. 145. Rs. 165. and Rs. 185 had, respectively, been substituted; (iii) where such person is an indivi (ii) or a Hindu undivided tamily, the the income-tax computed at the rate hereinbefore specified shall be reduced by so much of the amou does not exceed the amount of income-tax so computed : (a) Rs. 125 in the case of an unmarriaed individual: (b) Rs. 200 in the case of a no child mainly dependent on him or a Hindu \ \ undivided family which has no minor coparcener; (c) Rs. 220 in the case of a married in mainly dependent on him or a Hindu \ undivided family which has one minor coparcener mainly supported from the income of such \ \ fai of a married individual who has more than one child mainly dependent on him or a Hindu undivided family which has more than one mino supported from the income of such family, so, however, that in the case of a married individual whose spouse has a total income exceeding previous year relevant to the assessmet year commencing on the 1st day of April, 1970, this clause shall have effect as if for the amounts Rs. 240. the amounts of Rs. 125, Rs. 145 and Rs. 165 had, respectively, been substituted; (iv) (A) where such person is an individual wh Rs. 10,000 but does not exceed Rs. 20,000 and who has, during the previous year relevant to the assessment year commencing on the 1 : incurred any expenditure for the maintenance of any one or more of his parents or grand-parents mainly dependent on him, the income-tr of such total income shall not exceed the aggregate of- (1) the income-tax which would have been payable by the individual if his total in and (2) 40 per cent. of the amount by which the total income of the individual exceeds Rs. 10,000; (B) where such person is not an indiv sub-clause (A) and the total income of such person does not exceed Rs. 20,000, the income-tax payable thereon shall not exceed 40 per ce the total income exceeds the limit specified in sub-clause (a) or, as the case may be, sub-clause (b) of clause (i) of this proviso. Explanat clause (ii) and sub-clause (A) of clause (iv) of this proviso, a parent or grand-parent of an individual shall not be treated as being mainly individual if the income of the parent or, as the case may be, the grand-parent from all sources in respect of the previous year relevant to with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten p \\\\\\Paragraph B In the case of every co-operative society,-\\\\\\Rates of income-tax (1) where the total income does not e cent. of the total income; (2) where the total income exceeds Rs. 10,000 but does \Rs. 1,500 plus 25 per cent. of the amount by which th \total income exceeds Rs. 10,000; (3) where the total income exceeds Rs. 20,000 \\Rs. 4,000 plus 40 per cent. of the amount by which t income exceeds Rs. 20,000; \ \ \ \ \ \ \ \ Surcharge on income-tax The amount of income-tax computed at the rate hereinbefore specified s surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax. \\\\\\\\\\\\\\\\\ \Rates of income-tax (1) where the total income does not exceed Rs. 10,000 \\Nil; (2) where the total income exceeds Rs. 10,000 but amount by which the total income not exceed Rs. $25,000 \setminus \$ exceeds Rs. 10,000; (3) where the total income exceeds Rs. 25,000 but dc cent. of the amount by which the not exceed Rs. $50,000 \setminus \$ total income exceeds Rs. 25,000; (4) where the total income exceeds Rs. $50,000 \setminus \$ 2,100 plus 12 per cent. of the amount by which the not exceed Rs. 1,00,000 \ \ \ \total income exceeds Rs. 50,000; (5) where the total ir of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of surcharges for purposes of the Union cal hereunder : - (a) in the ease of a registered firm whose total income includes income derived from a profession carried on by it and the ir less than fifty-one per cent. of such total income, a surcharge calculated at the rate of ten per cent. of the amount of income-tax compute specified; (b) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent. of the amount of income-tax (hereinbefore specified; and (c) a special surcharge calculated at the rate of ten per cent. on the aggregate of the following amounts, name income-tax computed at the rate hereinbefore specified; and (ii) the amount of the surcharge calculated in accordance with clause (a), or, (b), of this sub-paragraph. \ \ \ \ \ \ \ \ Paragraph D In the case of every local authority,- \ \ \ \ \ \ Rate of income-tax \ \ \ \ \ \ \ \ \ whole of the total income 50 \ \ \ \ \ \ \ \ Surcharge on income-tax The amount of income-tax computed at the rate her increased by a surcharge for porposes of the Union calculated at the rateof ten per cent. of such income-tax. \ \ \ \ \ \ \ \ \ Paragraph E In t consists of profits \ \52.5 per cent.; and gains from life insurance business (ii) on the balance, if any of the total income \ \the rate of inc accordance with Paragraph F of this Part to the total income of a domestic company which is a company in which the public are substantia \Paragraph F In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporatio \Rates of income-tax 1. In the case of a domestic company- (1) where the company is a company in which the public are substantially int the total, income does not exceed \ \45 per cent. of the total income; Rs. 50,000 (ii) in a case where the total income exceeds Rs. 50,000 income; (2) where the company is not a company in which the public arc substantially interested. (i) in the case of an industrial company incone as does not \ \ \55 percent.; exceed Rupees 10,00,000 (b) on the balance, if any of the total income \ \60 per cent.; (ii) in any otl the total income, Provided that the income-tax payable by a domestic company, being a company in which the public are substantially inte which exceeds Rs. 50,000, shall not exceed the aggregate of- (a) the income-tax which would have been payable by the company if its to 50,000 (the income of Rs. 50,000 for this purpose being computed as if such income included income from various sources in the same p income of the company); and (b) 80 per cent. of the amount by which its total income exceeds Rs. 50,000. II. In the case of a company c company- (i) on so much of the total income as consists of- (a) royalties received from an Indian concern in pur- suance of an agreement concern after the 31st day of March, 1961, or (b) fees for rendering technical services received from an Indian concern in pursuance of an the Indian concern after the 29th day of February, 1964. and where such agreement has, in either case, been approved by the Central Gov (ii) on the balance, if any, of the total income \ \70 per cent.

SCHEDULE 2 THE SECOND SCHEDULE

(See section 6) [Note.- The Tariff Act, 1934 amended by this Schedule is now repealed by Customs Tariff Act, 1975.]