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PART II — Section 1

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 13th May, 2005/Vaisakha 23, 1927 (Saka)

The following Act of Parliament received the assent of the President on 13th May, 2005 and is hereby published for general information:—

THE FINANCE ACT, 2005

NO. 18 OF 2005

[13th May, 2005]

An Act to give effect to the Financial Proposals of the Central Government for the financial year 2005-2006.

Be it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows : -

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2005. Short title and commencement.

(2) Save as otherwise provided in this Act, Section 2 to 64 shall be deemed to have come into force on the 1st day of April, 2005.

CHAPTER II

RATES OF INCOME-TAX

2. (1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 2005, income-tax shall be charged at the rates specified in Part I of the First Schedule and such tax as reduced by the rebate of income-tax calculated under Chapter VIII-A of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act) shall be increased by a surcharge for purposes of the Union calculated in each case in the manner provided therein.

Income-tax.

(2) In the cases to which Paragraph A of Part I of the First Schedule applies, where the assessee has, in the previous year, any net agricultural income exceeding five thousand rupees, in addition to total income, and the total income exceeds fifty thousand rupees, then,-

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) [that is to say, as if the net agricultural income were comprised in the total income after the first fifty thousand rupees of the total income but without being liable to tax], only for the purpose of charging income-tax in respect of the total income; and

(b) the income-tax chargeable shall be calculated as follows:

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(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of fifty thousand rupees, and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, as if the net agricultural income as so increased were the total income;

(iii) the amount of income-tax determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax in respect of the total income:

Provided that the amount of income-tax so arrived at, as reduced by the amount of rebate of incometax calculated under Chapter VIII-A, shall be increased by a surcharge for purposes of the Union calculated in each case in the manner provided in that Paragraph and the sum so arrived at shall be

the income-tax in respect of the total income.

(3) In cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act apply, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter or section, as the case may be:

Provided that the amount of income-tax computed in accordance with the provisions of section 111A or section 112 shall be increased by a surcharge for purposes of the Union as provided in Paragraph A, B, C, D or E, as the case may be, of Part I of the First Schedule:

Provided further that in respect of any income chargeable to tax under sections 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BB, 115BBA, 115E and 115JB of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge for purposes of the Union, calculated,-

(a) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent. of such income-tax where the total income exceeds eight hundred and fifty thousand rupees;

(b) in the case of every co-operative society, firm, local authority and company, at the rate of two and one-half per cent. of such income-tax;

(c) in the case of every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, at the rate of ten per cent. of such income-tax.

(4) In cases in which tax has to be charged and paid under section 115-O or sub-section (2) of section 115R of the Income-tax Act, the tax shall be charged and paid at the rate as specified in those sections and shall be increased by a surcharge for purposes of the Union, calculated at the rate of ten per cent of such tax.

(5) In cases in which tax has to be deducted under sections 193, 194, 194A, 194B, 194BB, 194D and 195 of the Income-tax Act, at the rates in force, the deductions shall be made at the rates specified in Part II of the First Schedule and shall be increased, by a surcharge for purposes of the Union, calculated in each case, in the manner provided therein.

(6) In cases in which tax has to be deducted under sections 194C, 194E, 194EE, 194F, 194G, 194H, 194-I, 194J, 194LA, 196B, 196C and 196D of the Income-tax Act, the deductions

shall be made at the rates specified in those sections and shall be increased by a surcharge for purposes of the Union, calculated,-

(a) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent. of such tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten lakh rupees;

(b) in the case of every firm, artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, and domestic company, at the rate of ten per cent. of such tax;

(c) in the case of every company, other than domestic company, at the rate of two and one-half per cent of such tax.

(7) In cases in which tax has to be collected under the proviso to section 194B of the Income-tax Act, the collection shall be made at the rates specified in Part II of the First Schedule, and shall be increased, by a surcharge for purposes of the Union, calculated in the manner provided therein.

(8) In cases in which tax has to be collected under section 206C of the Income-tax Act, the collection shall be made at the rates specified in that section and shall be increased by a surcharge for purposes of the Union, calculated,-

(a) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent. of such tax where the amount or the aggregate of such amounts collected, and subject to the collection, exceeds ten lakh rupees;

(b) in the case of every firm, artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, and domestic company, at the rate of ten per cent. of such tax;

(c) in the case of every company, other than domestic company, at the rate of two and one-half per cent. of such tax.

(9) Subject to the provisions of sub-section (10), in cases in which income-tax has to be charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the Income-tax Act or deducted from, or paid on, income chargeable under the head "Salaries" under section 192 of

the said Act or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be so charged, deducted or computed at the rate or rates specified in Part III of the First Schedule and such tax as reduced by the rebate of income-tax calculated under Chapter VIII-A of the said Act shall be increased by a surcharge for purposes of the Union, calculated in each case in the manner provided therein:

Provided that in cases to which the provisions of Chapter XII or Chapter XII-A or Chapter XII-H or section 115JB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act apply, "advance tax" shall be computed with reference to the rates imposed by this subsection or the rates as specified in that Chapter or section, as the case may be:

Provided further that the amount of "advance tax" computed in accordance with the provisions of section 111A or section 112 of the Income-tax Act shall be increased by a surcharge for purposes of the Union as provided in Paragraph A, B, C, D or E, as the case may be, of Part III of the First Schedule:

Provided also that in respect of any income chargeable to tax under sections 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BB, 115BBA, 115E, 115JB and 115WA of the Income-tax Act, "advance tax" computed under the first proviso shall be increased by a surcharge for purposes of the Union, calculated,-

(a) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent. of "advance tax" where the total income exceeds ten lakh rupees;

(b) in the case of every firm, artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, and domestic company, at the rate of ten per cent. of such "advance tax";

(c) in the case of every company, other than domestic company, at the rate of two and one-half per cent. of such "advance tax".

(10) In cases to which, Paragraph A of Part III of the First Schedule applies, where the assessee has, in the previous year or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income exceeding five thousand rupees, in addition to total income and the total income exceeds one lakh rupees, then, in charging income-tax under sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or in computing the

"advance tax" payable under Chapter XVII-C of the said Act, at the rate or rates in force,-

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) [that is to say, as if the net agricultural income were comprised in the total income after the first one lakh rupees of the total income but without being liable to tax], only for the purpose of charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and

(b) such income-tax or, as the case may be, "advance tax" shall be so charged or computed as follows:-

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of one lakh rupees, and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, as if the net agricultural income were the total income;

(iii) the amount of income-tax or "advance tax" determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax or, as the case may be, "advance tax" in respect of the total income:

Provided that in the case of every woman, resident in India and below the age of sixty-five years at any time during the previous year, referred to in item (II) of Paragraph A of Part III of the First Schedule, the provisions of this sub-section shall have effect as if for the words "one lakh rupees", the words "one lakh thirty-five thousand rupees" had been substituted :

Provided further that in the case of every individual, being a resident in India, who is of the age of sixty-five years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part III of the First Schedule, the provisions of this Sub-section shall have effect as if for the words "one lakh rupees" the words "one lakh eighty-five thousand rupees" had been substituted :

Provided that the amount of income-tax or "advance tax" so arrived at, as reduced by the rebate of income-tax calculated under Chapter VIII-A of the said Act, shall be increased by a surcharge for purposes of the Union calculated in each case,

in the manner provided therein.

(11) The amount of income-tax as specified in sub-sections (1) to (10) and as increased by a surcharge for purposes of the Union calculated in the manner provided therein, shall be further increased by an additional surcharge for purposes of the Union, to be called the "Education Cess on income-tax", so as to fulfil the commitment of the Government to provide and finance universalised quality basic education, calculated at the rate of two per cent. of such income-tax and surcharge.

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

(a) "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, 2005, 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;

(b) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);

(c) "net agricultural income", in relation to a person, means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;

(d) 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 III

DIRECT TAXES

Income-tax

3. In section 2 of the Income-tax Act, with effect from the 1st day of April, 2006,- Amendment of section 2.

(a) in clause (7), in sub-clause (a), for the words "assessment of his income", the words "assessment of his income or assessment of fringe benefits" shall be substituted;

(b) after clause (23A), the following clause shall be inserted, namely: -

'(23B) "fringe benefits" means any fringe benefits referred to in section 115WB;';

(c) in clause (42A), in the proviso, after the words, brackets, figures and letter "clause (23D) of section 10", the words "or a zero coupon bond" shall be inserted;

(d) in clause (43), after the words "the aforesaid date", the words, figures and letters "and in relation to the assessment year commencing on the 1st day of April, 2006, and any subsequent assessment year includes the fringe benefit tax payable under section 115WA" shall be inserted;

(e) in clause (47), after sub-clause (iv), the following sub-clause shall be inserted, namely:—

"(iva) the maturity or redemption of a zero coupon bond; or";

(f) after clause (47) and the Explanation relating thereto, the following shall be inserted, namely: -

'(48) "zero coupon bond" means a bond—

(a) issued by any infrastructure capital company or infrastructure capital fund or public sector company on or after the 1st day of June, 2005;

(b) in respect of which no payment and benefit is received or receivable before maturity or redemption from infrastructure capital company or infrastructure capital fund or public sector company; and

(c) which the Central Government may, by notification in the Official Gazette, specify in this behalf.

Explanation. - For the purposes of this clause, the expressions "infrastructure capital company" and "infrastructure capital fund" shall have the same meanings respectively assigned to them in clauses (a) and (b) of Explanation 1 to clause (23G) of section 10.'

4. In section 10 of the Income tax Act, with effect from the 1st day of April, 2006, -

(a) in clause (4), in sub-clause (ii), the second proviso shall be omitted;

(b) in clause (6BB), for the words, figures and letters "entered into after the 31st day of March, 2005", the words, figures and letters "entered into after the 30th day of September, 2005" shall be

substituted;

(c) in clause (10D), in sub-clause (c), in the second proviso, for the words, brackets, figures and letter "Explanation to sub-section (2A) of section 88", the words, brackets, figures and letters "Explanation to sub-section (3) of section 80C or the Explanation to sub-section (2A) of section 88, as the case may be" shall be substituted;

(d) in clause (15), in sub-clause (iv), in item (fa), the words, figures and letters "before the 1st day of April, 2005" shall be omitted;

(e) in clause (15A), in the proviso, for the words, figures and letters "the 1st day of April, 2005", the words, figures and letters "the 1st day of October, 2005" shall be substituted.

Amendment of section 10A.

5. In section 10A of the Income-tax Act, in sub-section (1A), after clause (ii), the following proviso shall be inserted with effect from the 1st day of April, 2006, namely:—

"Provided that no deduction under this section shall be allowed to an assessee who does not furnish a return of his income on or before the due date specified under sub-section (1) of section 139."

Amendment of section 16

6. In section 16 of the Income-tax Act, clause (i) shall be omitted with effect from the 1st day of April, 2006.

Amendment of section 17.

7. In section 17 of the Income-tax Act, in clause (2), for sub-clause (vi), the following sub-clause shall be substituted, with effect from the 1st day of April, 2006, namely: -

"(vi) the value of any other fringe benefit or amenity (excluding the fringe benefits chargeable to tax under Chapter XII-H) as may be prescribed: ".

Amendment of section 32

8. In section 32 of the Income-tax Act,

in sub-section (1),-

(a) for clause (iia), the following clause shall be substituted with effect from the 1st day of April, 2006, namely:

‘(iia) in the case of any new machinery or plant (other than ships and aircraft), which has been acquired and installed after the 31st day of March, 2005, by an assessee engaged in the business of manufacture or production of any article or thing, a further sum equal to twenty per cent of the actual cost of such machinery or plant shall be allowed as deduction under clause (ii):

Provided that no deduction shall be allowed in respect of-

(A) any machinery or plant which, before its installation by the assessee, was used either within or outside India by any other person; or

(B) any machinery or plant installed in any office premises or any residential accommodation, including accommodation in the nature of a guest-house; or

(C) any office appliances or road transport vehicles; or

(D) any machinery or plant, the whole of the actual cost of which is allowed as a deduction (whether by way of depreciation or otherwise) in computing the income chargeable under the head “Profits and gains of business or profession” of any one previous year;’;

(b) in clause (iii), in the Explanation, in clause (2), for the words “an Indian company”, the words, brackets, letter and figures “an Indian company or in a scheme of amalgamation of a banking company, as referred to in clause (c) of section 5 of the Banking Regulation Act, 1949 with a banking institution as referred to in sub-section (15) of section 45 of the said Act, sanctioned and brought into force by the Central

Government under sub-section (7) of section 45 of that Act, of any asset by the banking company to the banking institution" shall be substituted.

Amendment of section 33AC.

9. In section 33AC of the Income-tax Act, in sub-section (4), for the words "such sale proceeds", the words, brackets, letter and figure "so much of such sale proceeds which represent the amount credited to the reserve account and utilised for the purposes mentioned in clause (c) of sub-section (3)" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2004.

Amendment of section 35.

10. In section 35 of the Income-tax Act, in sub-section (2AB), in clause (5), for the figures, letters and words "31st day of March, 2005", the figures, letters and words "31st day of March, 2007" shall be substituted with effect from the 1st day of April, 2006.

Amendment of section 35DDA.

11. In section 35DDA of the Income-tax Act, in sub-section (1), for the words "at the time of his voluntary retirement", the words "in connection with his voluntary retirement" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2004.

Amendment of section 36.

12. In section 36 of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 2006,

(a) after clause (iii), the following shall be inserted, namely:

'(iiia) the pro rata amount of discount on a zero coupon bond having regard to the period of life of such bond calculated in the manner as may be prescribed.

Explanation.- For the purposes of this clause, the expressions-

(i) "discount" means the difference between the amount received or receivable by the infrastructure capital company or infrastructure capital fund or public sector company issuing the bond

and the amount payable by such company or fund or public sector company on maturity or redemption of such bond;

(ii) "period of life of the bond" means the period commencing from the date of issue of the bond and ending on the date of the maturity or redemption of such bond;

(iii) "infrastructure capital company" and "infrastructure capital fund" shall have the same meanings respectively assigned to them in clauses (a) and (b) of Explanation 1 to clause (23G) of section 10;';

(b) after clause (xii), the following shall be inserted, namely: -

'(xiii) any amount of banking cash transaction tax paid by the assessee during the previous year on the taxable banking transactions entered into by him.

Explanation.—For the purposes of this clause, the expressions "banking cash transaction tax" and "taxable banking transaction" shall have the same meanings respectively assigned to them under Chapter VII of the Finance Act, 2005.'

13. In section 40 of the Income-tax Act, in clause (a), after sub-clause (ib), the following sub-clause shall be inserted with effect from the 1st day of April, 2006, namely: -

Amendment of section 40.

"(ic) any sum paid on account of fringe benefit tax under Chapter XII-H;".

42 of 1956.

14. In section 43 of the Income-tax Act, in clause (5), with effect from the 1st day of April, 2006,

Amendment of section 43.

15 of 1992
42 of 1956.
22 of 1996

(A) in the proviso, -

42 of 1956

(i) in clause (c), the word "or" shall be inserted at the end;

(ii) after clause (c), as so amended, the

following clause shall be inserted,
namely: -

“(d) an eligible transaction in respect of trading in derivatives referred to in clause (aa) of section 2 of the Securities Contracts (Regulation) Act, 1956 carried out in a recognised stock exchange;”;

(B) after the proviso, the following Explanation shall be inserted, namely:—

‘Explanation.—For the purposes of this clause, the expressions-

(i) “eligible transaction” means any transaction,—

(A) carried out electronically on screen-based systems through a stock broker or subbroker or such other intermediary registered under section 12 of the Securities and Exchange Board of India Act, 1992 in accordance with the provisions of the Securities Contracts (Regulation) Act, 1956 or the Securities and Exchange Board of India Act, 1992 or the Depositories Act, 1996 and the rules, regulations or bye-laws made or directions issued under those Acts or by banks or mutual funds on a recognised stock exchange; and

(B) which is supported by a time stamped contract note issued by such stock broker or sub-broker or such other intermediary to every client indicating in the contract note the unique client identity number allotted under any Act referred to in sub-clause (A) and permanent account number allotted under this Act;

(ii) “recognised stock exchange” means a recognised stock exchange as referred to in clause (f) of section 2 of the Securities Contracts (Regulation) Act, 1956 and which fulfils such conditions as may be prescribed and notified by the Central Government for this purpose.’.

Amendment of section 47

15. In section 47 of the Income-tax Act, after clause (via), the following clause shall be inserted, namely:— 10 of 1949
10 of 1949

‘(viaa) any transfer, in a scheme of amalgamation of a banking company with a banking institution sanctioned and brought into force by the Central Government under sub-section (7) of section 45 of the Banking Regulation Act, 1949, of a capital asset by the banking company to the banking institution. 10 of 1949

Explanation.-- For the purposes of this clause,

(i) “banking company” shall have the same meaning assigned to it in clause (c) of section 5 of the Banking Regulation Act, 1949;

(ii) “banking institution” shall have the same meaning assigned to it in sub-section (15) of section 45 of the Banking Regulation Act, 1949;’.

Amendment of section 49

16. In section 49 of the Income-tax Act, in sub-section (1), in clause (iii), in sub-clause (e), after the words, brackets, figures and letter “or clause (via)”, the words, brackets, figures and letters “or clause (via) or clause (viaa)” shall be inserted.

Amendment of section 54EC.

17. In section 54EC of the Income-tax Act, for sub-section (3), the following sub-section shall be substituted with effect from the 1st day of April, 2006, namely:—

“(3) Where the cost of the long-term specified asset has been taken into account for the purposes of clause (a) or clause (b) of sub-section (1),—

(a) a deduction from the amount of income-tax with reference to such cost shall not be allowed under section 88 for any assessment year ending before the 1st day of April, 2006;

(b) a deduction from the income with reference to such cost shall not be allowed under section 80C for any

assessment year beginning on or after the 1st day of April, 2006.”.

Amdnment of section 54ED.

18. In section 54ED of the Income-tax Act, for sub-section (3), the following sub-section shall be substituted with effect from the 1st day of April, 2006, namely:—

“(3) Where the cost of the specified equity shares has been taken into account for the purposes of clause (a) or clause (b) of sub-section (1),—

(a) a deduction from the amount of income-tax with reference to such cost shall not be allowed under section 88 for any assessment year ending before the 1st day of April, 2006;

(b) a deduction from the income with reference to such cost shall not be allowed under section 80C for any assessment year beginning on or after the 1st day of April, 2006.”.

Insertion of new section 72AA. Provisions relating to carry forward and set-off of accumulated loss and unabsorbed depreciation allowance in scheme of amalgamation of banking company in certain cases.

19. After section 72A of the Income-tax Act, the following section shall be inserted, namely: -

‘72AA. Notwithstanding anything contained in sub-clauses (i) to (iii) of clause (1B) of section 2 or section 72A, where there has been an amalgamation of a banking company with any other banking institution under a scheme sanctioned and brought into force by the Central Government under subsection (7) of section 45 of the Banking Regulation Act, 1949, the accumulated loss and the unabsorbed depreciation of such banking company shall be deemed to be the loss or, as the case may be, allowance for depreciation of such banking institution for the previous year in which the scheme of amalgamation was brought into force and other provisions of this Act relating to set-off and carry forward of loss and allowance for depreciation shall apply accordingly.

Explanation.—For the purposes of this section,-

(i) "accumulated loss" means so much of the loss of the amalgamating banking company under the head "Profits and gains of business or profession" (not being a loss sustained in a speculation business) which such amalgamating banking company, would have been entitled to carry forward and set-off under the provisions of section 72 if the amalgamation had not taken place;

(ii) "banking company" shall have the same meaning assigned to it in clause (c) of section 5 of the Banking Regulation Act, 1949;

(iii) "banking institution" shall have the same meaning assigned to it in sub-section (15) of section 45 of the Banking Regulation Act, 1949;

(iv) "unabsorbed depreciation" means so much of the allowance for depreciation of the amalgamating banking company which remains to be allowed and which would have been allowed to such banking company if amalgamation had not taken place.'.

20. In section 73 of the Income-tax Act, in sub-section (4), for the words "eight assessment years", the words "four assessment years" shall be substituted with effect from the 1st day of April, 2006.

Amendment of section 73.

21. After section 80B of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2006, namely:

Insertion of new section 80C.

'80C. (1) In computing the total income of an assessee, being an individual or a Hindu undivided family, there shall be deducted, in accordance with and subject to the provisions of this section, the whole of the amount paid or deposited in the previous year out of his income chargeable to tax, being the aggregate of the sums referred to in sub-section (2), as does not exceed one

Insertion of new section 80C.
Deduction in respect of life insurance premia, deferred annuity, contributions to provided fund, subscription to certain equity shares or debentures, etc.

lakh rupees.

(2) The sums referred to in sub-section (1) shall be any sums paid or deposited in the previous year by the assessee-

(i) to effect or to keep in force an insurance on the life of persons specified in sub-section (4);

(ii) to effect or to keep in force a contract for a deferred annuity, not being an annuity plan referred to in clause (xii), on the life of persons specified in sub-section (4):

Provided that such contract does not contain a provision for the exercise by the insured of an option to receive a cash payment in lieu of the payment of the annuity;

(iii) by way of deduction from the salary payable by or on behalf of the Government to any individual being a sum deducted in accordance with the conditions of his service, for the purpose of securing to him a deferred annuity or making provision for his spouse or children, in so far as the sum so deducted does not exceed one-fifth of the salary;

19 of 1925

(iv) as a contribution by an individual to any provident fund to which the Provident Funds Act, 1925, applies;

(v) as a contribution to any provident fund set up by the Central Government and notified by it in this behalf in the Official Gazette, where such contribution is to an account standing in the name of any person specified in sub-section (4);

(vi) as a contribution by an employee to a recognised provident fund;

(vii) as a contribution by an employee to an approved superannuation fund;

(viii) as subscription to any such security of the Central Government or any such deposit scheme as that Government may, by notification in the Official

Gazette, specify in this behalf;

(ix) as subscription to any such savings certificate as defined in clause (c) of section 2 of the Government Savings Certificates Act, 1959, as the Central Government may, by notification in the Official Gazette, specify in this behalf; 46 of 1959

(x) as a contribution, in the name of any person specified in sub-section (4), for participation in the Unit-linked Insurance Plan, 1971 (hereafter in this section referred to as the Unit-linked Insurance Plan) specified in Schedule II of the Unit Trust of India (Transfer of Undertaking and Repeal) Act, 2002; 58 of 2002

(xi) as a contribution in the name of any person specified in sub-section (4) for participation in any such unit-linked insurance plan of the LIC Mutual Fund notified under clause (23D) of section 10, as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(xii) to effect or to keep in force a contract for such annuity plan of the Life Insurance Corporation or any other insurer as the Central Government may, by notification in the Official Gazette, specify;

(xiii) as subscription to any units of any Mutual Fund notified under clause (23D) of section 10 or from the Administrator or the specified company under any plan formulated in accordance with such scheme as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(xiv) as a contribution by an individual to any pension fund set up by any Mutual Fund notified under clause (23D) of section 10 or by the Administrator or the specified company, as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(xv) as subscription to any such deposit scheme of, or as a contribution to any such pension fund set up by, the National Housing Bank established under section 3 of the National Housing Bank Act, 1987 (hereafter in this section referred to as the National Housing Bank), as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(xvi) as subscription to any such deposit scheme of-

(a) a public sector company which is engaged in providing long-term finance for construction or purchase of houses in India for residential purposes; or

(b) any authority constituted in India by or under any law enacted either for the purpose of dealing with and satisfying the need for housing accommodation or for the purpose of planning, development or improvement of cities, towns and villages, or for both, as the Central Government may, by notification in the Official Gazette, specify in this behalf;

(xvii) as tuition fees (excluding any payment towards any development fees or donation or payment of similar nature), whether at the time of admission or thereafter,

(a) to any university, college, school or other educational institution situated within India;

(b) for the purpose of full-time education of any of the persons specified in subsection (4);

(xviii) for the purposes of purchase or construction of a residential house property the income from which is chargeable to tax under the head "Income from house property" (or which would, if it had not been used for the assessee's own residence, have been chargeable to tax under that head), where such payments are made towards

or by way of-

(a) any instalment or part payment of the amount due under any self-financing or other scheme of any development authority, housing board or other authority engaged in the construction and sale of house property on ownership basis; or

(b) any instalment or part payment of the amount due to any company or co-operative society of which the assessee is a shareholder or member towards the cost of the house property allotted to him; or

(c) repayment of the amount borrowed by the assessee from-

(1) the Central Government or any State Government, or

(2) any bank, including a co-operative bank, or

(3) the Life Insurance Corporation, or

(4) the National Housing Bank, or

(5) any public company formed and registered in India with the main object of carrying on the business of providing long-term finance for construction or purchase of houses in India for residential purposes which is eligible for deduction under clause (viii) of sub-section (1) of section 36, or

(6) any company in which the public are substantially interested or any co-operative society, where such company or co-operative society is engaged in the business of financing the construction of houses, or

(7) the assessee's employer where such employer is an authority or a board or a corporation or any other body established or constituted under a Central or State Act, or

(8) the assessee's employer where such employer is a public company or a public

sector company or a university established by law or a college affiliated to such university or a local authority or a co-operative society; or

(d) stamp duty, registration fee and other expenses for the purpose of transfer of such house property to the assessee, but shall not include any payment towards or by way of

(A) the admission fee, cost of share and initial deposit which a shareholder of a company or a member of a co-operative society has to pay for becoming such shareholder or member; or

(B) the cost of any addition or alteration to, or renovation or repair of, the house property which is carried out after the issue of the completion certificate in respect of the house property by the authority competent to issue such certificate or after the house property or any part thereof has either been occupied by the assessee or any other person on his behalf or been let out; or

(C) any expenditure in respect of which deduction is allowable under the provisions of section 24;

(xix) as subscription to equity shares or debentures forming part of any eligible issue of capital approved by the Board on an application made by a public company or as subscription to any eligible issue of capital by any public financial institution in the prescribed form.

Explanation. - For the purposes of this clause,

(i) "eligible issue of capital" means an issue made by a public company formed and registered in India or a public financial institution and the entire proceeds of the issue are utilised wholly and exclusively for the purposes of any business referred to in sub-section (4) of section 80-IA;

(ii) "public company" shall have the meaning assigned to it in section 3 of the Companies Act, 1956;

(iii) "public financial institution" shall have the meaning assigned to it in section 4A of the Companies Act, 1956;

1 of 1956.

(xx) as subscription to any units of any mutual fund referred to in clause (23D) of section 10 and approved by the Board on an application made by such mutual fund in the prescribed form:

Provided that this clause shall apply if the amount of subscription to such units is subscribed only in the eligible issue of capital of any company.

Explanation.- For the purposes of this clause "eligible issue of capital" means an issue referred to in clause (i) of the Explanation to clause (xix) of sub-section (2).

(3) The provisions of sub-section (2) shall apply only to so much of any premium or other payment made on an insurance policy other than a contract for a deferred annuity as is not in excess of twenty per cent. of the actual capital sum assured.

Explanation.- In calculating any such actual capital sum assured, no account shall be taken-

(i) of the value of any premiums agreed to be returned, or

(ii) of any benefit by way of bonus or otherwise over and above the sum actually assured, which is to be or may be received under the policy by any person.

(4) The persons referred to in sub-section (2) shall be the following, namely.-

(a) for the purposes of clauses (i), (v), (x) and (xi) of that sub-section,-

(i) in the case of an individual, the individual, the wife or husband and any child of such individual, and

(ii) in the case of a Hindu undivided family, any member thereof;

(b) for the purposes of clause (ii) of that sub-section, in the case of an individual, the individual, the wife or husband and any child of such individual;

(c) for the purpose of clause (xvii) of that sub-section, in the case of an individual, any two children of such individual.

(5) Where, in any previous year, an assessee.

(i) terminates his contract of insurance referred to in clause (i) of sub-section (2), by notice to that effect or where the contract ceases to be in force by reason of failure to pay any premium, by not reviving contract of insurance,-

(a) in case of any single premium policy, within two years after the date of commencement of insurance; or

(b) in any other case, before premiums have been paid for two years; or

(ii) terminates his participation in any unit-linked insurance plan referred to in clause (x) or clause (xi) of sub-section (2), by notice to that effect or where he ceases to participate by reason of failure to pay any contribution, by not reviving his participation, before contributions in respect of such participation have been paid for five years; or

(iii) transfers the house property referred to in clause (xviii) of sub-section (2) before the expiry of five

years from the end of the financial year in which possession of such property is obtained by him, or receives back, whether by way of refund or otherwise, any sum specified in that clause, then,-

(a) no deduction shall be allowed to the assessee under sub-section (1) with reference to any of the sums, referred to in clauses (i), (x), (xi) and (xviii) of sub-section (2), paid in such previous year; and

(b) the aggregate amount of the deductions of income so allowed in respect of the previous year or years preceding such previous year, shall be deemed to be the income of the assessee of such previous year and shall be liable to tax in the assessment year relevant to such previous year.

(6) If any equity shares or debentures, with reference to the cost of which a deduction is allowed under sub-section (1), are sold or otherwise transferred by the assessee to any person at any time within a period of three years from the date of their acquisition, the aggregate amount of the deductions of income so allowed in respect of such equity shares or debentures in the previous year or years preceding the previous year in which such sale or transfer has taken place shall be deemed to be the income of the assessee of such previous year and shall be liable to tax in the assessment year relevant to such previous year.

Explanation.- A person shall be treated as having acquired any shares or debentures on the date on which his name is entered in relation to those shares or debentures in the register of members or of debenture-holders, as the case may be, of the public company.

(7) For the purposes of this section,

(a) the insurance, deferred annuity, provident fund and superannuation fund referred to in clauses (i) to (vii);

(b) unit-linked insurance plan and

annuity plan referred to in clauses (xii) to (xiiia);

(c) pension fund and subscription to deposit scheme referred to in clauses (xiiic) to (xiva);

(d) amount borrowed for purchase or construction of a residential house referred to in clause (xv),

of sub-section (2) of section 88 shall be eligible for deduction under the corresponding provisions of this section and the deduction shall be allowed in accordance with the provisions of this section.

58 of 2002.

(8) In this section,--

(i) "Administrator" means the Administrator as referred to in clause (a) of section 2 of the Unit Trust of India (Transfer of Undertaking and Repeal) Act, 2002;

(ii) "contribution" to any fund shall not include any sums in repayment of loan;

(iii) "insurance" shall include-

(a) a policy of insurance on the life of an individual or the spouse or the child of such individual or a member of a Hindu undivided family securing the payment of specified sum on the stipulated date of maturity, if such person is alive on such date notwithstanding that the policy of insurance provides only for the return of premiums paid (with or without any interestthereon) in the event of such person dying before the said stipulated date;

(b) a policy of insurance effected by an individual or a member of a Hindu undivided family for the benefit of a minor with the object of enabling the minor, after he has attained majority to secure insurance on his own life by

adopting the policy and on his being alive on a date (after such adoption) specified in the policy in this behalf;

31 of 1956

(iv) "life Insurance Corporation" means the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956;

1 of 1956

(v) "public company" shall have the same meaning as in section 3 of the Companies Act, 1956;

18 of 1944

(vii) "specified company" means a company as referred to in clause (h) of section 2 of the Unit Trust of India (Transfer of Undertaking and Repeal) Act, 2002;

(viii) "transfer" shall be deemed to include also the transactions referred to in clause (f) of section 269UA.‘.

Amendment of Section 80CCC.

22. In section 80CCC of the Income tax Act, for sub-section (3), the following sub-section shall be substituted with effect from the 1st day of April, 2006, namely

"(3) Where any amount paid or deposited by the assessee has been taken into account for the purposes of this section,—

(a) a rebate with reference to such amount shall not be allowed under section 88 for any assessment year ending before the 1st day of April, 2006;

(b) a deduction with reference to such amount shall not be allowed under section 80C for any assessment year beginning on or after the 1st day of April, 2006."

Amendment of section 80CCD.

23. In section 80CCD of the Income-tax Act, for sub-section (4), the following sub-section shall be substituted with effect from the 1st day of April, 2006, namely: -

"(4) Where any amount paid or deposited by the assessee has been

allowed as a deduction under sub-section (1),—

(a) no rebate with reference to such amount shall be allowed under section 88 for any assessment year ending before the 1st day of April, 2006;

(b) no deduction with reference to such amount shall be allowed under section 80C for any assessment year beginning on or after the 1st day of April, 2006.”.

Insertion of new section 80CCE.

24. After section 80CCD of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2006, namely: -

“80CCE. The aggregate amount of deductions under section 80C, section 80CCC and section 80CCD shall not, in any case, exceed one lakh rupees.”.

Substitution of new section for section 80E.

25. For section 80E of the Income-tax Act, the following section shall be substituted with effect from the 1st day of April, 2006, namely: -

Deduction in respect of interest on loan taken for higher education.

‘80E. (1) In computing the total income of an assessee, being an individual, there shall be deducted, in accordance with and subject to the provisions of this section, any amount paid by him in the previous year, out of his income chargeable to tax, by way of interest on loan taken by him from any financial institution or any approved charitable institution for the purpose of pursuing his higher education.

(2) The deduction specified in sub-section (1) shall be allowed in computing the total income in respect of the initial assessment year and seven assessment years immediately succeeding the initial assessment year or until the interest referred to in sub-section (1) is paid by the assessee in full, whichever is earlier.

(3) For the purposes of this section, –

(a) “approved charitable institution” means an institution specified in, or, as

the case may be, an institution established for charitable purposes and notified by the Central Government under clause (23C) of section 10 or an institution referred to in clause (a) of sub-section (2) of section 80G;

(b) "financial institution" means a banking company to which the Banking Regulation Act, 1949 applies (including any bank or banking institution referred to in section 51 of that Act); or any other financial institution which the Central Government may, by notification in the Official Gazette, specify in this behalf;

10 of 1949

(c) "higher education" means full-time studies for any graduate or post-graduate course in engineering, medicine, management or for post-graduate course in applied sciences or pure sciences including mathematics and statistics;

(d) "initial assessment year" means the assessment year relevant to the previous year, in which the assessee starts paying the interest on the loan.

Amendment of section 80-IA.

26. In section 80-IA of the Income-tax Act, in sub-section (4), in clause (i), in sub-clause a), after the words "consortium of such companies", the words "or by an authority or a board or a corporation or any other body established or constituted under any Central or State Act" shall be inserted with effect from the 1st day of April, 2006.

27. In section 80-IB of the Income-tax Act, with effect from the 1st day of April, 2006,-

Amendment of section 80-IB

(a) in sub-section (4), in the fourth proviso, for the figures, letters and words "31st day of March, 2005", the figures, letters and words "31st day of March, 2007" shall be substituted;

(b) in sub-section (8A), in clause (iii), for the figures, letters and words "1st day of April, 2005", the figures, letters and

words "1st day of April, 2007" shall be substituted.

28. Section 80L of the Income-tax Act shall be omitted with effect from the 1st day of April, 2006.

Omission of section 80L

29. In section 88 of the Income-tax Act, after sub-section (8), the following sub-section shall be inserted with effect from the 1st day of April, 2006, namely:

Amendment of section 88.

"(9) No deduction from the amount of income-tax shall be allowed under this section to an assessee, being an individual or a Hindu undivided family for the assessment year beginning on the 1st day of April, 2006 and subsequent years."

30. Section 88B of the Income-tax Act shall be omitted with effect from the 1st day of April, 2006.

Omission of section 88B.

31. Section 88C of the Income-tax Act shall be omitted with effect from the 1st day of April, 2006.

Omission of section 88C

32. Section 88D of the Income-tax Act shall be omitted with effect from the 1st day of April, 2006.

Omissions of section 88D

33. In section 112 of the Income-tax Act, in sub-section (1), in the proviso occurring below clause (d), after the words "being listed securities or unit", the words "or zero coupon bond" shall be inserted with effect from the 1st day of April, 2006.

Amdnement of section 112

34. In section 115A of the Income-tax Act, in sub-section (1), in clause (b) with effect from the 1st day of April, 2006,

Amendment of section 115A

(i) in sub-clause (A), for the words, figures and letters "agreement made after the 31st day of May, 1997", the words, figures and letters "agreement made after the 31st day of May, 1997 but before the 1st day of June, 2005"

shall be substituted;

(ii) after sub-clause (A), the following sub-clause shall be inserted, namely

“(AA) the amount of income-tax calculated on the income by way of royalty, if any, included in the total income, at the rate of ten per cent. if such royalty is received in pursuance of an agreement made on or after the 1st day of June, 2005;”;

(iii) in sub-clause (B), for the words, figures and letters “agreement made after the 31st day of May, 1997; and”, the words, figures and letters “agreement made after the 31st day of May, 1997 but before the 1st day of June, 2005;” shall be substituted;

(iv) after sub-clause (B), the following sub-clause shall be inserted, namely: --

“(BB) the amount of income-tax calculated on the income by way of fees for technical services, if any, included in the total income, at the rate of ten per cent. if such fees for technical services are received in pursuance of an agreement made on or after the 1st day of June, 2005; and”.

35. In section 115JAA of the Income-tax Act, with effect from the 1st day of April, 2006,-- (a) after sub-section (1), the following sub-section shall be inserted, namely: -

Amendment of section 115JAA.

“(1A) Where any amount of tax is paid under sub-section (1) of section 115JB by an assessee, being a company for the assessment year commencing on the 1st day of April, 2006 and any subsequent assessment year, then, credit in respect of tax so paid shall be allowed to him in accordance with the provisions of this section.”;

(b) in sub-section (2), for the words, brackets, figures and letters “under sub-section (1) of section 115JA”, the words, brackets, figures and letters “under sub-section (1) of section 115JA or under

sub-section (1) of section 115JB, as the case may be," shall be substituted.

Amendment of Section 115VD

36. In section 115VD of the Income-tax Act, clause (vii) shall be omitted with effect from the 1st day of April, 2006.

Insertion of new Chapter XII H.

37. After Chapter XIIG of the Income-tax Act, the following Chapter shall be inserted with effect from the 1st day of April, 2006, namely: -

Definitions.

CHAPTER XII-H

INCOME-TAX ON FRINGE BENEFITS

A-Meaning of certain expressions

115W. In this Chapter, unless the context otherwise requires, -

(a) "employer" means,—

(i) a company;

(ii) a firm;

(iii) an association of persons or a body of individuals, whether incorporated or not; but excluding any fund or trust or institution eligible for exemption under clause 23(C) of section 10 or registered under section 12AA;

(v) a local authority; and

(vi) every artificial juridical person, not falling within any of the preceding sub-clauses;

(b) "fringe benefit tax" or "tax" means the tax chargeable under section 115WA.

B.—Basis of charge

Charge of fringe benefit tax.

115WA. (1) In addition to the income-tax charged under this Act, there shall be charged for every assessment year commencing on or after the 1st day of April, 2006, additional income-tax (in this Act referred to as fringe benefit tax) in respect of the fringe benefits provided

or deemed to have been provided by an employer to his employees during the previous year at the rate of thirty per cent on the value of such fringe benefits.

(2) Notwithstanding that no income-tax is payable by an employer on his total income computed in accordance with the provisions of this Act, the tax on fringe benefits shall be payable by such employer.

Fringe benefits

115WB. (1) For the purposes of this Chapter, "fringe benefits" means any consideration for employment provided by way of -

(a) any privilege, service, facility or amenity, directly or indirectly, provided by an employer to his employees (including former employee or employees)

(b) any free or concessional ticket provided by the the employer for private journeys of his employees or their family memeber; and

(c) any contribution by the employer to an approved superannuation fund for employees.

(2) The fringe benefits shall be deemed to have been provided by the employer to his employees, if the employer has, in the course of his busienss or profession (including any activity whether or not such activity is carried on withthe object of deriving income, profits or gains), incurred any expense on or made any payment for, the following purposes, namely: -

(A) entertainment;

(B) Provisions of hospitality of every kind by the employer to any person, whether by way of provisions of food or beverages or in any other manner whatsoever and whether or not such provisons is made by reason of any express or implied contract or custom or usage of trade but does not include -

(i) any expenditure on, or payment for, food or beverages provided by the employer to his employees in office or factory;

(ii) any expenditure on or payment paid vouchers which are not transferable and usable only at eating joints or outlets;

(C) conference (other than fee for participation by the employees in any conference).

Explanatin - For the purpose of this clause, any expenditure on conveyance, tour and travel (including foreign travel), on hotel, or borading and lodging in connection with any conference shall be deemed to be expenditure incurred for the purposes of conference;

(D) sales promotion including publicity :

Provided that any expenditure on advertisement, -

(i) being the expenditure (including rental) on advertisement of any from in any print (including journals, catalogues or price lists) or electronic media or transport system;

(ii) being the expenditure on the holding of, or the participation in, any press conference or business convention, fair or exhibition;

(iii) being the expenditure on sponsorship of any sports event or any other event organised by any Government agency or trade association or body;

(iv) being the expenditure on the publication in any print or electronic media of any notice required to be published by or under any law or by an order of a court or tribunal;

(v) being the expenditure on advertisement by way of signs, art work, painting, banners, awnings, direct mail, electric spectaculars, kiosks, hoardings, bill boards or by way of such other

medium of advertisement; and

(vi) being the expenditure by way of payment to any advertising shall not be considered as expenditure on sales promotion including publicity;

(E) employees' welfare.

Explanation - for the purpose of this clause, any expenditure incurred or payment made to fulfil any statutory obligation or mitigate occupational hazards or provide first aid facilities in the hospital or dispensary run by the employer shall not be considered as expenditure for employees' welfare;

(F) Conveyance, tour and travel (including foreign travel);

(G) use of hotel, boarding and lodging facilities;

(H) repair, running (including fuel), maintenance of motorcars and the amount of depreciation thereon;

(I) repair, running (including fuel) and maintenance of aircraft and the amount of depreciation thereon;

(J) use of telephone (including mobile phone) other than expenditure on leased telephone lines;

(K) maintenance of any accommodation in the nature of guest house other than accommodations used for training purposes;

(L) festival celebrations;

(M) use of health club and similar facilities;

(N) Use of any other club facilities;

(O) gifts; and

(P) scholarships.

(3) For the purposes of sub-section (1),

the privilege, service, facility or amenity does not include perquisite in respect of which tax is paid or payable by the employee.

115WC. (1) For the purposes of this Chapter, the value of fringe benefits shall be the aggregate of the following, namely: -

value of fringe benefits.

(a) cost at which the benefits referred to in clause (c) of sub-section (1) of section 115WB, is provided by the employer to the public as reduced by the amount, if any, paid or recovered from his employee or employees:

Provided that in a case where the expenses of the nature referred to in clause (b) of subsection (1) of section 115WB are included in any other clause of sub-section (2) of the said section, the total expenses included under such other clause shall be reduced by the amount of expenditure referred to in the said clause (b) for computing the value of fringe benefits;

(b) actual amount of contribution referred to in clause (c) of sub-section (1) of section 115WB;

(c) twenty per cent of the expenses referred to in clauses (A) to (K) of sub-section (2) of section 115WB;

(d) fifty per cent of the expenses referred to in clause (L) to (P) of sub-section (2) of section 115WB:

(2) Notwithstanding anything contained in sub-section (1), -

(a) in the case of an employer engaged in the business of hotel, the value of fringe benefits for the purposes referred to in clause (B) of sub-section (2) of section 115WB shall be "five per cent." instead of "twenty per cent." referred to in clause (c) of sub-section (1) ;

(b) in the case of an employer engaged in the business of construction, the value of fringe benefits for the purpose

referred to in clause (F) of sub-section (2) of section 115WB shall be "five per cent." instead of "Twenty per cent." referred to in clause (c) of sub-section (1);

(c) in the case of an employer engaged in the business of manufacture or production of pharmaceuticals, the value of fringe benefits for the purpose referred to in clause (F) and (G) of sub-section (2) of section 115WB shall be "five per cent." instead of "Twenty per cent." referred to in clause (c) of sub-section (1);

(d) in the case of an employer engaged in the business of manufacture or production of computer software, the value of fringe benefits for the purpose referred to in clause (F) and (G) of sub-section (2) of section 115WB shall be "five per cent." instead of "Twenty per cent." referred to in clause (c) of sub-section (1);

(e) in the case of an employer engaged in the business of carriage of passengers or goods by motor car, the value of fringe benefits for the purpose referred to in clause (H) of sub-section (2) of section 115WB shall be "five per cent." instead of "Twenty per cent." referred to in clause (c) of sub-section (1);

(f) in the case of an employer engaged in the business of carriage of passengers or goods by aircrafts, the value of fringe benefits for the purpose referred to in clause (1) sub-section (2) of section 115WB shall be taken as Nil.

C.–Procedure for filing of return in respect of fringe benefits, assessment and payment of tax in respect thereof

Return of fringe benefits.

115WD. (1) Without prejudice to the provisions contained in section 139, every employer who during a previous year has paid or made provision for payment of fringe benefits to his employees, shall, on or before the due date, furnish or cause to be furnished a return of fringe benefits to the Assessing Officer in the prescribed form and

verified in the prescribed manner and setting forth such other particulars as may be prescribed, in respect of the previous year.

Explanation.- In this sub-section, "due date" means,-

(a) where the employer is-

(i) a company; or

(ii) a person (other than a company) whose accounts are required to be audited under this Act or under any other law for the time being in force, the 31st day of October of the assessment year;

(b) in the case of any other employer, the 31st day of July of the assessment year.

(2) In the case of any employer who, in the opinion of the Assessing Officer, is responsible for paying fringe benefit tax under this Act and who has not furnished a return under sub-section (1), the Assessing Officer may, after the due date, issue a notice to him and serve the same upon him, requiring him to furnish within thirty days from the date of service of the notice, the return in the prescribed form and verified in the prescribed manner and setting forth such other particulars as may be prescribed.

(3) Any employer responsible for paying fringe benefit tax who has not furnished a return within the time allowed under sub-section (1) or within the time allowed under a notice issued under subsection (2), may furnish the return for any previous year, at any time before the expiry of one year from the end of the relevant assessment year or before the completion of the assessment, whichever is earlier.

(4) If any employer, having furnished a return under sub-section (1), or in pursuance of a notice issued under sub-section (2), discovers any omission or

any wrong statement therein, he may furnish a revised return at any time before the expiry of one year from the end of the relevant assessment year or before the completion of the assessment, whichever is earlier.

115WE. (1) Where a return has been made under section 115WD,-

Assessment

(i) if any tax or interest is found due on the basis of such return, after adjustment of any advance tax paid, any tax paid on self-assessment and any amount paid otherwise by way of tax or interest, then without prejudice to the provisions of sub-section (2), an intimation shall be sent to the assessee specifying the sum so payable, and such intimation shall be deemed to be a notice of demand issued under section 156 and all the provisions of this Act shall apply accordingly; and

(ii) if any refund is due on the basis of such return, it shall be granted to the assessee and an intimation to this effect shall be sent to the assessee:

Provided that except as otherwise provided in this sub-section, the acknowledgment of the return shall be deemed to be an intimation under this sub-section where either no sum is payable by the assessee or no refund is due to him:

Provided further that no intimation under this sub-section shall be sent after the expiry of one year from the end of the financial year in which the return is made.

(2) Where a return has been furnished under section 115WD, the Assessing Officer shall, if he considers it necessary or expedient to ensure that the assessee has not understated the value of fringe benefits or has not underpaid the tax in any manner, serve on the assessee a notice requiring him on a date to be specified therein, either to attend his office or to produce, or cause to be produced, any evidence on which the assessee may rely in support of the

return:

Provided that no notice under this sub-section shall be served on the assessee after the expiry of twelve months from the end of the month in which the return is furnished.

(3) On the day specified in the notice issued under sub-section (2), or as soon afterwards as may be, after hearing such evidence as the assessee may produce and such other evidence as the Assessing Officer may require on specified points, and after taking into account all relevant material which he has gathered, the Assessing Officer shall, by an order in writing, make an assessment of the value of the fringe benefits paid or payable by the assessee, and determine the sum payable by him or refund of any amount due to him on the basis of such assessment.

(4) Where a regular assessment under sub-section (3) or section 115WF is made,-

(a) any tax or interest paid by the assessee under sub-section (1) shall be deemed to have been paid towards such regular assessment;

(b) if no refund is due on regular assessment or the amount refunded under sub-section (1) exceeds the amount refundable on regular assessment, the whole or the excess amount so refunded shall be deemed to be tax payable by the assessee and the provisions of this Act shall apply accordingly.

115WF. (1) If any person, being an employer.-

Best judgment assessment.

(a) fails to make the return required under sub-section (1) of section 115WD and has not made a return under sub-section (3) or a revised return under sub-section (4) of that section, or

(b) fails to comply with all the terms of a notice issued under sub-section (2) of

section 115WD or fails to comply with a direction issued under sub-section (2A) of section 142, or

(c) having made a return, fails to comply with all the terms of a notice issued under sub-section (2) of section 115WE,

the Assessing Officer, after taking into account all relevant material which the Assessing Officer has gathered, shall, after giving the assessee an opportunity of being heard, make the assessment of the fringe benefits to the best of his judgment and determine the sum payable by the assessee on the basis of such assessment:

Provided that such opportunity shall be given by the Assessing Officer by serving a notice calling upon the assessee to show cause, on a date and time to be specified in the notice as to why the assessment should not be completed to the best of his judgment:

Provided further that it shall not be necessary to give such opportunity in a case where a notice under sub-section (2) of section 115WD has been issued prior to the making of an assessment under this section.

Fringe benefits escaping assessment.

115WG. If the Assessing Officer has reason to believe that any fringe benefits chargeable to tax have escaped assessment for any assessment year, he may, subject to the provisions of sections 115WH, 150 and 153, assess or reassess such fringe benefits and also any other fringe benefits chargeable to tax which have escaped assessment and which come to his notice subsequently in the course of the proceedings under this section, for the assessment year concerned (hereafter referred to as the relevant assessment year).

Explanation.--For the purposes of this section, the following shall also be deemed to be cases where fringe benefits chargeable to tax have escaped assessment, namely: --

(a) where no return of fringe benefits

has been furnished by the assessee;

(b) where a return of fringe benefits has been furnished by the assessee but no assessment has been made and it is noticed by the Assessing Officer that the assessee has understated the value of fringe benefits in the return;

(c) where an assessment has been made, but the fringe benefits chargeable to tax have been under-assessed.

Issue of notice where fringe benefits have escaped assessment

115WH. (1) Before making the assessment or reassessment under section 115WG, the Assessing Officer shall serve on the assessee a notice requiring him to furnish within such period as may be specified in the notice, a return of the fringe benefits in respect of which he is assessable under this Chapter during the previous year corresponding to the relevant assessment year, in the prescribed form and verified in the prescribed manner and setting forth such other particulars as may be prescribed, and the provisions of this Chapter shall, so far as may be, apply accordingly as if such return were a return required to be furnished under section 115WD.

(2) The Assessing Officer shall, before issuing any notice under this section, record his reasons for doing so.

(3) No notice under sub-section (1) shall be issued for the relevant assessment year after the expiry of six years from the end of the relevant assessment year.

Explanation.--In determining fringe benefits chargeable to tax which have escaped assessment for the purposes of this sub-section, the provisions of the Explanation to section 115WG shall apply as they apply for the purposes of that section.

(4) In a case where an assessment under sub-section (3) of section 115WE or section 115WG has been made for the relevant assessment year, no notice shall be issued under sub-section (1) by

an Assessing Officer, after the expiry of four years from the end of the relevant assessment year, unless the Chief Commissioner or Commissioner is satisfied, on the reasons recorded by the Assessing Officer, that it is a fit case for the issue of such notice.

Payment of fringe benefit tax.

115WI. Notwithstanding that the regular assessment in respect of any fringe benefits is to be made in a later assessment year, the tax on such fringe benefits shall be payable in advance during any financial year, in accordance with the provisions of section 115WJ, in respect of the fringe benefits which would be chargeable to tax for the assessment year immediately following that financial year, such fringe benefits being hereafter in this Chapter referred to as the "current fringe benefits".

115WJ. (1) Every assessee who is liable to pay advance tax under section 115W-I, shall on his own accord, pay advance tax on his current fringe benefits calculated in the manner laid down in sub-section (2).

Advance tax in respect of fringe benefits

(2) The amount of advance tax payable by an assessee in the financial year shall be thirty per cent of the value of the fringe benefits referred to in section 115WC, paid or payable in each quarter and shall be payable on or before the 15th day of the month following such quarter:

Provided that the advance tax payable for the quarter ending on the 31st day of March of the financial year shall be payable on or before the 15th day of March of the said financial year.

(3) Where an assessee, has failed to pay the advance tax for any quarter or where the advance tax paid by him is less than thirty per cent. of the value of fringe benefits paid or payable in that quarter, he shall be liable to pay simple interest at the rate of one per cent. on the amount by which the advance tax paid falls short of, thirty per cent. of the value of fringe benefits for any quarter, for every month or part of the month for

which the shortfall continues.

115WK. (1) Where the return of fringe benefits for any assessment year under sub-section (1) or sub-section (3) of section 115WD or in response to a notice under sub-section (2) of that section, is furnished after the due date, or is not furnished, the employer shall be liable to pay simple interest at the rate of one per cent. for every month or part of a month comprised in the period commencing on the date immediately following the due date, and,--

Interest for default in furnishing return of fringe benefits.

(a) where the return is furnished after the due date, ending on the date of furnishing of the return; or

(b) where no return has been furnished, ending on the date of completion of the assessment under section 115WF,

on the amount of the tax on the value of fringe benefits as determined under sub-section (1) of section 115WE or regular assessment as reduced by the advance tax paid under section 115WJ.

Explanation 1.--In this section, "due date" means the date specified in the Explanation to subsection (1) of section 115WD as applicable in the case of the employer.

Explanation 2.--Where, in relation to an assessment year, an assessment is made for the first time under section 115WG, the assessment so made shall be regarded as a regular assessment for the purposes of this section.

(2) The provisions contained in sub-section (2) to sub-section (4) of section 234A shall, so far as may be, apply to this section.

115WL. Save as otherwise provided in this Chapter, all other provisions of this Act shall, as far as may be, apply in relation to fringe benefits also.'

Application of other provisions of this Act.

38. In section 119 of the Income-tax Act, in sub-section (2), in clause (a), with effect from the 1st day of April, 2006,-

Amendment of section 119

(i) for the word, figures and letters "sections 115P, 115S", the word, figures and letters "sections 115P, 115S, 115WD, 115WE, 115WF, 115WG, 115WH, 115WJ, 115WK" shall be substituted;

(ii) for the words "any class of incomes", the words "any class of incomes or fringe benefits" shall be substituted.

39. In section 124 of the Income-tax Act, in sub-section (3), with effect from the 1st day of April, 2006,-

Amendment of section 124

(i) in clause (a),-

(A) for the words, brackets and figures "under sub-section (1) of section 139", the words, brackets, figures and letters "under sub-section (1) of section 115WD or under sub-section (1) of section 139" shall be substituted;

(B) for the words, brackets and figures "sub-section (2) of section 143", the words, brackets, figures and letters "sub-section (2) of section 115WE or sub-section (2) of section 143" shall be substituted;

(ii) in clause (b), for the words, brackets and figures "sub-section (1) of section 142 or under section 148 for the making of the return or by the notice under the first proviso to section 144", the words, brackets, figures and letters "sub-section (2) of section 115WD or sub-section (1) of section 142 or under sub-section (1) of section 115WH or under section 148 for the making of the return or by the notice under the first proviso to section 115WF or under the first proviso to section 144" shall be substituted.

Amendment of section 139

40. In section 139 of the Income-tax Act,--

(a) in sub-section (1), with effect from

the 1st day of April, 2006,--

(i) in clause (a), for the word "company", the words "company or a firm" shall be substituted;

(ii) in clause (b), for the words "other than a company", the words "other than a company or a firm" shall be substituted;

(iii) in the first proviso,-

(A) for the words "at the words "other than a company", the words "during the previous Year incures an expenditure of fifty thousand rupees or more towards consumption of electricity ot at any time during the previous year" shall be substituted;

(B) clause (iii) shall be omitted;

(iv) in the third proviso, for the word "company", the words "company or a firm" shall be substituted;

(v) after the third proviso, the following proviso shall be inserted, namely :

"Provided also that every person, being an individual or a Hindu undivided family or an association of persons or a body of individuals, whether incorporated or not, or an artificial juridical person, if his total income or the total income of any other person in respect of which he is assessable under this Act during the previous year, without giving effect to the rovisions of section 10A or section 10B or section 10BA or Chapter VI-A exceeded the maximum amount which is not chargeable to income tax, shall, on or before the due date, furnish a return of his income or the income of such other person during the previous year, in the prescribed form and verified in the prescribed manner and setting forth such other particulars as may be prescribed.";

(b) in sub-section (9), in the Explanation, in clause (c), in sub-clause

(i), for the words, figures and letters "before the 1st day of April, 2005", the words, figures and letters "before the 1st day of April, 2006" shall be substituted.

Amendment of section 139A.

41. In section 139A of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 2006,

(a) in clause (iii), for the words, brackets, figures and letter "sub-section (4A) of section 139", the following shall be substituted, namely:

"sub-section (4A) of section 139; or

(iv) being an employer, who is required to furnish a return of fringe benefits under section 115WD,";

(b) in sub-section (7), the following Explanation shall be inserted, namely: -

"Explanation.--For the removal of doubts, it is hereby declared that any person, who has been allotted a permanent account number under any clause other than clause (iv) of sub-section (1), shall not be required to obtain another permanent account number and the permanent account number already allotted to him shall be deemed to be the permanent account number in relation to fringe benefit tax."

42. In section 140 of the Income-tax Act, in the opening portion, for the words and figures "under section 139", the words, figures and letters "under section 115WD or section 139" shall be substituted with effect from the 1st day of April, 2006.

Amendment of section 140.

43. In section 140A of the Income-tax Act, with effect from the 1st day of April, 2006,--

Amendment of section 140A

(a) in sub-section (1), for the word and figures "section 139", the words, figures and letters "section 115WD or section 115WH or section 139" shall be

substituted;

(b) for sub-section (1A), the following sub-section shall be substituted, namely:--

“(1A) For the purposes of sub-section (1), interest payable,--

(i) under section 234A shall be computed on the amount of the tax on the total income as declared in the return as reduced by the advance tax, if any, paid and any tax deducted or collected at source;

(ii) under section 115WK shall be computed on the amount of tax on the value of the fringe benefits as declared in the return as reduced by the advance tax, paid, if any.”;

(c) in sub-section (2), for the word and figures “section 143”, the words and figures “section 115WE or section 115WF or section 143” shall be substituted;”.

44. In section 142 of the Income-tax Act, in sub-section (1), for the words, figures, letters and brackets “under section 139 or in whose case the time allowed under sub-section (1) of that section”, the words, figures, letters and brackets “under section 115WD or section 139 or in whose case the time allowed under sub-section (1) of section 139” shall be substituted with effect from the 1st day of April, 2006.

Amendment of section 142

45. In section 153 of the Income-tax Act, with effect from the 1st day of April, 2006,

Amendment of section 153

(a) after sub-section (1), the following sub-sections shall be inserted, namely:--

“(1A) No order of assessment shall be made under section 115WE or section 115WF at any time after the expiry of two years from the end of the assessment year in which the fringe benefits were first assessable.

(1B) No order of assessment or

reassessment shall be made under section 115WG after the expiry of one year from the end of the financial year in which the notice under section 115WH was served.”;

(b) in sub-section (2A), for the words, brackets and figures “in sub-sections(1) and (2)”, the words, brackets, figures and letters “in sub-sections (1), (1A), (1B) and (2)” shall be substituted;

(c) in sub-section (3), for the words, brackets and figures “in sub-sections (1) and (2)”, the words, brackets, figures and letters “in sub-sections (1), (1A), (1B) and (2)” shall be substituted.

(d) in the proviso to Explanation 1, for the words, brackets, figures and letter “in sub-sections (1), (2) and (2A)”, the words, brackets, figures and letters “in sub-sections (1), (1A), (1B), (2) and (2A)” shall be substituted.

46. In section 153B of the income-tax Act, in sub-section (1), after clause (b) and before the Explanation, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of June, 2003, namely: --

Amendment of section 153B

“Provided that in case of other person referred to in section 153C, the period of limitation for making the assessment or reassessment shall be the period as referred to in clause (a) or clause (b) of this sub-section or one year from the end of the financial year in which books of account or documents or assets seized or requisitioned are handed over under section 153C to the Assessing Officer having jurisdiction over such other person, whichever is later.”.

47. In the Income-tax Act, with effect from the 1st day of June, 2003,--

Amendment of section 153C

(a) section 153C shall be numbered as sub-section (1) thereof and in sub-section (1) as so numbered, the following proviso shall be inserted and shall be deemed to have been inserted,

namely:

“Provided that in case of such other person, the reference to the date of initiation of the search under section 132 or making of requisition under section 132A in the second proviso to section 153A shall be construed as reference to the date of receiving the books of account or documents or assets seized or requisitioned by the Assessing Officer having jurisdiction over such other person.”;

(b) after sub-section (1) as so numbered, the following sub-section shall be inserted and shall be deemed to have been inserted, namely: –

“(2) Where books of account or documents or assets seized or requisitioned as referred to in sub-section (1) has or have been received by the Assessing Officer having jurisdiction over such other person after the due date for furnishing the return of income for the assessment year relevant to the previous year in which search is conducted under section 132 or requisition is made under section 132A and in respect of such assessment year-

(a) no return of income has been furnished by such other person and no notice under subsection (1) of section 142 has been issued to him, or

(b) a return of income has been furnished by such other person but no notice under subsection(2) of section 143 has been served and limitation of serving the notice under subsection (2) of section 143 has expired, or

(c) assessment or reassessment, if any, has been made,

before the date of receiving the books of account or documents or assets seized or requisitioned by the Assessing Officer having jurisdiction over such other person, such Assessing Officer shall issue the notice and assess or reassess total income of such other person of such assessment year in the manner

provided in section 153A.”.

Amendment of section 194A

48. In section 194A of the Income-tax Act, in sub-section (3), with effect from 1st day of June, 2005,

(i) after clause (ix), the following clause shall be inserted, namely:—

“(x) to such income which is paid or payable by an infrastructure capital company or infrastructure capital fund or a public sector company in relation to a zero coupon bond issued on or after the 1st day of June, 2005 by such fund or company or public sector company;”;

(ii) for the Explanation, the following Explanations shall be substituted, namely:—

“Explanation 1.--For the purposes of clauses (i), (vii) and (viiia), “time deposits” means deposits (excluding recurring deposits) repayable on the expiry of fixed periods.

Explanation 2.--For the purposes of clause (x), “infrastructure capital company” and “infrastructure capital fund” shall have the meanings respectively assigned to them in clauses (a) and (b) of Explanation 1 to clause (23G) of section 10.”.

Amendment of section 194C

49. In section 194C of the Income-tax Act, in sub-section (3), in clause (i), with effect from the 1st day of June, 2005,—

(a) in the proviso, for the words “under this section; or”, the words “under this section:” shall be substituted;

(b) after the proviso, the following provisos shall be inserted, namely: --

“Provided further that no deduction shall be made under sub-section (2), from the amount of any sum credited or paid or likely to be credited or paid during the previous year to the account of the sub-

contractor during the course of business of plying, hiring or leasing goods carriages, on production of a declaration to the person concerned paying or crediting such sum, in the prescribed form and verified in the prescribed manner and within such time as may be prescribed, if such sub-contractor is an individual who has not owned more than two goods carriages at any time during the previous year:

Provided also that the person responsible for paying any sum as aforesaid to the sub-contractor referred to in the second proviso shall furnish to the prescribed income-tax authority or the person authorised by it such particulars as may be prescribed in such form and within such time as may be prescribed; or”;

(c) after clause (iii), the following Explanation shall be inserted, namely:--

‘Explanation.--For the purposes of clause (i), “goods carriage” shall have the same meaning as in the Explanation to sub-section (7) of section 44AE.’.

50. In section 199 of the Income-tax Act, in sub-section (3), for the figures, letters and words “1st day of April, 2005”, the figures, letters and words “1st day of April, 2006” shall be substituted.

Amendment of section 199

51. In section 203 of the Income-tax Act, in sub-section (3), for the figures, letters and words “1st day of April, 2005”, the figures, letters and words “1st day of April, 2006” shall be substituted.

Amendment of section 203

52. After section 206 of the Income-tax Act, the following section shall be inserted with effect from the 1st day of June, 2005, namely:—

Insertion of new section 206A

“206A. (1) Any banking company or co-operative society or public company referred to in the proviso to clause (i) of

Furnishing of quarterly return in respect of payment of interest to residents without

sub-section (3) of section 194A responsible for paying to a resident any income not exceeding five thousand rupees by way of interest (other than interest on securities), shall prepare quarterly returns for the period ending on the 30th June, the 30th September, the 31st December and the 31st March in each financial year and deliver or cause to be delivered to the prescribed income-tax authority or the person authorised by such authority the quarterly returns as aforesaid, in the prescribed form, verified in such manner and within such time as may be prescribed, on a floppy, diskette, magnetic cartridge tape, CD-ROM or any other computer readable media.

deduction of tax.

(2) The Central Government may, by notification in the Official Gazette, require any person other than a person mentioned in sub-section (1) responsible for paying to a resident any income liable for deduction of tax at source under Chapter XVII, to prepare and deliver or cause to be delivered quarterly returns in the prescribed form and verified in such manner and within such time as may be prescribed, to the prescribed income-tax authority or the person authorised by such authority on a floppy, diskette, magnetic cartridge tape, CD-ROM or any other computer readable media.”.

53. In section 206C of the Income-tax Act, -

Amendment of section 206C.

(a) in sub-section (4), in the proviso, for the figures, letters and words “1st day of April, 2005”, the figures, letters and words “1st day of April, 2006” shall be substituted;

(b) in sub-section (5), in the first proviso, for the figures, letters and words “1st day of April, 2005”, the figures, letters and words “1st day of April, 2006” shall be substituted.

54. In section 238 of the Income-tax Act, after sub-section (1), the following sub-section shall be inserted with effect from the 1st day of April, 2006,

Amendment of section 238

namely: -

“(1A) Where the value of fringe benefits provided or deemed to have been provided by one employer is included under any provisions of Chapter XII-H in the value of fringe benefits provided or deemed to have been provided by any other employer, the latter alone shall be entitled to a refund under this Chapter in respect of such fringe benefits.”.

Amendment of section 239

55. In section 239 of the Income-tax Act, in sub-section (2), after clause (c), the following clause shall be inserted with effect from the 1st day of April, 2006, namely: -

“(d) where the claim is in respect of fringe benefits which are assessable for any assessment year commencing on or after the first day of April, 2006, one year from the last day of such assessment year.”.

Amendment of section 244A

56. In section 244A of the Income-tax Act, with effect from the 1st day of April, 2006,--

(a) in sub-section (1), in clause (a),--

(i) for the words “out of any tax”, the words, figures and letters “out of any tax paid under section 115WJ or” shall be substituted;

(ii) in the proviso, for the words “under sub-section”, the words, brackets, figures and letters “under sub-section (1) of section 115WE or sub-section” shall be substituted;

(b) in sub-section (3), for the words “result of an order under”, the words, brackets, figures and letters “result of an order under sub-section (3) of section 115WE or section 115WF or section 115WG or” shall be substituted;

(c) in sub-section (4), the following proviso shall be inserted, namely: --

“Provided that in respect of assessment of fringe benefits, the provisions of this

sub-section shall have effect as if for the figures "1989", the figures "2006" had been substituted."

Amendment of section 246A

57. In section 246A of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 2006,--

(i) after clause (a), the following clauses shall be inserted, namely:--

"(aa) an order of assessment under sub-section (3) of section 115WE or section 115WF, where the assessee, being an employer objects to the value of fringe benefits assessed;

(ab) an order of assessment or reassessment under section 115WG;";

(ii) in clause (j), in sub-clause (B), for the word, figures and letter "section 271F", the words, figures and letters "section 271F, section 271FB" shall be substituted.

Amendment of section 271.

58. In section 271 of the Income-tax Act, with effect from the 1st day of April, 2006,--

(a) in sub-section (1),-

(A) in clause (b), for the words, brackets and figures "under sub-section (1) of section 142", the words, brackets, figures and letters "under sub-section (2) of section 115WD or under sub-section (2) of section 115WE or under sub-section (1) of section 142" shall be substituted;

(B) in clause (c), for the words "such income", the words "such income, or" shall be substituted;

(C) after clause (c), the following clause shall be inserted, namely:

"(d) has concealed the particulars of the fringe benefits or furnished inaccurate particulars of such fringe benefits,";

(D) in sub-clause (iii),

(i) for the word, brackets and letter "clause (c)", the words, brackets and letters "clause (c) or clause (d)" shall be substituted;

(ii) for the word "income", at both the places where it occurs, the words "income or fringe benefits" shall be substituted;

(b) after sub-section (5), the following sub-section shall be inserted, namely: --

"(6) Any reference in this section to the income shall be construed as a reference to the income or fringe benefits, as the case may be, and the provisions of this section shall, as far as may be, apply in relation to any assessment in respect of fringe benefits also."

59. After section 271FA of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2006, namely: --

Insertion of new section 271FB

"271FB. If an employer, who is required to furnish a return of fringe benefits, as required under sub-section (1) of section 115WD, fails to furnish such return within the time prescribed under that sub-section, the Assessing Officer may direct that such employer shall pay, by way of penalty, a sum of one hundred rupees for every day during which the failure continues."

Penalty for failure to furnish return of fringe benefits

60. In section 272A of the Income-tax Act, in sub-section (2), after clause (k), the following clause shall be inserted with effect from the 1st day of June, 2005, namely: --

Amendment of section 272A

"(l) to deliver or cause to be delivered the quarterly return within the time specified in sub-section (1) of section 206A,".

61. In section 273B of the Income-tax Act, for the word, figures and letters "section 271FA", the words, figures and letters "section 271FA, section 271FB" shall be substituted with effect from the 1st day of April, 2006.

amendment of section 273B

62. In section 276CC of the Income-tax Act, with effect from the 1st day of April, 2006,-

Amendment of section 276CC

(a) in the opening portion, after the words "in due time", the words, brackets, figures and letters "the return of fringe benefits which he is required to furnish under sub-section (1) of section 115WD or by notice given under sub-section (2) of the said section or section 115WH or" shall be inserted;

(b) in the proviso, for the words, brackets and figures "return of income under sub-section (1) of section 139", the words, brackets, figures and letters "return of fringe benefits under sub-section (1) of section 115WD or return of income under sub-section (1) of section 139" shall be substituted.

63. In section 278 of the Income-tax Act, for the words "any income chargeable to tax", the words "any income or any fringe benefits chargeable to tax" shall be substituted with effect from the 1st day of April, 2006.

Amendment of section 278

64. In section 295 of the Income-tax Act, in sub-section (2), clause (e) shall be omitted with effect from the 1st day of April, 2006.

Amendment of section 295.

CHAPTER IV INDIRECT TAXES Customs

Amendmnt of section 28E.

65. In section 28E of the Customs Act, 1962 (hereinafter referred to as the Customs Act),--

52 of 1962.

(a) for clause (c), the following clause shall be substituted, namely:--

'(c) "applicant" means--

(i) (a) a non-resident setting up a joint venture in India in collaboration with a

non-resident or a resident; or

(b) a resident setting up a joint venture in India in collaboration with a non-resident; or

(c) a wholly owned subsidiary Indian company, of which the holding company is a foreign company,

who or which, as the case may be, proposes to undertake any business activity in India;

(ii) a joint venture in India; or

(iii) a resident falling within any such class or category of persons, as the Central Government may, by notification in the Official Gazette, specify in this behalf,

and which or who, as the case may be, makes application for advance ruling under sub-section (1) of section 28H;';

(b) in clause (e), for the words "Authority for Advance Rulings", the words and brackets "Authority for Advance Rulings (Central Excise, Customs and Service Tax)" shall be substituted.

Amendment of section 28F.

66. In section 28F of the Customs Act, in sub-section (1), for the words ' "the Authority for Advance Rulings" ', the words and brackets "the Authority for Advance Rulings (Central Excise, Customs and Service Tax)" shall be substituted.

Amendment of section 28H.

67. In section 28H of the Customs Act, in sub-section (2), after clause (d), the following clause shall be inserted, namely: -

-(e) determination of origin of the goods in terms of the rules notified under the Customs Tariff Act, 1975 and matters relating thereto."

Amendment of section 127MA.

68. In section 127MA of the Customs Act,--

(a) in sub-section (6), for the word, figures and letter "section 127C", the words, figures, letters and brackets "section 127C and sub-section (1) of

section 127-1" shall be substituted;

(b) after sub-section (7), the following sub-section shall be inserted, namely: --

"(8) The Settlement Commission may, if it is of opinion that any person who made an application under sub-section (5) has not co-operated with the proceedings before it, send the case back to the Appellate Tribunal and the provisions containing in section 129A, section 129B and section 129C shall, so far as may be, apply accordingly."

Amendment of section 128A.

69. In section 128A of the Customs Act, in sub-section (5), for the words "and the Commissioner of Customs", the words ", the Chief Commissioner of Customs and the Commissioner of Customs" shall be substituted.

Amendment of section 129A

70. In section 129A of the Customs Act,--

(a) after sub-section (1A), the following sub-section shall be inserted, namely: --

"(1B)(i) The Board may, by notification in the Official Gazette, constitute a such Committee as may be necessary for the purposes of this Act.

(ii) Every Committee constituted under clause (i) shall consist of two Chief Commissioner of Customs or two Commissioner of Customs, as the case may be.";

(b) in sub-section (2),--

(i) for the words "The Commissioner of Customs may, if he is", the words "The Committee of Commissioners of Customs may, if it is" shall be substituted;

(ii) for the words "on his behalf", the words "on its behalf" shall be substituted.

71. In section 129D of the Customs Act, for the word "Board", occurring in sub-sections (1) and (3), the words "Committee of Chief Commissioners of Customs" shall respectively be substituted.

Amendment of section 129D.

Customs tariff

Substitution of new section for section 3.

72. For section 3 of the Customs Tariff Act, 1975 (hereinafter referred to as the Customs Tariff Act), the following section shall be substituted, namely: --

'3. (1) Any article which is imported into India shall, in addition, be liable to a duty (hereafter in this section referred to as the additional duty) equal to the excise duty for the time being leviable on a like article if produced or manufactured in India and if such excise duty on a like article is leviable at any percentage of its value, the additional duty to which the imported article shall be so liable shall be calculated at that percentage of the value of the imported article:

Levy of additional duty equal to excise duty, sales tax, local taxes and other charges.

Provided that in case of any alcoholic liquor for human consumption imported into India, the Central Government may, by notification in the Official Gazette, specify the rate of additional duty having regard to the excise duty for the time being leviable on a like alcoholic liquor produced or manufactured in different States or, if a like alcoholic liquor is not produced or manufactured in any State, then, having regard to the excise duty which would be leviable for the time being in different States on the class or description of alcoholic liquor to which such imported alcoholic liquor belongs.

Explanation.-- In this sub-section, the expression "the excise duty for the time being leviable on a like article if produced or manufactured in India" means the excise duty for the time being in force which would be leviable on a like article if produced or manufactured in India or, if a like article is not so produced or manufactured, which would be leviable on the class or description of articles to which the imported article belongs, and where such duty is leviable at different rates, the highest duty.

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(2) For the purpose of calculating under sub-sections (1) and (3), the additional duty on any imported article, where such duty is leviable at any percentage of its

value, the value of the imported article shall, notwithstanding anything contained in section 14 of the Customs Act, 1962, be the aggregate of--

52 of 1962

(i) the value of the imported article determined under sub-section (1) of section 14 of the Customs Act, 1962 or the tariff value of such article fixed under sub-section (2) of that section, as the case may be; and

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(ii) any duty of customs chargeable on that article under section 12 of the Customs Act, 1962, and any sum chargeable on that article under any law for the time being in force as an addition to, and in the same manner as, a duty of customs, but does not include-

(a) the duty referred to in sub-sections (1), (3) and (5);

(b) the safeguard duty referred to in sections 8B and 8C;

(c) the countervailing duty referred to in section 9; and

(d) the anti-dumping duty referred to in section 9A:

Provided that in case of an article imported into India,

(a) in relation to which it is required, under the provisions of the Standards of Weights and Measures Act, 1976 or the rules made thereunder or under any other law for the time being in force, to declare on the package thereof the retail sale price of such article; and

60 of 1976

(b) where the like article produced or manufactured in India, or in case where such like article is not so produced or manufactured, then, the class or description of articles to which the imported article belongs, is the goods specified by notification in the Official Gazette under sub-section (1) of section 4A of the Central Excise Act, 1944,

1 of 1944

the value of the imported article shall be deemed to be the retail sale price declared on the imported article less such amount of abatement, if any, from such retail sale

1 of 1944

price as the Central Government may, by notification in the Official Gazette, allow in respect of such like article under sub-section (2) of section 4A of the Central Excise Act, 1944.

Explanation.--Where on any imported article more than one retail sale price is declared, the maximum of such retail sale price shall be deemed to be the retail sale price for the purposes of this section.

(3) If the Central Government is satisfied that it is necessary in the public interest to levy on any imported article [whether on such article duty is leviable under sub-section (1) or not] such additional duty as would counter-balance the excise duty leviable on any raw materials, components and ingredients of the same nature as, or similar to those, used in the production or manufacture of such article, it may, by notification in the Official Gazette, direct that such imported article shall, in addition, be liable to an additional duty representing such portion of the excise duty leviable on such raw materials, components and ingredients as, in either case, may be determined by rules made by the Central Government in this behalf.

(4) In making any rules for the purposes of sub-section (3), the Central Government shall have regard to the average quantum of the excise duty payable on the raw materials, components or ingredients used in the production or manufacture of such like article.

(5) If the Central Government is satisfied that it is necessary in the public interest to levy on any imported article [whether on such article duty is leviable under sub-section (1) or, as the case may be, sub-section (3) or not] such additional duty as would counter-balance the sales tax, value added tax, local tax or any other charges for the time being leviable on a like article on its sale, purchase or transportation in India, it may, by notification in the Official Gazette, direct that such imported article shall, in addition, be liable to an additional duty at a rate not exceeding four per cent of the value of the imported article as

specified in that notification.

Explanation.--In this sub-section, the expression "sales tax, value added tax, local tax or any other charges for the time being leviable on a like article on its sale, purchase or transportation in India" means the sales tax, value added tax, local tax or other charges for the time being in force, which would be leviable on a like article if sold, purchased or transported in India or, if a like article is not so sold, purchased or transported, which would be leviable on the class or description of articles to which the imported article belongs, and where such taxes, or, as the case may be, such charges are leviable at different rates, the highest such tax or, as the case may be, such charge.

(6) For the purpose of calculating under sub-section (5), the additional duty on any imported article, the value of the imported article shall, notwithstanding anything contained in sub-section (2), of section 14 of the Customs Act, 1962, be the aggregate of-- 52 of 1962

(i) the value of the imported article determined under sub-section (1) of section 14 of the Customs Act, 1962 or the tariff value of such article fixed under sub-section (2) of that section, as the case may be; and 52 of 1962

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(ii) any duty of customs chargeable on that article under section 12 of the Customs Act, 1962, and any sum chargeable on that article under any law for the time being in force as an addition to, and in the same manner as, a duty of customs, but does not include--

(a) the duty referred to in sub-section (5);

(b) the safeguard duty referred to in sections 8B and 8C;

(c) the countervailing duty referred to in section 9; and

(d) the anti-dumping duty referred to in section 9A.

(7) The duty chargeable under this section shall be in addition to any other duty imposed under this Act or under any other

law for the time being in force.

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(8) The provisions of the Customs Act, 1962 and the rules and regulations made hereunder, including those relating to drawbacks, refunds and exemption from duties shall, so far as may be, apply to the duty chargeable under this section as they apply in relation to the duties leviable under that Act.'

73. Section 3A of the Customs Tariff Act shall be omitted.

Omissions of section 3A

74. In the Customs Tariff Act, the First Schedule shall be amended in the manner as specified in the Second Schedule.

Amendment of First Schedule

Excise

75. In section 5A of the Central Excise Act, 1944 (hereinafter referred to as the Central Excise Act), after sub-section (1), the following sub-section shall be inserted, namely: -

Amendment of section 5A

"(1A) For the removal of doubts, it is hereby declared that where an exemption under sub-section (1) in respect of any excisable goods from the whole of the duty of excise leviable thereon has been granted absolutely, the manufacturer of such excisable goods shall not pay the duty of excise on such goods."

76. In section 23A of the Central Excise Act,-

Amendment of section 23A

(a) for clause (c), the following clause shall be substituted, namely:--

'(c) "applicant" means--

(i) (a) a non-resident setting up a joint venture in India in collaboration with a non-resident or a resident; or

(b) a resident setting up a joint venture in India in collaboration with a non-resident; or

(c) a wholly owned subsidiary Indian company, of which the holding company is a foreign company, who or which, as the case may be, proposes to undertake any business activity in India;

(ii) a joint venture in India; or

(iii) a resident falling within any such class or category of persons, as the Central Government may, by notification in the Official Gazette, specify in this behalf, and which or who, as the case may be, makes application for advance ruling under sub-section(1) of section 23C;';

(b) in clause (e), for the words "Authority for Advance Rulings", the words and brackets "Authority for Advance Rulings (Central Excise, Customs and Service Tax)" shall be substituted.

77. In section 32PA of the Central Excise Act,--

Amendment of section 32PA

(a) in sub-section (6), for the word, figures and letter "section 32F", the words, figures, letters and brackets "section 32F and sub-section (1) of section 32L" shall be substituted;

(b) after sub-section (7), the following sub-section shall be inserted, namely: --

"(8) The Settlement Commission may, if it is of opinion that any person who made an application under sub-section (5) has not co-operated with the proceedings before it, send the case back to the Appellate Tribunal and the provisions containing in section 35B, section 35C and section 35D shall, so far as may be, apply accordingly."

Amendment of section 35A

78. In section 35A of the Central Excise Act, in sub-section (5), for the words "Commissioner of Central Excise", the words "Chief Commissioner of Central Excise" shall be substituted.

Amendment of section 35B

79. In section 35B of the Central Excise Act,--

54 of 1963

(a) after sub-section (1A), the following sub-section shall be inserted, namely: --

"(1B) (i) The Central Board of Excise and Customs constituted under the Central Boards of Revenue Act, 1963 may, by notification in the Official Gazette, constitute such Committee as may be necessary for the purposes of this Act.

(ii) Every Committee constituted under clause (i) shall consist of two Chief Commissioner of Central Excise or two Commissioners of Central Excise, as the case may be.";

(b) in sub-section (2),-

(i) for the words "The Commissioner of Central Excise may, if he is", the words "The Committee of Chief Commissioners of Central Excise may, if it is" shall be substituted;

(ii) for the words "on his behalf", the words "on its behalf" shall be substituted.

Amendment of section 35E

80. In section 35E of the Central Excise Act, for the word "Board", occurring in sub-sections (1) and (3), the words "Committee of Chief Commissioners of Central Excise" shall respectively be substituted.

Substitution of new Schedule for third Schedule

81. For the Third Schedule to the Central Excise Act, the Schedule specified in the Third Schedule shall be substituted.

Amendment of Central Excise Rules, 1944

82. (1) In the Central Excise Rules, 1944, made by the Central Government in exercise of the powers conferred by section 37 of the Central Excise Act,--

(a) rule 57CC as inserted by the Central Excise (Third Amendment) Rules, 1996, published in the Official Gazette, vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 324(E), dated the 23rd July, 1996;

(b) rule 57CC as substituted by the Central Excise (Amendment) Rules, 1997, published in the Official Gazette, vide

notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 122(E), dated the 1st March, 1997; and

(c) rule 57D as substituted by the Central Excise (Second Amendment) Rules, 2000, published in the Official Gazette, vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 203(E), dated the 1st March, 2000, as substituted as rule 57AD by rule 5 of the Central Excise [Second Amendment (Amendment)] Rules, 2000, published in the Gazette of India, vide notification of Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 298(E), dated the 31st March, 2000,

shall stand amended and shall be deemed to have been amended retrospectively in the manner as specified in column (3) of the Fourth Schedule on and from the corresponding date specified in column (4) of that Schedule against each of the rules specified in column (2) of that Schedule.

(2) Any action taken or anything done or purported to have been taken or done, at any time during the period commencing on and from the 1st day of August, 1996 and ending with the 30th day of June, 2001 under the rule as amended by sub-section (1), shall be deemed to be, and always to have been, for all purposes, as validly and effectively, taken or done as if the amendment made by sub-section (1) had been in force at all material times, and accordingly, notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority--

(a) no suit or other proceedings shall be instituted, maintained or continued in any court, tribunal or, as the case may be, other authority against the Central Government or Central Excise Officer for recovery of the amount under the rule as amended by sub-section (1) and no enforcement shall be made by any court, tribunal or other authority of any decree or order for non-recovery of the said amount, as if the amendments made by that sub-section had been in force at all material

times;

(b) recovery shall be made of the amount which has not been paid but which would have been paid as if the amendment made by sub-section (1) had been in force at all material times, within a period of thirty days from the day on which the Finance Bill, 2005 receives the assent of the President.

(3) Notwithstanding the supersession of the Central Excise Rules, 1944 referred to in sub-section (1), for the purposes of that sub-section, the Central Government shall have and shall be deemed to have the power to make rules with retrospective effect as if the Central Government had the power to make rules under section 37 of the Central Excise Act, retrospectively at all material times.

Explanation.--For the removal of doubts, it is hereby declared that no act or omission on the part of any person shall be punishable as an offence which would not have been so punishable if this section had not come into force.

83. (1) In the CENVAT Credit Rules, 2001, made by the Central Government in exercise of the powers conferred by section 37 of the Central Excise Act, rule 6 thereof as published in the Official Gazette vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 445(E), dated the 21st June, 2001 shall stand amended and shall be deemed to have been amended retrospectively in the manner as specified in column (2) of the Fifth Schedule on and from the corresponding date specified in column (3) of that Schedule against the rule specified in column (1) of that Schedule.

Amendment of rule 6 of the CENVAT Credit Rules, 2001.

(2) Any action taken or anything done or purported to have been taken or done at any time during the period commencing on and from the 1st day of July, 2001 and ending with the 28th day of February, 2002 under the rule as amended by sub-section (1), shall be deemed to be, and always to have been, for all purposes, as validly and effectively taken or done as if

the amendment made by sub-section (1) had been in force at all material times, and accordingly, notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority--

(a) no suit or other proceedings shall be instituted, maintained or continued in any court, tribunal or, as the case may be, other authority against the Central Government or Central Excise Officer for recovery of the amount under the rule as amended by sub-section (1) and no enforcement shall be made by any court, tribunal or other authority of any decree or order for the non-recovery of the said amount, as if the amendments made by that sub-section had been in force at all material times;

(b) recovery shall be made of the amount which has not been paid but which would have been paid as if the amendment made by sub-section (1) had been in force at all material times, within a period of thirty days from the day on which the Finance Bill, 2005 receives the assent of the President.

(3) Notwithstanding the supersession of the CENVAT Credit Rules, 2001 referred to in sub-section (1), for the purposes of that sub-section, the Central Government shall have and shall be deemed to have the power to make rules with retrospective effect as if the Central Government had the power to make rules under section 37 of the Central Excise Act, retrospectively at all material times.

Explanation.--For the removal of doubts, it is hereby declared that no act or omission on the part of any person shall be punishable as an offence which would not have been so punishable if this section had not come into force.

Amendment of notification issued under section 5A of the Central Excise Act.

84. (1) The notification of the Government of India in the Ministry of Finance (Department of Revenue), No. G.S.R. 277(E), dated the 1st March, 1988, issued under sub-section (1) of section 5A of the Central Excise Act by the Central Government, shall stand amended and shall be deemed to have been amended in

the manner as specified in the Sixth Schedule, for the period commencing on and from the 21st day of February, 2000 to the 28th day of February, 2003 (both days inclusive) retrospectively, and accordingly, notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, any action taken or anything done or purported to have been taken or done under the said notification, shall be deemed to be and always to have been, for all purposes, as validly and effectively taken or done as if the notification as amended by this sub-section had been in force at all material times.

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the said notification referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said notification under sub-section (1) of section 5A of the Central Excise Act, retrospectively, at all material times.

(3) No recovery shall be made of all such amounts of duty or interest or penalty or fine or other charges which have not been collected or, as the case may be, for which demand notices have been issued under section 11A or, recovery proceeding have been initiated under section 11 of the Central Excise Act, as if the amendment made by sub-section (1), had been in force at all material times.

(4) Refund shall be made of all such duties which have been collected but which would not have been so collected if the amendment made by sub-section (1) had been in force at all material times, subject to the provisions of section 11B of the Central Excise Act.

(5) Notwithstanding anything contained in section 11B of the Central Excise Act, an application for the claim of refund of the duty of excise under sub-section (4) shall be made within one month from the day on which the Finance Bill, 2005 receives assent of the President.

Additional duty of excise (Pan masala and certain tobacco products)

85. (1) In the case of goods specified in the Seventh Schedule, being goods produced or manufactured in India, there shall be levied and collected for the purposes of the Union, by surcharge, an additional duty of excise, at the rates specified in the said Schedule.

(2) The additional duty of excise referred to in sub-section (1) shall be in addition to any other duty of excise chargeable on such goods under the Central Excise Act or any other law for the time being in force.

(3) The provisions of the Central Excise Act and the rules made thereunder, including those relating to refunds and exemptions from duties and imposition of penalty, shall, as far as may be, apply in relation to the levy and collection of the additional duty of excise leviable under this section in respect of goods specified in the Seventh Schedule as they apply in relation to the levy and collection of the duty of excise on such goods under the Central Excise Act or, as the case may be, the rules made thereunder.

Amendment of First Schedule and Second Schedule.

Excise tariff

86. The Central Excise Tariff Act, 1985 (hereinafter referred to as the Central Excise Tariff Act),--

(a) the First Schedule shall be amended in the manner specified in the Eighth Schedule;

(b) the Second Schedule shall be amended in the manner specified in the Ninth Schedule.

87. (1) In the First Schedule to the Central Excise Tariff Act, in Chapter 15, after NOTE 4, the following NOTE shall be inserted and shall be deemed to have been inserted for the period commencing on and from the 1st day of March, 1986 and ending with the 28th day of February, 2005 (both days inclusive), namely: -

"5. In relation to refined edible vegetable oils falling under Heading Nos. or headings 15.02 and 15.03, the process of refining,

Amendment of Chapter 15 of First Schedule.

that is to say, any one or more of the processes, namely, treatment of crude oil with an alkali, bleaching and deodorisation, shall amount to 'manufacture'."

(2) Any action taken or anything done or purported to have been taken or done at any time during the period commencing on and from the 1st day of March, 1986 and ending with the 28th day of February, 2005 (both days inclusive) (hereafter in this section referred to as the said period) under the Central Excise Tariff Act, shall be deemed to be, and to have always been, for all purposes, as validly and effectively taken or done as if the amendment made by sub-section (1) had been in force at all material times and, accordingly, notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority--

(a) all duties of excise levied, assessed or collected during the said period on any excisable goods under the Central Excise Act, shall be deemed to be and shall be deemed always to have been, as validly levied, assessed or collected as if the amendment made by sub-section (1) had been in force at all material times;

(b) no suit or other proceeding shall be instituted, maintained or continued in any court, tribunal or other authority for the refund of, and no enforcement shall be made by any court, tribunal or other authority of any decree or order directing the refund of, any such duty of excise which have been collected and which would have been validly collected if the amendment made by sub-section (1) had been in force at all material times.

(3) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the Chapter referred to in the said sub-section with retrospective effect as if the Central Government had the power to amend the said Chapter, retrospectively, at all material times.

Explanation. - For the removal of doubts, it is hereby declared that no act or omission on the part of any person shall be

punishable as an offence which would not have been so punishable if this section had not come into force.

CHAPTER V

SERVICE TAX

88. In the Finance Act, 1994, --

Amendment of Act
32 of 1994

(a) in section 65, with effect from such date as the Central Government may, by notification in the Official Gazette, appoint,

--

(i) in clause (9), for the words "service or repair", the words "service, repair, reconditioning or restoration" shall be substituted;

(ii) in clause (15), for the words "collecting the broadcasting charges on behalf of the said agency", the words "collecting the broadcasting charges or permitting the rights to receive any form of communication like sign, signal, writing, picture, image and sounds of all kinds by transmission of electro-magnetic waves through space or through cables, direct to home signals or by any other means to cable operator including multisystem operator or any other person on behalf of the said agency" shall be substituted;

(iii) in clause (16), for the words "collecting the broadcasting charges on behalf of the said agency", the words "collecting the broadcasting charges or permitting the rights to receive any form of communication like sign, signal, writing, picture, image and sounds of all kinds by transmission of electro-magnetic waves through space or through cables, direct to home signals or by any other means to cable operator, including multisystem operator or any other person on behalf of the said agency" shall be substituted;

(iv) for clause (17), the following clause shall be substituted, namely :--

'(17) "beauty treatment" includes hair cutting, hair dyeing, hair dressing, face and beauty treatment, cosmetic treatment,

manicure, pedicure or counselling services on beauty, face care or make-up or such other similar services;’;

(v) in clause (19), --

(i) in sub-clause (iv), the following Explanation shall be inserted at the end, namely :--

‘Explanation.-- For the removal of doubts, it is hereby declared that for the purposes of this sub-clause, “inputs” means all goods or services intended for use by the client; ‘;

(ii) for sub-clause (v), the following sub-clause shall be substituted, namely :--

“(v) production or processing of goods for, or on behalf of, the client;”;

(iii) for the Explanation, the following Explanation shall be substituted, namely :-

-

‘Explanation. -- For the removal of doubts, it is hereby declared that for the purposes of this clause, --

(a) “commission agent” means any person who acts on behalf of another person and causes sale or purchase of goods, or provision or receipt of services, for a consideration, and includes any person who, while acting on behalf of another person --

(i) deals with goods or services or documents of title to such goods or services; or

(ii) collects payment of sale price of such goods or services; or

(iii) guarantees for collection or payment for such goods or services; or

(iv) undertakes any activities relating to such sale or purchase of such goods or services;

(b) “information technology service” means any service in relation to designing,

developing or maintaining of computer software, or computerised data processing or system networking, or any other service primarily in relation to operation of computer systems;’;

(vi) after clause (24a), the following clause shall be inserted, namely :--

‘(24b) “cleaning activity” means cleaning, including specialised cleaning services such as disinfecting, exterminating or sterilising of objects or premises, of --

(i) commercial or industrial buildings and premises thereof; or

(ii) factory, plant or machinery, tank or reservoir of such commercial or industrial buildings and premises thereof, but does not include such services in relation to agriculture, horticulture, animal husbandry or dairying;’;

(vii) after clause (25), the following clauses shall be inserted, namely :--

‘(25a) “club or association” means any person or body of persons providing services, facilities or advantages, for a subscription or any other amount, to its members, but does not include--

(i) any body established or constituted by or under any law for the time being in force; or

(ii) any person or body of persons engaged in the activities of trade unions, promotion of agriculture, horticulture or animal husbandry; or

(iii) any person or body of persons engaged in any activity having objectives which are in the nature of public service and are of a charitable, religious or political nature; or

(iv) any person or body of persons associated with press or media;

(25b) “commercial or industrial construction service” means --

(a) construction of a new building or a civil structure or a part thereof; or

(b) construction of pipeline or conduit; or

(c) completion and finishing services such as glazing, plastering, painting, floor and wall tiling, wall covering and wall papering, wood and metal joinery and carpentry, fencing and railing, construction of swimming pools, acoustic applications or fittings and other similar services, in relation to building or civil structure; or

(d) repair, alteration, renovation or restoration of, or similar services in relation to, building or civil structure, pipeline or conduit, which is --

(i) used, or to be used, primarily for; or

(ii) occupied, or to be occupied, primarily with; or

(iii) engaged, or to be engaged, primarily in,

commerce or industry, or work intended for commerce or industry, but does not include such services provided in respect of roads, airports, railways, transport terminals, bridges, tunnels and dams;';

(viii) for clause (30a), the following clause shall be substituted, namely :--

'(30a) "construction of complex" means --

(a) construction of a new residential complex or a part thereof; or

(b) completion and finishing services in relation to residential complex such as glazing, plastering, painting, floor and wall tiling, wall covering and wall papering, wood and metal joinery and carpentry, fencing and railing, construction of swimming pools, acoustic applications or fittings and other similar services; or

(c) repair, alteration, renovation or restoration of, or similar services in relation to, residential complex;';

(ix) after clause (36), the following clause shall be inserted, namely :--

“(36a) “dredging” includes removal of material including, silt, sediments, rocks, sand, refuse, debris, plant or animal matter in any excavating, cleaning, deepening, widening or lengthening, either permanently or temporarily, of any river, port, harbour, backwater or estuary;”;

(x) for clause (39a), the following clause shall be substituted, namely :--

“(39a) “erection, commissioning or installation” means any service provided by a commissioning and installation agency, in relation to,--

(i) erection, commissioning or installation of plant, machinery or equipment; or

(ii) installation of--

- (a) electrical and electronic devices, including wirings or fittings therefor; or
- (b) plumbing, drain laying or other installations for transport of fluids; or
- (c) heating, ventilation or air-conditioning including related pipe work, duct work and sheet metal work; or
- (d) thermal insulation, sound insulation, fire proofing or water proofing; or
- (e) lift and escalator, fire escape staircases or travelators; or
- (f) such other similar services;”;

(xi) for clause (47), the following clause shall be substituted, namely :--

“(47) “franchise” means an agreement by which the franchisee is granted representational right to sell or manufacture goods or to provide service or undertake any process identified with franchisor, whether or not a trade mark, service mark, trade name or logo or any such symbol, as the case may be, is involved;”;

(xii) in clause (55b), in sub-clause (a), for the words “, whether permanently or otherwise”, the word “temporarily” shall be

substituted;

(xiii) after clause (63), the following clause shall be inserted, namely :--

'(63a) "mailing list compilation and mailing" means any service in relation to --

(i) compiling and providing list of name, address and any other information from any source; or

(ii) sending document, information, goods or any other material in a packet, by whatever name called, by addressing, stuffing, sealing, metering or mailing,

for, or on behalf of, the client;';

(xiv) for clause (64), the following clause shall be substituted, namely :--

'(64) "maintenance or repair" means any service provided by--

(i) any person under a contract or an agreement; or

(ii) a manufacturer or any person authorised by him, in relation to, --

(a) maintenance or repair including reconditioning or restoration, or servicing of any goods or equipment, excluding motor vehicle; or

(b) maintenance or management of immovable property;';

(xv) for clause (68), the following clause shall be substituted, namely :--

'(68) "manpower recruitment or supply agency" means any commercial concern engaged in providing any service, directly or indirectly, in any manner for recruitment or supply of manpower, temporarily or otherwise, to a client;';

(xvi) in clause (76a), after the words "other than his own", the words "but including a place provided by way of tenancy or otherwise by the person

receiving such services" shall be inserted;

(xvii) after clause (76a), the following clause shall be inserted, namely :--

1 of 1944.

'(76b) "packaging activity" means packaging of goods including pouch filling, bottling, labelling or imprinting of the package, but does not include any packaging activity that amounts to 'manufacture' within the meaning of clause (f) of section 2 of the Central Excise Act, 1944 (1 of 1944);';

(xviii) after clause (91), the following shall be inserted, namely :--

'(91a) "residential complex" means any complex comprising of--

(i) a building or buildings, having more than twelve residential units;

(ii) a common area; and

(iii) any one or more of facilities or services such as park, lift, parking space, community hall, common water supply or effluent treatment system,

located within a premises and the layout of such premises is approved by an authority under any law for the time being in force, but does not include a complex which is constructed by a person directly engaging any other person for designing or planning of the layout, and the construction of such complex is intended for personal use as residence by such person.

Explanation. -- For the removal of doubts, it is hereby declared that for the purposes of this clause, --

(a) "personal use" includes permitting the complex for use as residence by another person on rent or without consideration;

(b) "residential unit" means a single house or a single apartment intended for use as a place of residence;';

(xix) after clause (97), the following clause shall be inserted, namely :--

‘(97a) “site formation and clearance, excavation and earthmoving and demolition” includes, --

(i) drilling, boring and core extraction services for construction, geophysical, geological or similar purposes; or

(ii) soil stabilization; or

(iii) horizontal drilling for the passage of cables or drain pipes; or

(iv) land reclamation work; or

(v) contaminated top soil stripping work; or

(vi) demolition and wrecking of building, structure or road, but does not include such services provided in relation to agriculture, irrigation, watershed development and drilling, digging, repairing, renovating or restoring of water sources or water bodies;’;

(xx) for clause (98), the following clause shall be substituted, namely :--

‘(98) “sound recording” means recording of sound on any media or device including magnetic storage device, and includes services relating to recording of sound in any manner such as sound cataloguing, storing of sound and sound mixing or re-mixing or any audio post-production activity;’;

(xxi) after clause (104a), the following clause shall be inserted, namely :--

‘(104b) “survey and map-making” means geological, geophysical or any other prospecting, surface, sub-surface or aerial surveying or map-making of any kind, but does not include survey and exploration of mineral;’;

(xxii) in clause (105),--

(a) for the words “service provided”, the

words "service provided or to be provided" shall be substituted;

(b) for sub-clause (k), the following sub-clause shall be substituted, namely :--

"(k) to a client, by a manpower recruitment or supply agency in relation to the recruitment or supply of manpower, temporarily or otherwise, in any manner;";

(c) in sub-clause (m), for the words "provided to the client in relation to such use and also the services, if any, rendered as a caterer", the words "provided or to be provided to the client in relation to such use and also the services, if any, provided or to be provided as a caterer" shall be substituted;

(d) in sub-clause (zk), for the words "collecting the broadcasting charges on behalf of the said agency", the words "collecting the broadcasting charges or permitting the rights to receive any form of communication like sign, signal, writing, picture, image and sounds of all kinds by transmission of electro-magnetic waves through space or through cables, direct to home signals or by any other means to cable operator, including multisystem operator or any other person on behalf of the said agency" shall be substituted;

(e) in sub-clause (zo), for the words "or repair of motor cars", the words, "repair, reconditioning or restoration of motor cars, light motor vehicles" shall be substituted;

(f) sub-clause (zzj) shall be omitted;

(g) in sub-clause (zzk), for the words, brackets and letters "sub-clauses (zm) and (zp)", the words, brackets and letters "sub-clause (zm)" shall be substituted;

(h) in sub-clause (zzq), for the words "construction service", the words "commercial or industrial construction service" shall be substituted;

(i) in sub-clause (zzw), for the word "rendered", the words "provided or to be

provided" shall be substituted;

(j) after sub-clause (zzy), the following sub-clauses shall be inserted, namely :--

"(zzz) to any person, by any other person, in relation to transport of goods other than water, through pipeline or other conduit;

(zzza) to any person, by any other person, in relation to site formation and clearance, excavation and earthmoving and demolition and such other similar activities;

(zzzb) to any person, by any other person, in relation to dredging;

(zzzc) to any person, by any other person, other than by an agency under the control of, or authorised by, the Government, in relation to survey and map-making;

(zzzd) to any person, by any other person, in relation to cleaning activity;

(zzze) to its members, by any club or association in relation to provision of services, facilities or advantages for a subscription or any other amount;

(zzzf) to any person, by any other person, in relation to packaging activity;

(zzzg) to any person, by any other person, in relation to mailing list compilation and mailing;

(zzzh) to any person, by any other person, in relation to construction of complex;";

(k) at the end, the following Explanation shall be inserted, namely :--

"Explanation. -- For the removal of doubts, it is hereby declared that where any service provided or to be provided by a person, who has established a business or has a fixed establishment from which the service is provided or to be provided, or has his permanent address or usual place of residence, in a country other than India and such service is received or to be received by a person who has his place of

business, fixed establishment, permanent address or, as the case may be, usual place of residence, in India, such service shall be deemed to be taxable service for the purposes of this clause;";

(xxiii) for clause (120), the following clause shall be substituted, namely :--

'(120) "video-tape production" means the process of any recording of any programme, event or function on a magnetic tape or on any other media or device and includes services relating thereto such as editing, cutting, colouring, dubbing, title printing, imparting special effects, processing, adding, modifying or deleting sound, transferring from one media or device to another, or undertaking any video post-production activity, in any manner;';

(b) in section 66, with eff

CHAPTER VI

CENTRAL SALES TAX

74 of 1956.

89. In section 2 of the Central Sales Tax Act, 1956 (hereinafter referred to as the Central Sales Tax Act),-

Amendment of section 2.

(a) in clause (h), the following proviso shall be inserted at the end, namely: -

"Provided that in the case of a transfer of property in goods (whether as goods or in some other form) involved in the execution of a works contract, the sale price of such goods shall be determined in the prescribed manner by making such deduction from the total consideration for the works contract as may be prescribed and such price shall be deemed to be the sale price for the purposes of this clause.";

(b) for clause (i), the following clause shall be substituted, namely: -

'(i) "sales tax law" means any law for the

time being in force in any State or part thereof which provides for the levy of taxes on the sale or purchase of goods generally or on any specified goods expressly mentioned in that behalf and includes value added tax law, and "general sales tax law" means any law for the time being in force in any State or part thereof which provides for the levy of tax on the sale or purchase of goods generally and includes value added tax law;';

(c) after clause (j), the following clause shall be inserted, namely: -

'(ja) "works contract" means a contract for carrying out any work which includes assembling, construction, building, altering, manufacturing, processing, fabricating, erection, installation, fitting out, improvement, repair or commissioning of any movable or immovable property; '.

Amendment of section 5.

90. In section 5 of the Central Sales Tax Act, after sub-section (3), the following sub-sections shall be inserted, namely: -

'(4) The provisions of sub-section (3) shall not apply to any sale or purchase of goods unless the dealer selling the goods furnishes to the prescribed authority in the prescribed manner a declaration duly filled and signed by the exporter to whom the goods are sold in a prescribed form obtained from the prescribed authority.

(5) Notwithstanding anything contained in sub-section (1), if any designated Indian carrier purchases Aviation Turbine Fuel for the purposes of its international flight, such purchase shall be deemed to take place in the course of the export of goods out of the territory of India.

Explanation.- For the purposes of this sub-

section, "designated Indian carrier" means any carrier which the Central Government may, by notification in the Official Gazette, specify in this behalf.'

Amendment of section 6

91. In section 6 of the Central Sales Tax Act, for sub-section (3), the following sub-sections shall be substituted, namely: --

"(3) Notwithstanding anything contained in this Act, no tax under this Act shall be payable by any dealer in respect of sale of any goods made by such dealer, in the course of inter-State trade or commerce, to any official, personnel, consular or diplomatic agent of--

(i) any foreign diplomatic mission or consulate in India; or

(ii) the United Nations or any other similar international body,

entitled to privileges under any convention or agreement to which India is a party or under any law for the time being in force, if such official, personnel, consular or diplomatic agent, as the case may be, has purchased such goods for himself or for the purposes of such mission, consulate, United Nations or other body.

(4) The provisions of sub-section (3) shall not apply to the sale of goods made in the course of inter-State trade or commerce unless the dealer selling such goods furnishes to the prescribed authority a certificate in the prescribed manner on the prescribed form duly filled and signed by the official, personnel, consular or diplomatic agent, as the case may be."

Amendment of section 13.

92. In section 13 of the Central Sales Tax Act, in sub-section (1), clause (aa) shall be re-lettered as clause (ab) thereof, and before clause (ab) as so re-lettered, the following clause shall be inserted,

namely: --

"(aa) the manner of determination of the sale price and the deductions from the total consideration for a works contract under the proviso to clause (h) of section 2;".

CHAPTER VII

BANKING CASH TRANSACTION TAX

Extent,
commencement
and application.

93. (1) This Chapter extends to the whole of India except the State of Jammu and Kashmir.

(2) It shall come into force on the 1st day of June, 2005.

(3) It shall apply to taxable banking transactions entered into on or after the commencement of this Chapter.

43 of 1961

94. In this Chapter, unless the context otherwise requires,--

Definitions.

(1) "Appellate Tribunal" means the Appellate Tribunal constituted under section 252 of the Income-tax Act, 1961;

(2) "Assessing Officer" means the Income-tax Officer or Assistant Commissioner of Income-tax or Deputy Commissioner of Income-tax or Joint Commissioner of Income-tax or Additional Commissioner of Income-tax who is authorised by the Board to exercise or perform all or any of the powers and functions conferred on, or assigned to, an Assessing Officer under this Chapter;

(3) "banking cash transaction tax" means tax leviable on the taxable banking transactions under the provisions of this Chapter;

54 of 1963

(4) "Board" means the Central Board of Direct Taxes constituted under the Central Boards of Revenue Act, 1963;

- 43 of 1961 (5) "person" shall have the same meaning as in clause (31) of section 2 of the Income-tax Act, 1961 and includes an office or establishment of the Central Government or the Government of a State;
- (6) "prescribed" means prescribed by rules made by the Board under this Chapter;
- 23 of 1955.
38 of 1959.
40 of 1980.
2 of 1934.
5 of 1970. (7) "scheduled bank" means the State Bank of India constituted under the State Bank of India Act, 1955, a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, or under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, or any other bank being a bank included in the Second Schedule to the Reserve Bank of India Act, 1934;
- 40 of 1980
2 of 1934 (8) "taxable banking transaction" means--
- (a) a transaction, being withdrawal of cash (by whatever mode) on any single day from an account (other than a savings bank account) maintained with any schedule bank, exceeding, -
- (i) twenty-five thousand rupees, in case such withdrawal is from the account maintained by any individual or Hindu undivided family;
- (ii) one lakh rupees, in case such withdrawal is from the account maintained by a person other than any individual of Hindu Undivided family; or
- (b) a transaction, being receipt of cash from any scheduled bank on any single day on encashment of one or more term deposits, whether on maturity or otherwise, from that bank exceeding,--
- (i) twenty-five thousand rupees, in case such term deposit or deposits are in the

name of any individual or Hindu undivided family;

(ii) one lakh rupees, in case such term deposit or deposits are by any person other than any individual or Hindu Undivided family;

26 of 1881.
2 of 1934.
10 of 1949.
43 of 1961.

(9) words and expressions used but not defined in this Chapter and defined in the Negotiable Instruments Act, 1881, the Reserve Bank of India Act, 1934, the Banking Regulation Act, 1949, the Income-tax Act, 1961, or the rules or regulations made thereunder, shall apply, so far as may be, in relation to banking cash transaction tax.

95. (1) On and from the commencement of this Chapter, there shall be charged a banking cash transaction tax, in respect of every taxable banking transaction entered into on or after the 1st day of June, 2005, at the rate of 0.1 per cent. of the value of every such taxable banking transaction.

Charge of banking cash transaction tax.

(2) The banking cash transaction tax referred to in sub-section (1) shall be payable,--

(i) in respect of taxable banking transaction referred to in sub-clause (a) of clause (8) of section 94, by the individual or Hindu undivided family referred to in item (i) or a person referred to in item (ii) of said sub-clause (a) from whose account the cash is withdrawn from any scheduled bank;

(ii) in respect of taxable banking transaction referred to in sub-clause (b) of clause (8) of section 94, by the person who receives the cash on encashment of term deposit or deposits :

Provided that no banking cash transaction tax shall be payable if the amount of term deposit or deposits is credited to any account with the bank.

Value of

96. The value of taxable banking

taxable
banking
transaction.

transaction shall be,--

(i) in respect of taxable banking transaction referred to in sub-clause (a) of clause (8) of section 94, the amount of cash withdrawn;

(ii) in respect of taxable banking transaction referred to in sub-clause (b) of clause (8) of section 94, the amount of cash received on encashment of term deposit or deposits.

Collection
and recovery
of banking
cash
transaction
tax.

97. (1) Every scheduled bank shall collect the banking cash transaction tax from every person, being a person referred to in clause (i) or clause (ii) or clause (iii) of sub-section (2) of section 95 who enters into a taxable banking transaction with that bank, at the rate specified in section 95.

(2) The banking cash transaction tax collected during any calendar month in accordance with the provisions of sub-section (1) shall be paid by every scheduled bank to the credit of the Central Government by the fifteenth day of the month immediately following the said calendar month.

(3) Any scheduled bank, who fails to collect the tax in accordance with the provisions of sub-section (1), shall, notwithstanding such failure, be liable to pay the tax to the credit of the Central Government in accordance with the provisions of sub-section (2).

Scheduled
bank to
furnish
prescribed
return.

98. (1) Every scheduled bank (hereafter in this Chapter referred to as assessee) shall, within the prescribed time after the end of each financial year, prepare and deliver or cause to be delivered to the Assessing Officer or to any other authority or agency authorised by the Board in this behalf, a return in such form and verified in such manner and setting forth such particulars as may be prescribed, in respect of all taxable banking transactions entered into during such financial year in the scheduled

bank.

(2) Where any assessee fails to furnish the return under sub-section (1) within the prescribed time, the Assessing Officer may issue a notice to such assessee and serve it upon him, requiring him to furnish the return in the prescribed form and verified in the prescribed manner setting forth such particulars within such time as may be prescribed.

(3) Any assessee who has not furnished the return within the time allowed under sub-section (1) or sub-section (2), or having furnished a return under sub-section (1) or sub-section (2), discovers any omission or wrong statement therein, may furnish a return or a revised return, as the case may be, at any time before the assessment is made.

99. (1) For the purposes of making an assessment under this Chapter, the Assessing Officer may serve on any assessee, who has furnished a return under sub-section (1) or sub-section (3) of section 98 or upon whom a notice has been served under sub-section (2) of section 98 (whether a return has been furnished or not), a notice requiring him to produce or cause to be produced on a date to be specified therein such accounts or documents or other evidence as the Assessing Officer may require for the purposes of this Chapter and may, from time to time, serve further notices requiring the production of such further accounts or documents or other evidence as he may require.

Assessment.

(2) The Assessing Officer, after considering such accounts, documents or other evidence, if any, as he has obtained under sub-section (1) and after taking into account any other relevant material which he has gathered, shall, by an order in writing, assess the value of taxable banking transactions during the relevant financial year and determine the amount of banking cash transaction tax

payable or refundable on the basis of such assessment:

Provided that no assessment shall be made under this sub-section after the expiry of two years from the end of the relevant financial year.

(3) Every assessee, in case any amount is refunded to it on assessment under sub-section (2), shall, within such time as may be prescribed, refund such amount to the concerned person from whom such amount was collected.

100. (1) With a view to rectifying any mistake apparent from the record, the Assessing Officer may amend any order passed by him under the provisions of this Chapter within one year from the end of the financial year in which the order sought to be amended was passed.

(2) Where any matter has been considered and decided in any proceeding by way of appeal relating to an order referred to in sub-section (1), the Assessing Officer passing such order may, notwithstanding anything contained in any law for the

CHAPTER VIII Miscellaneous

113. In section 3 of the Government Savings Banks Act, 1873, in the definition of "depositor", the following proviso shall be inserted, namely:—

'Provided that on and after the date on which the Finance Bill, 2005 receives the assent of the President, the provisions of this clause shall have effect as if for the words "a person", the words "an individual" had been substituted.'

Amendment of Act
5 of 1873

114. After section 8A of the Indian Stamp Act, 1899, the following section shall be inserted, namely :—

Insertion of new
section 8B in Act 2
of 1899.

'8B. Notwithstanding anything contained

Corporatisation and

in this Act or any other law for the time being in force,—

demutualisation schemes and related instruments not liable to duty

(a) a scheme for corporatisation or demutualisation, or both of a recognised stock exchange; or

(b) any instrument, including an instrument of, or relating to, transfer of any property, business, asset whether movable or immovable, contract, right, liability and obligation, for the purpose of, or in connection with, the corporatisation or demutualisation, or both of a recognised stock exchange pursuant to a scheme,

as approved by the Securities and Exchange Board of India under sub-section (2) of section 4B of the Securities Contracts (Regulation) Act, 1956, shall not be liable to duty under this Act or any other law for the time being in force.

42 of 1956

Explanation.—For the purposes of this section,—

42 of 1956

(a) the expressions “corporatisation”, “demutualisation” and “scheme” shall have the meanings respectively assigned to them in clauses (aa), (ab) and (ga) of section 2 of the Securities Contracts (Regulation) Act, 1956;

(b) “Securities and Exchange Board of India” means the Securities and Exchange Board of India established under section 3 of the Securities and Exchange Board of India Act, 1992.’.

15 of 1992

115. Section 2 of the Contingency Fund of India Act, 1950 shall be numbered as sub-section (1) thereof, and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

Amendment of section 2 of Act 49 of 1950.

“(2) On and from the date on which the Finance Bill, 2005 receives the assent of the President, the sum which shall be paid from and out of the Consolidated Fund of India into the Contingency Fund of India under sub-section (1) shall stand enhanced to five hundred crores of rupees.”.

Substitution of new Schedule for First Schedule to Act 58 of 1957.	116. For the First Schedule to the Additional Duty of Excise (Goods of Special Importance) Act, 1957, the Schedule specified in the Tenth Schedule shall be substituted.	
	117. In section 2 of the Government Savings Certificates Act, 1959, for clause (a), the following clauses shall be substituted, namely:—	
	'(a) "holder", in relation to a savings certificate, means—	
Amendment of section 2 of Act 46 of 1959.	(i) a person who holds the savings certificate issued in accordance with the provisions of this Act and of any rules made thereunder at any time before the date on which the Finance Bill, 2005 receives the assent of the President; and	
	(ii) an individual who holds the savings certificate issued in accordance with the provisions of this Act and of any rules made thereunder at any time on or after the date on which the Finance Bill, 2005 receives the assent of the President;	
	(aa) "minor" means a person who is not deemed to have attained his majority under the Majority Act, 1875;'. 9 of 1875	
Substitution of new Schedule for Schedule to Act 40 of 1978.	118. For the schedule to the Additional Duties of Excise (Textile and Textile Articles) Act, 1978, the Schedule specified in the Eleventh Schedule shall be substituted.	
Amendment of Second Schedule to Act 21 of 1998	119. In the Finance (No. 2) Act, 1998, in the Second Schedule, for the entry in column (3), the entry "Rupees two per litre" shall be substituted.	
Amendment of Second Schedule to Act 27 of 1999	120. In the Finance Act, 1999, in the Second Schedule, for the entry in column (3), the entry "Rupees two per litre" shall be substituted.	
Amendment of section 10 of Act 54 of 2000.	121. Section 10 of the central Fund Act, 2000 shall be numbered as sub-section (1) thereof, and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely ;	

21 of 1998	<p>"(2) Notwithstanding anything contained in clause (viii) of sub-section (1), the Central Government shall, with effect from the 1st day of March, 2005, allocated fifty paise from the amount of rupee two as amendment by sections 119 and 120 of the Finance Act, 2005 as the additional duty of customs and the additional duty of excise on petrol, levied under sub-section (1) of section 103 and sub-section (1) of section 111, as the case may be, of the Finance (No. 2) Act, 1998 and the additional duty of customs and the additional duty of excise on high speed diesel oil levied under sub-section (1) of section 116 and sub-section (1) of section 133, as the case may be, of the Finance Act, 1999, exclusively for the development and maintenance of national highway."</p>	
27 of 1999.	<p>122. For the Seventh Schedule to the Finance Act, 2001, the schedule specified in the Twelfth Schedule shall be substituted.</p>	<p>Substitution of new Schedule for Seventh Schedule to Act 14 of 2001.</p>
	<p>123. In the Finance Act, 2003 -</p> <p>(a) Section 128 shall be omitted;</p> <p>(b) in section 134, the Explanation shall be omitted;</p> <p>(c) section 157 shall be omitted;</p> <p>(d) in section 169, the portion beginning with the words " and the amendment so made" and ending with the words "repealed by a Central Act" shall be omitted with effect from the 31st day of March, 2005;</p> <p>(e) the Fourth Schedule shall be omitted.</p>	<p>Amendment of act 32 of 2003</p>
	<p>124. In the Finance (No. 2) Act, 2004 -</p> <p>(a) in section 88, after sub-section (4), the following sub-section shall be inserted, namely:-</p>	<p>Amendment of Act 23 of 2004.</p>
58 of 1957	<p>"(5) Notwithstanding anything contained in sub-section (4), the following procedure shall be followed for the recovery of the CENVAT credit of additional duty leviable under section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 which has</p>	

been availed but which would not have been availed if the amendment made by sub-section (1) was in force at all material time (hereinafter referred to in this section as the amounts of credit), namely :

(i) The Central Excise Officer shall, on or before the 25th day of May, 2005, serve notice on the person from whom the recovery is to be made (hereinafter referred to as the assessee), requiring the assessee to declare the amount of credit utilised by him on different dates for payment of duty of excise (hereinafter referred to as the CENVAT duty) leviable under the First Schedule or the Second Schedule to the Central Excise Tariff Act, 1985;

(ii) the assessee shall furnish the declaration as required under clause (i) on or before the 31st day of May, 2005;

(iii) the Central Excise Officer shall, after considering the declaration made by the assessee under clause (ii), determine the amount of credit utilised on the different dates for payment of CENVAT duty;

5 to 1986

(iv) the Central Excise Officer shall separately determine the amount of interest on the amount of credit (hereinafter referred to as the amount of interest) utilised for paying the CENVAT duty, in accordance with the provisions of clause (v);

(v) the amount of interest on amount of credit utilised for paying the CENVAT duty shall be at a rate of thirteen per cent. per annum for the period beginning on the from the day when each time the amount of credit was so utilised and ending on the 10th day of September, 2004;

(vi) the Central Excise Officer shall, on or before the 15th day of June, 2005, inform the assessee, in writing, the amount of credit and the amount of interest so determined under clauses (iii) and (iv);

(vii) the assessee shall pay an amount equal to one-thirty sixth part of each of

the amount determined under clauses (iii) and (iv) by the fifth day of every months, commencing from the month, following the month of receipt of information or the amount determined by the Central Excise Officer;

(viii) the assessee may make payment on his own towards the amount of credit or, as the case may be, the amount of interests, in excess of the amount required to be paid up to a particular month;

(ix) where the assessee pays the total amount of credit and the amount of interest so determined under clauses (iii) and (iv) respectively, the Central Excise Officer shall issue an order confirming the payment of credit and the amount of interest and discharging the assessee from any recovery of the amount of credit;

(x) for the purpose of this sub-section, it is hereby clarified that the amount of credit has been fully utilised first towards payment of the CENVAT duty before utilising the VENVAT credit of additional duty leviable under section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 paid on or after the 1st day of April, 2000 for payment of the CENVAT duty.

58 of 1957.

6. Where the assessee fails to furnish the declaration as required under clause (i), or has furnished the declaration but failed to pay the amount by the day as specified in clause (vii), of sub-section 5, the provisions of sub-section (4) shall apply subject to the modification that the notice, requiring the assessee to show cause why he should not pay the amount specified in the notice, shall be served upon him within three months from the date of his such failure.";

(b) in section 94, in sub-section (1), clause (a) shall be re-lettered as clause (aa) thereof, and before clause (aa) as so re-lettered, the following clause shall be

inserted, namely :—

“(a) the additional duty referred to in sub-section (5) of section 3 of the Customs Tariff Act, 1975 (51 of 1975);”.

(c) In section 98, in the Table, with effect from the 1st day of June, 2005,—

(i) against Sl. No.1, under column (3) relating to rate, for the figures and words “0.075 per cent”, the figures and words “0.1 per cent” shall be substituted;

(ii) against Sl. No. 2, under column (3) relating to rate, for the figures and words “0.075 per cent”, the figures and words “0.1 per cent” shall be substituted;

(iii) against Sl. No. 3, under column (3) relating to rate, for the figures and words “0.015 per cent”, the figures and words “0.02 per cent” shall be substituted;

(iv) against Sl. No. 4, under column (3) relating to rate, for the figures and words “0.01 per cent”, the figures and words “0.0133 per cent” shall be substituted;

(v) against Sl. No. 5, under column (3) relating to rate, for the figures and words “0.15 per cent”, the figures and words “0.2 per cent” shall be substituted.

51 of 1975

The First Schedule

(See section 2)

PART I

INCOME-TAX

Paragraph A

In the case of every individual or Hindu Undivided Family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not Nil;

exceed Rs 50,000

- | | | |
|-----|---|---|
| (2) | where the total income exceeds Rs. 50,000 but

does not exceed Rs. 60,000 | 10 per cent of the amount by which the total income exceeds Rs. 50,000; |
| (3) | where the total income exceeds Rs. 60,000 but

does not exceed Rs. 1,50,000 | Rs. 1,000 plus 20 per cent of the amount by which the total income exceeds Rs. 60,000; |
| (4) | where the total income exceeds Rs. 1,50,000 | Rs. 19,000 plus 30 per cent of the amount by which the total income exceeds Rs. 1,50,000. |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or in section 111A or section 112, shall,—

(i) in the case of every individual or Hindu undivided family or association of persons or body of individuals having a total income exceeding eight hundred and fifty thousand rupees, be reduced by the amount of rebate of income-tax calculated under Chapter VIII-A, and the income-tax as so reduced, be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax;

(ii) in the case of every person, other than those mentioned in item (i), be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax:

Provided that in case of persons mentioned in item (i) above having a total income exceeding eight hundred and fifty thousand rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of eight hundred and fifty thousand rupees by more than the amount of income that exceeds eight hundred and fifty thousand rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

- | | | |
|-----|--|--|
| (1) | where the total income does not exceed Rs. 10,000 | 10 per cent of the total income; |
| (2) | where the total income exceeds Rs.10,000 but does not exceed Rs. 20,000. | Rs. 1,000 plus 20 per cent of the amount by which the total income exceeds Rs. 10,000; |
| (3) | where the total income exceeds Rs. 20,000 | Rs. 3,000 plus 30 per cent of the amount by which the total income |

exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or in section 111A or section 112, shall, in the case of every co-operative society, be increased by a surcharge for purposes of the Union calculated at the rate of two and one-half per cent of such income-tax.

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 35 per cent

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified, or in section 111A or section 112, shall, in the case of every firm, be increased by a surcharge for purposes of the Union calculated at the rate of two and one-half per cent of such income-tax.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified, or in section 111A or section 112, shall, in the case of every local authority, be increased by a surcharge for purposes of the Union calculated at the rate of two and one-half per cent of such income-tax.

Paragraph E

In the case of a company,—

Rates of income-tax

I. In the case of a domestic company 35 per cent of the total income;

- II. In the case of a company other than a domestic company—
- (i) on so much of the total income as consists of,—
- (a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976; or
- (b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976,
- and where such agreement has, in either case, been approved by the Central Government 50 per cent;
- (ii) on the balance, if any, of the total income 40 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or in section 111A or section 112, shall, in the case of every company, be increased by a surcharge for purposes of the Union calculated at the rate of two and one-half per cent of such income-tax.

PART II

Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194BB, 194D and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to the deduction at the following rates:—

Rate of

income-tax

1. In the case of a person other than a company—
 - (a) where the person is resident in India—
 - (i) on income by way of interest other than “Interest on securities” 10 per cent;
 - (ii) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort 30 per cent;
 - (iii) on income by way of winnings from horse races 30 per cent;
 - (iv) on income by way of insurance commission 10 per cent;
 - (v) on income by way of interest payable on— 10 per cent;
 - (A) any debentures or securities other than a security of the Central or State Government for money issued by or on behalf of any local authority or a corporation established by a Central, State or Provincial Act;
 - (B) any debentures issued by a company where such debentures are listed on a recognised stock exchange in India in accordance with the Securities Contracts (Regulation) Act, 1956 (42 of 1956) and any rules made thereunder
 - (vi) on any other income 20 per cent;
 - (b) where the person is not resident in India—
 - (i) in the case of a non-resident Indian—
 - (A) on any investment income 20 per cent;
 - (B) on income by way of long-term capital gains referred to in section 115E 10 per cent;
 - (C) on other income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of section 10] 20 per cent;
 - (D) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency 20 per cent;

(E) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(F) on income by way of winnings from horse races	30 per cent;
(G) on the whole of the other income	30 per cent;
(ii) in the case of any other person—	
(A) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency	20 per cent;
(B) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(C) on income by way of winnings from horse races	30 per cent;
(D) on income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of section 10]	20 per cent;
(e) on the whole of the other income	30 per cent.
2. In the case of a company—	
(a) where the company is a domestic company—	
(i) on income by way of interest other than "Interest on securities"	20 per cent;
(ii) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(iii) on income by way of winnings from horse races	30 per cent;
(iv) on any other income	20 per cent;
(b) where the company is not a domestic company—	
(i) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(ii) on income by way of winnings from horse races	30 per cent;

(iii) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency 20 per cent;

(iv) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1976 where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India—

(A) where the agreement is made before the 1st day of June, 1997 30 per cent;

(B) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005 20 per cent;

(C) where the agreement is made on or after the 1st day of June, 2005 10 per cent;

(v) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(iv)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—

(A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976 50 per cent;

(B) where the agreement is made after the 31st day of March, 1976 but before the 1st day of June, 1997 30 per cent;

(C) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005 20 per cent;

(D) where the agreement is made on or after the 1st day of June, 2005 10 per cent;

(vi) on income by way of fees for technical services payable by Government or an Indian concern in

pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—

(A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976	50 per cent;
(B) where the agreement is made after the 31st day of March, 1976 but before the 1st day of June, 1997	30 per cent;
(C) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005	20 per cent;
(D) where the agreement is made on or after the 1st day of June, 2005	10 per cent;
(vii) on income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of section 10]	20 per cent;
(viii) on any other income	40 per cent

Explanation.—For the purpose of item 1(b)(i) of this Part, “investment income” and “non-resident Indian” shall have the meanings assigned to them in Chapter XII-A of the Income-tax Act.

Surcharge on income-tax

The amount of income-tax deducted in accordance with the provisions of—

(A) item 1, of this Part, shall be increased by a surcharge, for purposes of the Union, calculated,—

(i) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent of such tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten lakh rupees;

(ii) in the case of every firm and artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, at the rate of ten per cent of such tax;

(B) item 2 of this Part, shall be increased by a surcharge, for purposes of the Union, calculated,—

(i) in the case of every domestic company at the rate of ten per cent of such income tax;

(ii) in the case of every company other than a domestic company at the rate of two and one-half per cent of such income-tax.

PART III

Rates for charging income-tax in certain cases, deducting income-tax from income chargeable under the head "salaries" and computing "advance tax"

In cases in which income-tax has to be charged under sub-section (4) of section 172 of the Income-tax Act or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or deducted from, or paid on, from income chargeable under the head "Salaries" under section 192 of the said Act or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" [not being "advance tax" in respect of any income chargeable to tax under Chapter XII or Chapter XII-A or fringe benefits chargeable to tax under Chapter XII-H or income chargeable to tax under section 115JB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act at the rates as specified in that Chapter or section or surcharge on such "advance tax" in respect of any income chargeable to tax under section 115A or section 115AB or section 115AC or section 115ACA or section 115AD or section 115B or section 115BB or section 115BBA or section 115E or section 115JB or fringe benefits chargeable to tax under section 115WA] shall be charged, deducted or computed at the following rate or rates:—

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

- | | | |
|-----|--|---|
| (1) | where the total income does not exceed Rs. 1,00,000 | Nil; |
| (2) | where the total income exceeds Rs. 1,00,000 but does not exceed Rs. 1,50,000 | 10 per cent of the amount by which the total income exceeds Rs. 1,00,000; |
| (3) | where the total income exceeds Rs. 1,50,000 but does not exceed Rs. 2,50,000 | Rs. 5,000 plus 20 per cent of the amount by which the total income exceeds Rs. 1,50,000; |
| (4) | where the total income exceeds Rs. 2,50,000 | Rs. 25,000 plus 30 per cent of the amount by which the total income exceeds Rs. 2,50,000. |

(II) In the case of every individual, being a woman resident in India, and below the age of sixty-five years at any time during the previous year,—

Rates of income-tax

- | | | |
|-----|--|---|
| (1) | where the total income does not exceed Rs, 1,35,000 | Nil; |
| (2) | where the total income exceeds Rs. 1,35,000 but does not exceed Rs. 1,50,000 | 10 per cent of the amount by which the total income exceeds Rs. 1,35,000; |
| (3) | where the total income exceeds Rs. 1,50,000 but does not exceed Rs. 2,50,000 | Rs. 1,500 plus 20 per cent of the amount by which the total income exceeds Rs. 1,50,000; |
| (4) | where the total income exceeds Rs. 2,50,000 | Rs. 21,500 plus 30 per cent of the amount by which the total income exceeds Rs. 2,50,000. |

(III) In the case of every individual, being a resident in India, who is of the age of sixty-five years or more at any time during the previous year,—

Rates of income-tax

- | | | |
|-----|--|--|
| (1) | where the total income does not exceed Rs. 1,85,000 | Nil; |
| (2) | where the total income exceeds Rs. 1,85,000 but does not exceed Rs. 2,50,000 | 20 per cent of the amount by which the total income exceeds Rs. 1,85,000; |
| (3) | where the total income exceeds Rs. 2,50,000 | Rs. 13,000 plus 30 per cent of the amount by which the total income exceeds Rs. 2,50,000 |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph or in section 111A or section 112 shall, —

(i) in the case of every individual or Hindu undivided family or association of persons or body of individuals having a total income exceeding ten lakh rupees, be reduced by the amount of rebate of income-tax calculated under Chapter VIII-A, and the income-tax as so reduced, be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax;

(ii) in the case of every person, other than those mentioned in item (i), be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax:

Provided that in case of persons mentioned in item (i) above having a total income exceeding ten lakh rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of ten lakh rupees by more than the amount of income that exceeds ten lakh rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

- | | | |
|-----|--|--|
| (1) | where the total income does not exceed Rs. 10,000 | 10 per cent of the total income; |
| (2) | where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 | Rs. 1,000 plus 20 per cent of the amount by which the total income exceeds Rs. 10,000; |
| (3) | where the total income exceeds Rs. 20,000 | Rs. 3,000 plus 30 per cent of the amount by which the total income exceeds Rs. 20,000. |

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 30 per cent

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified, or in section 111A or section 112, shall, in the case of every firm, be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent

Paragraph E

In the case of a company,—

Rates of income-tax

- | | | |
|-----|---|--|
| I. | In the case of a domestic company | 30 per cent
of the total
income; |
| | | |
| II. | In the case of a company other than a domestic
company— | |
| | (i) on so much of the total income as consists of,— | |
| | (a) royalties received from Government or an Indian
concern in pursuance of an agreement made by it with the
Government or the Indian concern after the 31st day of
March, 1961 but before the 1st day of April, 1976; or | |
| | (b) fees for rendering technical services received from
Government or an Indian concern in pursuance of an
agreement made by it with the Government or the Indian
concern after the 29th day of February, 1964 but before
the 1st day of April, 1976, | |
| | and where such agreement has, in either case, been
approved by the Central Government | 50 per
cent; |
| | (ii) on the balance, if any, of the total income | 40 per cent |

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this paragraph, or in section 111A or section 112, shall, in the case of every company, be increased by a surcharge for purposes of the Union calculated,—

(i) in the case of every domestic company at the rate of ten per cent of such income-tax;

(ii) in the case of every company other than a domestic company at the rate of two and one-half per cent.

PART IV

[See section 2(12)(c)]

Rules for computation of net agricultural income

Rule 1.—Agricultural income of the nature referred to in sub-clause (a) of clause (1A) of section 2 of the Income-tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head “Income from other sources” and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3) and (4) of section 40A.

Rule 2.—Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1A) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling-house by the receiver of the rent or revenue of the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head “Profits and gains of business or profession” and the provisions of sections 30, 31, 32, 36, 37, 38, 40, 40A [other than sub-sections (3) and (4) thereof], 41, 43, 43A, 43B and 43C of the Income-tax Act shall, so far as may be, apply accordingly.

Rule 3.—Agricultural income of the nature referred to in sub-clause (c) of clause (1A) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling-house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c) shall be computed as if it were income chargeable to income-tax under that Act under the head “Income from house property” and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly.

Rule 4.— Notwithstanding anything contained in any other provisions of these rules, in a case—

(a) where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent of such income shall be regarded as the agricultural income of the assessee;

(b) where the assessee derives income from sale of centrifuged latex or cenex or latex based crepes (such as pale latex crepe) or brown crepes (such as estate brown crepe, re-milled crepe, smoked blanket crepe or flat bark crepe) of technically specified block rubbers manufactured or processed by him from rubber plants grown by him in India, such income shall be computed in accordance with rule 7A of the Income-tax Rules, 1962, and sixty-five per cent of such income shall be regarded as the agricultural income of the assessee;

(c) where the assessee derives income from sale of coffee grown and manufactured by him in India, such income shall be computed in accordance with rule 7B of the Income-tax Rules, 1962, and sixty per cent or seventy-five per cent, as the case may be, of such income shall be regarded as the agricultural income of the assessee.

Rule 5.—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) but has any agricultural income then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6.—Where the result of the computation for the previous year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that previous year from any other source of agricultural income :

Provided that where the assessee is a member of an association of persons or a body of individuals and the share of the assessee in the agricultural income of the association or

body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 7.—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

Rule 8.— (1) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2005, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 1997 or the 1st day of April, 1998 or the 1st day of April, 1999 or the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1997, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1998 or the 1st day of April, 1999 or the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1998, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1999 or the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1999, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2000, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2001, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2002, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2003 or the 1st day of April, 2004,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2003, to the extent, if any, such loss has not been

set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2004,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2004,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2005.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2006, or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 1998 or the 1st day of April, 1999 or the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005, is a loss, then, for the purposes of sub-section (10) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1998, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 1999 or the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 1999, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2000 or the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2000, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2001 or the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2001, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2002, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2003, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2004 or the 1st day of April, 2005,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2004, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2005,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2005,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2006.

(3) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (1) or sub-rule (2) shall entitle any person, other than the person incurring the loss, to have it set off under sub-rule (1) or, as the case may be, sub-rule (2).

(4) Notwithstanding anything contained in this Rule, no loss which has not been determined by the Assessing Officer under the provisions of these Rules or the Rules contained in Part IV of the First Schedule to the Finance Act, 1997 (26 of 1997), or of the First Schedule to the Finance (No. 2) Act, 1998 (21 of 1998), or of the First Schedule to the Finance Act, 1999 (27 of 1999), or of the First Schedule to the Finance Act, 2000 (10 of 2000), or of the First Schedule to the Finance Act, 2001 (14 of 2001), or of the First Schedule to the Finance Act, 2002 (20 of 2002), or of the First Schedule to the Finance Act, 2003 (32 of 2003), or of the First Schedule to the Finance (No. 2) Act, 2004 (23 of 2004) shall be set off under sub-rule (1) or, as the case may be, sub-rule (2).

Rule 9.—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be nil.

Rule 10.—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

Rule 11.—For the purposes of computing the net agricultural income of the assessee, the Assessing Officer shall have the same powers as he has under the Income-tax Act for the purposes of assessment of the total income.

THE SECOND SCHEDULE

(See section 74)

PART I

In the First Schedule to the Customs Tariff Act, —

(1) in Chapter 6, for the entry in column (4) occurring against all the tariff items of heading 0603, the entry "60%" shall be substituted;

(2) in Chapter 25,—

(i) for the entry in column (4) occurring against all the tariff items of all the headings (except headings 2504 and 2510), the entry "15%" shall be substituted;

(ii) for the entries in column (4) and column (5) occurring against all the tariff items of heading 2504, the entries "15%" and "15%" shall respectively be substituted;

(3) in Chapter 26, in tariff items 2620 11 00, 2620 19 00, 2620 30 10 and 2620 30 90, for the entry in column (4) occurring against each of them, the entry "15%" shall be substituted;

(4) in Chapter 27,—

(i) for the entry in column (4) occurring against all the tariff items of heading 2701 (except tariff items 2701 12 00, 2701 20 10 and 2701 20 90), the entry "15%" shall be substituted;

(ii) for the entry in column (4) occurring against the tariff item 2705 00 00, the entry "15%" shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of headings 2706, 2707 and 2708, the entry "15%" shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of heading 2710, the entry "15%" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of headings 2712 and 2713, the entry "15%" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of heading 2715, the entry "15%" shall be substituted.

(5) In Chapter 28, for the entry in column (4) occurring against all the tariff items (except tariff items 2801 20 00, 2812 10 10, 2812 10 21, 2812 10 22, 2812 10 41, 2812 10 42, 2812 10 43, 2812 10 47, 2812 10 60, 2814 10 00, 2814 20 00, 2845 10 00, 2851 00 91 and 2851 00 99), the entry "15%" shall be substituted.

(6) in Chapter 29,—

(i) for the entry in column (4) occurring against all the tariff items (except tariff items 2901 10 00, 2901 21 00, 2901 22 00, 2901 23 00, 2901 24 00, 2901 29 10, 2901 29 20, 2901 29 90, 2902 11 00, 2902 19 00, 2902 20 00, 2902 30 00, 2902 41 00, 2902 42 00, 2902 43 00, 2902 44 00, 2902 50 00, 2902 60 00, 2902 70 00, 2902 90 10, 2902 90 20, 2902 90 30, 2902 90 40, 2902 90 50, 2902 90 90, 2903 15 00, 2903 21 00, 2903 30 11, 2903 30 19, 2904 90 80, 2905 19 10, 2905 19 90, 2905 43 00, 2905 44 00, 2918 19 10, 2918 19 90, 2920 10 10, 2920 10 20, 2920 90 41, 2920 90 42, 2920 90 43, 2920 90 44, 2920 90 45, 2920 90 47, 2920 90 48, 2920 90 51, 2920 90 52, 2920 90 53, 2920 90 54, 2920 90 55, 2920 90 56, 2920 90 57, 2920 90 58, 2920 90 61, 2920 90 62, 2920 90 63, 2920 90 64, 2920 90 65, 2920 90 66, 2920 90 99, 2921 19 11, 2921 19 14, 2921 19 90, 2922 11 11, 2922 11 12, 2922 11 13, 2922 11 14, 2922 11 15, 2922 11 16, 2922 11 90, 2922 12 11, 2922 12 12, 2922 12 90, 2922 19 10, 2922 19 20, 2922 19 30, 2922 19 90, 2926 10 00, 2930 90 91, 2930 90 99, 2933 39 30, 2936 10 00, 2936 21 00, 2936 22 10, 2936 22 90, 2936 23 10, 2936 23 90, 2936 24 00, 2936 25 00, 2936 26 10, 2936 26 90, 2936 27 00, 2936 28 00, 2936 29 10, 2936 29 20, 2936 29 30, 2936 29 40, 2936 29 50, 2936 29 90, 2936 90 00, 2937 11 00, 2937 12 00, 2937 19 00, 2937 21 00, 2937 22 00, 2937 23 00, 2937 29 00, 2937 31 00, 2937 39 00, 2937 40 00, 2937 50 00, 2937 90 00, 2939 29 10, 2939 29 90, 2939 41 10, 2939 41 20, 2939 41 90, 2939 42 00, 2939 43 00, 2939 49 00, 2939 51 00, 2939 59 00, 2941 10 10, 2941 10 20, 2941 10 30, 2941 10 40, 2941 10

50, 2941 10 90, 2941 20 10, 2941 20 90, 2941 30 10, 2941 30 20, 2941 30 90, 2941 40 00, 2941 50 00, 2941 90 11, 2941 90 12, 2941 90 13, 2941 90 14, 2941 90 19, 2941 90 20, 2941 90 30, 2941 90 40, 2941 90 50, 2941 90 60 and 2941 90 90), the entry "15%" shall be substituted;

(ii) for the entries in column (4) and column (5) occurring against all the tariff items of heading 2936, the entries "15%" and "15%" shall respectively be substituted;

(iii) in tariff items 2937 11 00, 2937 12 00, 2937 19 00, 2937 21 00, 2937 22 00, 2937 23 00, 2937 29 00, 2937 31 00, 2937 39 00, 2937 40 00, 2937 50 00, 2937 90 00, 2939 41 10, 2939 41 20, 2939 41 90, 2939 42 00, 2939 43 00, 2939 49 00, 2939 51 00 and 2939 59 00, for the entries in column (4) and column (5) occurring against each of them, the entries "15%" and "15%" shall respectively be substituted;

(iv) for the entries in column (4) and column (5) occurring against all the tariff items of heading 2941, the entries "15%" and "15%" shall respectively be substituted;

(7) in Chapter 30, —

(i) for the entries in column (4) and column (5) occurring against all the tariff items (except tariff items of headings 3005 and 3006), the entries "15%" and "15%" shall respectively be substituted;

(ii) in tariff items 3005 10 10, 3005 10 20, 3005 10 90, 3005 90 10, 3005 90 20, 3005 90 30, 3005 90 40, 3005 90 50, 3005 90 60, 3005 90 70, 3005 90 90, 3006 10 10, 3006 10 20, 3006 20 00, 3006 30 00, 3006 40 00, 3006 50 00, 3006 70 00 and 3006 80 00, for the entry in column (4) occurring against each of them, the entry "15%" shall be substituted;

(8) in Chapter 31, for the entry in column (4) occurring against all the tariff items (except tariff items 3102 21 00, 3102 50 00, 3104 30 00, 3105 20 00, 3105 30 00, 3105 40 00, 3105 51 00, 3105 59 00, 3105 60 00, 3105 90 10 and 3105 90 90), the entry "15%" shall be substituted;

(9) in Chapter 32, for the entry in column (4) occurring against all the tariff items (except all the tariff item of heading 3201), the entry "15%" shall be substituted;

(10) in Chapter 33, —

(i) for the entry in column (4) occurring against all the tariff items (except tariff items 3301 11 00, 3301 12 00, 3301 13 00, 3301 14 00, 3301 19 10, 3301 19 90, 3301 21 00, 3301 22 10, 3301 22 90, 3301 23 00, 3301 24 00, 3301 25 10, 3301 25 20, 3301 25 30, 3301 25 40, 3301 25 90, 3301 26 00, 3301 29 11, 3301 29 12, 3301 29 13, 3301 29 14, 3301 29 15, 3301 29 16, 3301 29 17, 3301 29 18, 3301 29 21, 3301 29 22, 3301 29 23, 3301 29 24, 3301 29 25, 3301 29 26, 3301 29 27, 3301 29 28, 3301 29 31, 3301 29 32, 3301 29 33, 3301 29 34, 3301 29 35, 3301 29 36, 3301 29 37, 3301 29 38, 3301 29 41, 3301 29 42, 3301 29 43, 3301 29 44, 3301 29 45, 3301 29 46, 3301 29 47, 3301 29 48, 3301 29 49, 3301 29 50, 3301 29 90, 3301 30 10, 3301 30 91, 3301 30 99, 3301 90 11, 3301 90 12, 3301 90 13, 3301 90 14, 3301 90 15, 3301 90 16, 3301 90 17, 3301 90 21, 3301 90 22, 3301 90 23, 3301 90 24, 3301 90 25, 3301 90 29, 3301 90 31, 3301 90 32, 3301 90 33, 3301 90 41, 3301 90 49, 3301 90 51, 3301 90 59, 3301 90 60, 3301 90 71, 3301 90 79, 3301 90 90, 3302 10 10 and 3302 10 90), the entry "15%" shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-heading 3302 10, the entry "100%" shall be substituted;

(11) in Chapter 34, —

(i) for the entry in column (4) occurring against all the tariff items (except tariff items 3402 11 10, 3402 11 90, 3402 12 00, 3402 13 00 and 3402 19 00), the entry "15%" shall be substituted;

(ii) in tariff items 3402 11 10, 3402 11 90, 3402 12 00, 3402 13 00 and 3402 19 00, for the entries in column (4) and column (5) occurring against each of them, the entries "15%" and "15%" shall respectively be substituted;

(12) in Chapter 35, for the entry in column (4) occurring against all the tariff items (except tariff items 3501 10 00, 3501 90 00, 3502 11 00, 3502 19 00, 3502 20 00, 3502 90 00, 3503 00 10, 3503 00 20, 3503 00 30, 3503 00 90, 3504 00 10, 3504 00 91, 3504 00 99, 3505 10 10, 3505 10 90 and 3505 20 00), the entry "15%" shall be substituted;

(13) in Chapter 36, for the entry in column (4) occurring against all the tariff items, the entry "15%" shall be substituted;

(14) in Chapter 37, for the entry in column (4) occurring against all the tariff items (except tariff items 3701 20 00 and 3702 20 00), the entry "15%" shall be substituted;

(15) in Chapter 38, —

(i) for the entry in column (4) occurring against all the tariff items (except tariff items 3801 10 00, 3802 10 00, 3809 10 00, 3812 10 00, 3818 00 10, 3818 00 90, 3823 11 11, 3823 11 12, 3823 11 19, 3823 11 90, 3823 12 00, 3823 13 00, 3823 19 00, 3823 70 10, 3823 70 20, 3823 70 30, 3823 70 40, 3823 70 90, 3824 60 10 and 3824 60 90), the entry "15%" shall be substituted;

(ii) in tariff items 3801 10 00, 3802 10 00 and 3812 10 00, for the entries in column (4) and column (5) occurring against each of them, the entries "15%" and "15%" shall respectively be substituted;

(16) in Chapter 39, for the entry in column (4) occurring against all the tariff items, the entry "15%" shall be substituted;

(17) in Chapter 40, for the entry in column (4) occurring against all the tariff items (except tariff items 4001 10 10, 4001 10 20, 4001 21 00, 4001 22 00, 4001 29 10, 4001 29 20, 4001 29 30, 4001 29 40, 4001 29 90 and 4011 30 00), the entry "15%" shall be substituted;

(18) in Chapter 41, for the entry in column (4) occurring against all the tariff items (except all the tariff items of headings 4101, 4102 and 4103), the entry "15%" shall be substituted;

(19) in Chapter 42, for the entry in column (4) occurring against all the tariff items, the entry "15%" shall be substituted;

(20) in Chapter 43, for the entry in column (4) occurring against all the tariff items of headings 4303 and 4304, the entry "15%" shall be substituted;

(21) in Chapter 44, for the entry in column (4) occurring against all the tariff items (except all the tariff items of headings 4401, 4402 and 4403), the entry "15%" shall be substituted;

(22) in Chapter 45, for the entry in column (4) occurring against all the tariff items, the entry "15%" shall be substituted;

(23) in Chapter 46, for the entry in column (4) occurring against all the tariff items, the entry "15%" shall be substituted;

(24) in Chapter 48, for the entry in column (4) occurring against all the tariff items (except tariff items 4801 00 10 and 4801 00 90), the entry "15%" shall be substituted;

(25) in Chapter 49, for the entry in column (4) occurring against all the tariff items (except tariff items 4902 10 10, 4902 10 20, 4902 90 10, 4902 90 20, 4904 00 00, 4905 10 00, 4905 91 00, 4905 99 10 and 4905 99 90), the entry "15%" shall be substituted;

(26) in Chapter 50, for the entry in column (4) occurring against all the tariff items of headings 5004, 5005, 5006 and 5007, the entry "15%" shall be substituted;

(27) in Chapter 51, —

(i) in tariff items 5105 10 00, 5105 21 00, 5105 29 90, 5105 31 00, 5105 39 00 and 5105 40 00, for the entry in column (4) occurring against each of them, the entry "15%" shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of headings 5106, 5107, 5108, 5109 and 5110, the entry "15%" shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 11, the entry "15% or Rs. 135 per sq. metre, whichever is higher" shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 19, the entry "15% or Rs. 150 per sq. metre, whichever is higher" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 20, the entry "15% or Rs. 80 per sq. metre, whichever is higher" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 30, the entry "15% or Rs. 75 per sq. metre, whichever is higher" shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5111 90, the entry "15% or Rs. 90 per sq. metre, whichever is higher" shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 11, the entry "15% or Rs. 125 per sq. metre, whichever is higher" shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 19, the entry "15% or Rs. 155 per sq. metre, whichever is higher" shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 20, the entry "15% or Rs. 85 per sq. metre, whichever is higher" shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 30, the entry "15% or Rs. 110 per sq. metre, whichever is higher" shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-heading 5112 90, the entry "15% or Rs. 135 per sq. metre, whichever is higher" shall be substituted;

(xiii) for the entry in column (4) occurring against all the tariff items, of heading 5113, the entry "15% or Rs. 60 per sq. metre, whichever is higher" shall be substituted;

(28) in Chapter 52, —

(i) for the entry in column (4) occurring against all the tariff items of headings 5204, 5205, 5206 and 5207, the entry "15%" shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of sub-headings 5208 11, 5208 12, 5208 13, 5208 19, 5208 21, 5208 22, 5208 23, 5208 29, 5208 31, 5208 32 and 5208 33, the entry "15%" shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 39, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 41, the entry "15% or Rs. 9 per sq. metre, whichever is higher" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 42, the entry "15% or Rs. 37 per sq. metre, whichever is higher" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 43, the entry "15%" shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 49, the entry "15% or Rs. 200 per kg., whichever is higher" shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 51, the entry "15% or Rs. 27 per sq. metre, whichever is higher" shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 52, the entry "15% or Rs. 23 per sq. metre, whichever is higher" shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 53, the entry "15% or Rs. 35 per sq. metre, whichever is higher" shall be substituted;

(xi) for the entry in column (4) occurring against all the tariff items of sub-heading 5208 59, the entry "15% or Rs. 50 per sq. metre, whichever is higher" shall be substituted;

(xii) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 11 and 5209 12, the entry "15%" shall be substituted;

(xiii) in tariff item 5209 19 00, for the entry in column (4), the entry "15%" shall be substituted;

(xiv) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 21, 5209 22 and 5209 29, the entry "15%" shall be substituted;

(xv) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 31, 5209 32 and 5209 39, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;

(xvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 41, the entry "15% or Rs. 32 per sq. metre, whichever is higher" shall be substituted;

(xvii) in tariff item 5209 42 00, for the entry in column (4), the entry "15% or Rs. 25 per sq. metre, whichever is higher" shall be substituted;

(xviii) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 43, the entry "15% or Rs. 30 per sq. metre, whichever is higher" shall be substituted;

(xix) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 49, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;

(xx) for the entry in column (4) occurring against all the tariff items of sub-headings 5209 51 and 5209 52, the entry "15% or Rs. 30 per sq. metre, whichever is higher" shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5209 59, the entry "15% or Rs. 38 per sq. metre, whichever is higher" shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-headings 5210 11 and 5210 12, the entry "15%" shall be substituted;

(xxiii) in tariff item 5210 19 00, for the entry in column (4), the entry "15%" shall be substituted;

(xxiv) for the entry in column (4) occurring against all the tariff items of sub-headings 5210 21, 5210 22, 5210 29, 5210 31 and 5210 32, the entry "15%" shall be substituted;

(xxv) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 39, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;

(xxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 41, the entry "15% or Rs. 15 per sq. metre, whichever is higher" shall be substituted;

(xxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 42, the entry "15% or Rs. 25 per sq. metre, whichever is higher" shall be substituted;

(xxviii) for the entry in column (4) occurring against all the tariff items of sub-heading 5210 49, the entry "15% or Rs. 185 per kg., whichever is higher" shall be substituted;

(xxix) for the entry in column (4) occurring against all the tariff items of sub-headings 5210 51, 5210 52 and 5210 59, the entry "15% or Rs. 15 per sq. metre, whichever is higher" shall be substituted;

(xxx) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 11 and 5211 12, the entry "15%" shall be substituted;

- (xxxix) in tariff item 5211 19 00, for the entry in column (4), the entry "15%" shall be substituted;
- (xxxii) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 21, 5211 22 and 5211 29, the entry "15%" shall be substituted;
- (xxxiii) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 31, 5211 32 and 5211 39, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;
- (xxxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 41, the entry "15% or Rs. 44 per sq. metre, whichever is higher" shall be substituted;
- (xxxv) in tariff item 5211 42 00, for the entry in column (4), the entry "15% or Rs. 18 per sq. metre, whichever is higher" shall be substituted;
- (xxxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 43, the entry "15% or Rs. 40 per sq. metre, whichever is higher" shall be substituted;
- (xxxvii) for the entry in column (4) occurring against all the tariff items of sub-heading 5211 49, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;
- (xxxviii) for the entry in column (4) occurring against all the tariff items of sub-headings 5211 51, 5211 52 and 5211 59, the entry "15% or Rs. 18 per sq. metre, whichever is higher" shall be substituted;
- (xxxix) in tariff items 5212 11 00, 5212 12 00, 5212 13 00 and 5212 14 00, for the entry in column (4) occurring against each of them, the entry "15%" shall be substituted;
- (xl) in tariff item 5212 15 00, for the entry in column (4), the entry "15% or Rs. 165 per kg., whichever is higher" shall be substituted;
- (xli) in tariff items 5212 21 00, 5212 22 00 and 5212 23 00, for the entry in column (4) occurring against each of them, the entry "15%" shall be substituted;
- (xlii) in tariff item 5212 24 00, for the entry in column (4), the entry "15% or Rs. 20 per sq. metre, whichever is higher" shall be substituted;
- (xliii) in tariff item 5212 25 00, for the entry in column (4), the entry "15% or Rs. 165 per kg., whichever is higher" shall be substituted;
- (29) in Chapter 53, for the entry in column (4) occurring against all the tariff items (except tariff items 5301 10 00, 5301 21 00, 5301 29 00, 5301 30 00, 5302 10 00 and 5302 90 00), the entry "15%" shall be substituted;
- (30) in Chapter 54, —
- (i) for the entry in column (4) occurring against all the tariff items of headings 5401, 5402, 5403 and 5404, the entry "15%" shall be substituted;

- (ii) in tariff item 5405 00 00, for the entry in column (4), the entry "15%" shall be substituted;
- (iii) for the entry in column (4) occurring against all the tariff items of heading 5406, the entry "15%" shall be substituted;
- (iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 10, the entry "15% or Rs. 115 per kg., whichever is higher" shall be substituted;
- (v) for the entry in column (4) occurring against all the tariff items of sub-headings 5407 20 and 5407 30, the entry "15%" shall be substituted;
- (vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 41, the entry "15% or Rs. 30 per sq. metre, whichever is higher" shall be substituted;
- (vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 42, the entry "15% or Rs. 60 per sq. metre, whichever is higher" shall be substituted;
- (viii) in tariff item 5407 43 00, for the entry in column (4), the entry "15% or Rs. 67 per sq. metre, whichever is higher" shall be substituted;
- (ix) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 44, the entry "15% or Rs. 58 per sq. metre, whichever is higher" shall be substituted;
- (x) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 51, the entry "15% or Rs. 11 per sq. metre, whichever is higher" shall be substituted;
- (xi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 52, the entry "15% or Rs. 38 per sq. metre, whichever is higher" shall be substituted;
- (xii) in tariff item 5407 53 00, for the entry in column (4), the entry "15% or Rs. 50 per sq. metre, whichever is higher" shall be substituted;
- (xiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 54, the entry "15% or Rs. 20 per sq. metre, whichever is higher" shall be substituted;
- (xiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 61, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;
- (xv) in tariff item 5407 69 00, for the entry in column (4), the entry "15% or Rs. 60 per sq. metre, whichever is higher" shall be substituted;
- (xvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 71, the entry "15% or Rs. 10 per sq. metre, whichever is higher" shall be substituted;
- (xvii) in tariff item 5407 72 00, for the entry in column (4), the entry "15% or Rs. 24 per sq. metre, whichever is higher" shall be substituted;
- (xviii) in tariff item 5407 73 00, for the entry in column (4), the entry "15% or Rs. 60 per sq. metre, whichever is higher" shall be substituted;

(xix) in tariff item 5407 74 00, for the entry in column (4), the entry "15% or Rs. 38 per sq. metre, whichever is higher" shall be substituted;

(xx) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 81, the entry "15% or Rs. 10 per sq. metre, whichever is higher" shall be substituted;

(xxi) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 82, the entry "15% or Rs. 42 per sq. metre, whichever is higher" shall be substituted;

(xxii) in tariff item 5407 83 00, for the entry in column (4), the entry "15% or Rs. 67 per sq. metre, whichever is higher" shall be substituted;

(xxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 84, the entry "15% or Rs. 38 per sq. metre, whichever is higher" shall be substituted;

(xxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5407 91, the entry "15% or Rs. 15 per sq. metre, whichever is higher" shall be substituted;

(xxv) in tariff item 5407 92 00, for the entry in column (4), the entry "15% or Rs. 67 per sq. metre, whichever is higher" shall be substituted;

(xxvi) in tariff item 5407 93 00, for the entry in column (4), the entry "15% or Rs. 45 per sq. metre, whichever is higher" shall be substituted;

(xxvii) in tariff item 5407 94 00, for the entry in column (4), the entry "15% or Rs. 67 per sq. metre, whichever is higher" shall be substituted;

(xxviii) in tariff item 5408 10 00, for the entry in column (4), the entry "15%" shall be substituted;

(xxix) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 21, the entry "15%" shall be substituted;

(xxx) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 22, the entry "15% or Rs. 45 per sq. metre, whichever is higher" shall be substituted;

(xxxi) in tariff item 5408 23 00, for the entry in column (4), the entry "15% or Rs. 47 per sq. metre, whichever is higher" shall be substituted;

(xxxii) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 24, the entry "15% or Rs. 87 per sq. metre, whichever is higher" shall be substituted;

(xxxiii) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 31, the entry "15% or Rs. 25 per sq. metre, whichever is higher" shall be substituted;

(xxxiv) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 32, the entry "15% or Rs. 44 per sq. metre, whichever is higher" shall be substituted;

(xxxv) in tariff item 5408 33 00, for the entry in column (4), the entry "15% or Rs. 10 per sq. metre, whichever is higher" shall be substituted;

(xxxvi) for the entry in column (4) occurring against all the tariff items of sub-heading 5408 34, the entry "15% or Rs. 11 per sq. metre, whichever is higher" shall be substituted;

(31) In Chapter 55, —

(i) for the entry in column (4) occurring against all the tariff items of headings 5501, 5502, 5503, 5504, 5505, 5506, 5507, 5508, 5509 and 5510, the entry "15%" shall be substituted;

(ii) in tariff items 5511 10 00 and 5511 20 00, for the entry in column (4) against each of them, the entry "15% or Rs. 31 per kg., whichever is higher" shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of sub-heading 5511 30, the entry "15% or Rs. 30 per kg., whichever is higher" shall be substituted;

(iv) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 11, the entry "15%" shall be substituted;

(v) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 19, the entry "15% or Rs. 42 per sq. metre, whichever is higher" shall be substituted;

(vi) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 21, the entry "15%" shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 29, the entry "15% or Rs. 47 per sq. metre, whichever is higher" shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 91, the entry "15%" shall be substituted;

(ix) for the entry in column (4) occurring against all the tariff items of sub-heading 5512 99, the entry "15% or Rs. 65 per kg., whichever is higher" shall be substituted;

(x) for the entry in column (4) occurring against all the tariff items of sub-headings 5513 11, 5513 12, 5513 13 and 5513 19, the entry "15%" shall be substituted;

(xi) in tariff items 5513 21 00 and 5513 22 00, for the entry in column (4) occurring against each of them, the entry "15% or Rs. 150 per kg., whichever is higher" shall be substituted;

(xii) in tariff item 5513 23 00, for the entry in column (4), the entry "15% or Rs. 125 per kg. or Rs. 25 per sq. metre, whichever is highest" shall be substituted;

(xiii) in tariff item 5513 29 00, for the entry in column (4), the entry "15% or Rs. 185 per kg., whichever is higher" shall be substituted;

(xiv) in tariff item 5513 31 00, for the entry in column (4), the entry "15% or Rs. 21 per sq. metre, whichever is higher" shall be substituted;

(xv) in tariff item 5513 32 00, for the entry in column (4), the entry "15% or Rs. 170 per kg., whichever is higher" shall be substituted;

(xvi) in tariff item 5513 33 00, for the entry in column (4), the entry "15% or Rs. 22 per sq. metre, whichever is higher" shall be substituted;

(xvii) in tariff item 5513 39 00, for the entry in column (4), the entry "15% or Rs. 125 per kg. or Rs. 30 per sq. metre, whichever is higher" shall be substituted;

(xviii) in tariff item 5513 41 00, for the entry in column (4), the entry "15% or Rs. 25 per sq. metre, whichever is higher" shall be substituted;

(xix) in tariff item 5513 42 00, for the entry in column (4), the entry "15% or Rs. 12 per sq. metre, whichever is higher" shall be substituted;

(xx) in tariff item 5513 43 00, for the entry in column (4), the entry "15% or Rs. 20 per sq. metre, whichever is higher" shall be substituted;

(xxi) in tariff item 5513 49 00, for the entry in column (4), the entry "15% or Rs. 185 per kg., whichever is higher" shall be substituted;

(xxii) for the entry in column (4) occurring against all the tariff items of sub-headings 5514 11, 5514 12, 5514 13 and 5514 19, the entry "15%" shall be substituted;

(xxiii) in tariff item 5514 21 00, for the entry in column (4), the entry "15% or Rs. 100 per kg. or Rs. 30 per sq. metre, whichever is higher" shall be substituted;

(xxiv) in tariff item 5514 22 00, for the entry in column (4), the entry "15% or Rs. 140 per kg., whichever is higher" shall be substituted;

(xxv) in tariff item 5514 23 00, for the entry in column (4), the entry "15% or Rs. 160 per kg., whichever is higher" shall be substituted;

(xxvi) in tariff item 5514 29 00, fo

PART II

In the First Schedule to the Customs Tariff Act,

1. In Chapter 22, for heading 2208 and the entries relating thereto, the following sub-headings, tariff items and entries shall be substituted, namely: -

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential Areas
(1)	(2)	(3)	(4)	(5)
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol.; spirit, liqueurs and other spirituous beverages			
2208	- Spirits obtained by distilling grape			-

20	wine or grape marc:			
	In containers holding 2 l or less:			
2208 20 11	--- Brandy	/	182%	-
2208 20 12	--- Liquors	/	182%	-
2208 20 19	--- Other	/	182%	-
	--- Other			
2208 20 91	--- Brandy	/	182%	-
2208 20 92	--- Liquors	/	182%	-
2208 20 99	--- Other	/	182%	-
2208 30	- Whiskies :	/	182%	-
	In containers holding 2 l or less :			
2208 30 11	--- Bourbon whiskey	/	182%	-
2208 30 12	--- Scotch	/	182%	-
2208 30 13	--- Blended	/	182%	-
2208 30 19	--- Other	/	182%	-
	Other			
2208 30 91	--- Bourbon whiskey	/	182%	-
2208 30 92	--- Scotch	/	182%	-
2208 30 93	--- Blended	/	182%	-
2208 30 99	--- Other	/	182%	-
2208 40	- Rum and tafia :			
	In containers holding 2 l or less :			
2208 40 11	--- Rum	/	182%	-
2208 40 12	--- Tafia	/	182%	-
	--- Other			
2208 40 91	--- Rum	/	182%	-
2208 40 92	--- Tafia	/	182%	-
2208 50	--- Gin and Geneva:			
2208	--- Gin	/	182%	-

50 11				
2208		/	182%	-
50 12	--- Geneva			
2208		/	182%	-
50 93	--- Vodka			
2208				
70	- Liqueurs and cordials:			
2208		/	182%	-
70 11	--- Liqueurs			
2208		/	182%	-
70 12	--- Cordials			
	--- Other	/	182%	-
2208		/	182%	-
70 91	Liqueurs			
2208		/	182%	-
70 92	--- Cordials			
2208				
90	--- Other:			
	In containers holding 2.1 or less:			
2208		/	182%	-
90 11	--- Tequila			
2208		/	182%	-
90 12	--- Indenatured ethyl alcohol			
2208		/	182%	-
90 19	--- Other			
	Other			-
2208		*	182%	-
90 91	--- Tequila			
2208		/	182%	-
90 92	--- Indenatured ethyl alcohol			
2208		/	182%	-
90 99	--- Other			

(z) in Chapter 28, -

(i) in heading 2812, -

(a) for tariff item 2812 10 10 and the entries relating thereto, the following shall be substituted, namely: -

	Phosgene (carbonyl chloride,	kg.	15%	-";
2812	carbonyl dichloride, carbon oxy-			
10 10	--- chloride, chloroformyl chloride)			

(b) for tariff item 2812 10 20 and entries relating thereto, the following shall be substituted, namely: -

	Phosphorus trichloride and			
	Phosphorus pentachloride:			
2812		kg.	15%	-
10 21	--- Phosphorus trichloride			
2812		kg.	15%	-";
10 22	--- Phosphorous pentachloride			

(c) for tariff item 2812 10 40 and entries relating thereto, the following

shall be substituted, namely:

Sulphur oxychloride, Sulphur
monochloride,
Sulphur dichloride and Thionyl
"--- chloride:

2812		kg.	15%	-
10 41	---- Sulphur oxychloride			
2812		kg.	15%	-
10 42	---- Sulphur monochloride			
2812		kg.	15%	-
10 43	---- Sulphur dichloride			
2812		kg.	15%	-";
10 47	---- Thionyl chloride			

(d) after tariff item 2812 10 50 and the entries relating thereto, the following shall be inserted, namely: -

"2812		kg.	15%	-";
10 60	--- Arsenous trichloride			

(ii) in heading 2851, for tariff item 2851 00 90 and the entries relating thereto, the following shall be substituted, namely: -

Other:

2851		kg.	15%	-
00 91	---- Cyanogen chloride [(CN) Cl]			
2851		kg.	15%	-";
00 99	---- Other			

(2) in Chapter 29,-

(i) in heading 2903, for tariff item 2903 30 10 and the entries relating thereto, the following shall be substituted, namely: -

"--- Fluorinated derivatives :

2903		kg.	15%	-
30 11	---- 1-Propene, 1, 1,3,3,3,- Pentafluoro - 2-(trifluoromethyl) (PFIB)			
2903		kg.	15%	-";
30 19	Other			

(ii) in heading 2904, after tariff item 2904 90 70 and the entries relating thereto, the following shall be inserted, namely:

"2904	Chloropicrin (Trichloronitro-	kg.	15%	-";
90 80	--- Methane)			

(iii) in heading 2905, for tariff item 2905 19 00 and the entries relating thereto, the following shall be substituted, namely: -

"2905				
19	--- Other :			
290519		kg	15%	-
10	--- 2-Butanol, 3, 3-dimethyl-			
2905		kg.	15%	-";
19 90	--- Other			

(iv) in heading 2918, for tariff item 2918 19 00 and the entries relating thereto, the following shall be substituted, namely: -

"2918 -- Other:

19				
2918		kg.	15%	-
19 10	Benzeneacetic acid, alpha-hydroxy-alpha-phenyl-			
2918		kg.	15%	-";
19 90	Other			

(v) in heading 2920,-

(a) for tariff item 2920 10 00 and the entries relating thereto, the following shall be substituted, namely: -

Phosphorothioic acid, S [2-(diethylamino) ethyl] O,O-diethyl ester; and Thiophosphoric esters (phosphorothioates) and their salts; their halogenated, sulphonated, nitrated or nitrosated derivatives :

2920		kg.	15%	-
10 10	Phosphorothioic acid, S [2-(diethylamino) ethyl] O,O-diethyl ester			
	Thiophosphoric esters (phosphorothioates) and their salts; their halogenated, sulphonated, nitrated or	kg.	15%	-";
2920	-- nitrosated derivatives			
10 20				

(b) for tariff item 2920 90 90 and the entries relating thereto, the following shall be substituted, namely: -

-- Other:

2920		kg	15%	-
90 41	--- Trimethyl Phosphite			
2920		kg	15%	-
90 42	--- Triethyl Phosphite			
2920		kg.	15%	-
90 43	--- Dimethyl Phosphite			
2920		kg.	15%	-
90 44	--- Diethyl Phosphite			
2920	O, O, Dimethyl Methyl	kg	15%	-
90 45	--- Phosphonate			
2920		kg.	15%	-
90 47	--- Phosphonic Acid, Methyl-			
	--- compound with (aminoimino methyl) urea (1:1)			
	1-Propanaminium N, N, N-trimethyl	kg.	15%	-
	-3-[1-oxo-9-octadecenyl)amino]-, (Z)-			
2920				
90 48	--- methyl methylphosphonate			
	Phosphonic acid, [methyl-bis (5-ethyl- 2-methyl -2- oxido-1, 3,2-dioxaphosphorinan-5-yl)	kg.	15%	-
2920	--- methyl] ester			
90 51				
2920	--- Phosphonic acid, [methyl	kg.	15%	-

90 52	(5-ethyl-2-methyl 2-oxido-1,3,2-dioxaphosphorinan-5-yl)methyl] ester			
2920 90 53	Phosphonic acid, propyl-dimethyl --- ester	kg.	15%	-
2920 90 54	Phosphonous acid, methyl-diethyl --- ester	kg.	15%	-
2920 90 55	Phosphonic acid, ethyl-	kg		-
2920 90 56	Phosphonic acid, propyl-	kg.	15%	-
2920 90 57	Phosphinic acid, methyl-	kg.	15%	-
2920 90 58	Phosphonochloridic acid, methyl-, --- methyl ester	kg.	15%	-
2920 90 61	Phosphonothioic dichloride, ethyl-	kg	15%	-
2920 90 62	Phosphonic acid, methyl-	kg	15%	-
2920 90 63	Phosphonic acid, methyl-, --- dimethyl ester	kg	15%	-
2920 90 64	Phosphonic dichloride, methyl-	kg	15%	-
2920 90 65	Phosphonous dichloride, methyl-	kg	15%	-
2920 90 66	Phosphonic acid, ethyl-, diethyl --- ester	kg	15%	-
2920 90 99	Other	kg	15%	-";

(vi) in heading 2921, for tariff item 2921 19 00 and the entries relating thereto, the following shall be substituted, namely: -

"" 2921 19	Other			
	--2-Chloro N,N-Di-isopropyl ethylami and Ethanamine, 2-Chloro-N, N-dimethyl :			
2921 19 11	2-Chloro N,N-Di-isopropyl --- ethylamine	kg.	15%	-
2921 19 14	Ethanamine, 2-Chloro-N, N- --- dimethyl	kg.	15%	-
2921 19 90	Other	kg.	15%	-

(vii) in heading 2922,-

(a) for tariff items 2922 11 00 and 2922 12 00 and the entries relating thereto, the following shall be substituted, namely: -

"" 2922 " -- 11	- Monoethanolamine and its salts:			
	2-Hydroxy N,N-Diisopropyl Ethylamine, N,N-Diethyl Amino			
	--- ethyl Chloride Hydrochloride,			

	Di-ethyl Amino ethanethiol Hydrochloride, Di-Methyl Amino ethyl chloride Hydrochloride, Di-Methyl Amino ethaneethanethiol Hydrochloride: thiol, Di-Methyl Amino ethanethiol Hydrochloride:			
2922 11 11	--- 2-Hydroxy N,N-Diisopropyl Ethylamine	kg.	15%	-
2922 11 12	--- N,N-Diethyl Amino ethyl Chloride Hydrochloride	kg.	15%	-
2922 11 13	--- Di-ethyl Amino ethanethiol Hydrochloride	kg.	15%	-
2922 11 14	--- Di-Methyl Amino ethyl chloride Hydrochloride	kg.	15%	-
2922 11 15	--- Di-Methyl Amino ethanethiol	kg.	15%	-
2922 11 16	--- Di-Methyl Amino ethanethiol Hydrochloride	kg.	15%	-
2922 11 90	--- Other	kg.	15%	-
2922 12	Diethanolamine and its salts: Ethyl-diethanolamine and --- Methyl-diethanolamine :			
2922 12 11	--- Ethyl-diethanolamine	kg.	15%	-
2922 12 12	--- Methyl-diethanolamine	kg.	15%	-
2922 12 90	--- Other	kg.	15%	-";

(b) for tariff item 2922 19 00 and the entries relating thereto,
--- the following shall be substituted, namely: -

"2922 19	--- Other:			
" 2922 19 10	--- Diethyl amino ethanethiol	kg.	15%	-
2922 19 20	--- Ethanol, 2- [bis(1-methylethyl) amino]-	kg.	15%	-
2922 19 30	--- Ethanethiol, 2-(diethylamino)-	kg.	15%	-
2922 19 90	--- Other	kg.	15%	-";

(viii) in heading 2930, for tariff item 2930 90 90 and the entries relating
thereto, the following shall be substituted, namely: -

"-- Other :				
2930 90 91	Ethanol, 2,2'-thiobis-	kg.	15%	-
2930 90 99	--- Other	kg.	15%	-";

(ix) in heading 2933, after tariff item 2933 39 20 and the entries relating

thereto, the following shall be inserted, namely: -

"2933
39 30 --- 1-Azabicyclo (2.2.2.) octan-3-ol kg. | 15% -";

(x) in heading 2939, for tariff item 2939 29 00 and the entries relating thereto, the following shall be substituted, namely: -

""2939
29 --- Othe
: 2939 Benzeneacetic acid, alpha kg. 15% -
29 10 --hydroxy-alpha-phenyl, 1-
--- azabicyclo[2.2.2.]oct-3-yl ester
2939 kg. 15%
29 90 --- Other

THE THIRD SCHEDULE (See section 81)
THIRD SCHEDULE [See section 2(f) (iii)]
NOTES

1. In this Schedule, "heading", "sub-heading" and "tariff item" mean respectively a heading, sub-heading and tariff item in the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986).

2. The rules for the interpretation of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), the Section and Chapter Notes and the General Explanatory Notes of the said First Schedule shall, apply to the interpretation of this Schedule.

S. No.	Heading, sub-heading or tariff item	Description of goods
(1)	(2)	(3)
1.	0402 91 10 or 0402 99 20	Concentrated (condensed) milk, whether sweetened or not put up in unit containers and ordinarily intended for sale
2.	1702	Preparation of other sugar
3.	1702	Sugar syrups not containing added flavouring or colouring matter, artificial honey whether or not mixed with natural honey; caramel
4.	1704	Gums, whether not sugar coated (including chewing gum, bubble gum and the like)
5.	1704 90	All goods
6.	1805 00 00 or 1806 10 00	Cocoa powder, whether or not containing added sugar or other sweetening matter
7.	1806	Other food preparations containing cocoa.
8.	1806 90 10	Chocolates in any form, whether or not containing nuts, fruit, kernels or fruits including drinking chocolates
9.	1901 20 00 or 1901 90	goods

10.	1902	All goods other than seviyan (Vermicelli)
11.	1904	All goods
12.	1905 31 00 or 1905 90 20	Biscuits, in or in relation to the manufacture of which any process is ordinarily carried on with the aid of power
13.	1905 32 11 or 1905 32 90	Waffles and wafers, coated with chocolate or containing chocolate
14.	1905 32 19 or 1905 32 90	All goods
15.	2101 11 00 or 2101 12 00	Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee
16.	2102	All goods
17.	2105 00 00	Ice cream and other edible ice, whether or not containing cocoa
18.	2106 90 20	Pan masala, only in retail packs containing ten grams or more per pack, other than the goods containing not more than 15% betel nut by weight and not containing tobacco in any proportion
19.	2106 90 30	Betel nuts powder known as " Supa"
20.	2106 90 11	Sharbat
21.	2106 10 00, 2106 90 19, 2106 90 40, 2106 90 50, 2106 90 60, 2106 90 70, 2106 90 80, 2106 90 91, 2106 90 99	Edible preparations (excluding "Prasad or prasadam"), not elsewhere specified or included, bearing a brand name
22.	2201	Waters, including natural or artificial mineral w

THE FORTH SCHEDULE

(See section 82)

S.No.	Provisions of the Central Excise Rules, 1944 to be amended	Amendment	Period of effect of amendment
(1)	(2)	(3)	(4)
1.	Rule 57CC of the Central Excise Rules, 1944 as inserted by notification No. G.S.R. 324(E), dated the	In the Central Excise Rules, 1944, in rule 57CC, the Explanation shall be numbered as	1st day of August, 1996 to 28th day of February,

- 23rd July, 1996 [14/96-Central Excise (N.T.), dated the 23rd July, 1996] Explanation I thereof; and after Explanation 1 as so numbered, the following Explanation shall be inserted, namely: - 1997 (both days inclusive)
- "Explanation2. - If the manufacturer fails to pay the said amount, it shall be recovered along with interest in the same manner, as provided in rule 57-I, for recovery of credit wrongly taken."
- Rule 57CC of the Central Excise Rules, 1944 as substituted by notification No. G.S.R. 122(E), dated the 1st March, 1997 [6/97-Central Excise (N.T.), dated the 1st March, 1997] In the Central Excise Rules, 1944, in rule 57CC, after sub-rule (9), the following Explanation shall be inserted, namely: - 1st day of March, 1997 to 31st day of March, 2000 (both days inclusive)
2. "Explanation. - If the manufacturer fails to pay the said amount, it shall be recovered along with interest in the same manner, as provided in rule 57-I, for recovery of credit wrongly taken."
- In the Central Excise Rules, 1944, in rule 57AD, after sub-rule (2), the Explanation shall be numbered as Explanation 1 thereof; and after Explanation 1 as so numbered, the following Explanation shall be inserted, namely: - 1st day of April, 2000 to 30th day of June, 2001 (both days inclusive)
3. Rule 57D of the Central Excise Rules, 1944 as substituted by notification No. G.S.R. 203(E), dated the 1st March, 2000 (11/2000-Central Excise (N.T.), dated the 1st March, 2000) and as substituted by rule 57AD by Notification No.298(E), dated the 31st March, 2000(27/2000-Central Excise (N.T.), dated the 31st March, 2000) Explanation 2.- If the manufacturer fails to pay the said amount, it shall be recovered along with interest in the same manner, as provided in Rule 57AH, for recovery of CENVAT credit wrongly taken."

THE FIFTH SCHEDULE

(See section 83)

Provisions of the CENVAT Credit Rules, 2001 to be amended (1)	Amendment (2)	Period of effect of amendment (3)
Rule 6 of the CENVAT Credit Rules, 2001 as published by notification No. G.S.R. 445(E), dated the 21st June, 2001 (31/2001-Central Excise (N.T.), dated the 21st June, 2001)	In the CENVAT Credit Rules, 2001, in rule 6, after sub-rule (3), the Explanation shall be numbered as Explanation 1 thereof; and after Explanation 1 as so numbered, the following Explanation shall be inserted, namely: - "Explanation 2.- If the manufacturer fails to pay the said amount, it shall be recovered along with interest in the same manner, as provided in rule 12, for recovery of CENVAT credit wrongly taken.".	1st day of July, 2001 to the 28th day of February, 2002 (both days inclusive).

THE SIXTH SCHEDULE

(See section 84)

Notification No. and date	Text of Amendment 2001 to be amended	Period of effect of amendment
G.S.R.277 (E), dated the 1st March, 1988 [88/88-Central Excise, dated the 1st March, 1988]	In the said notification, in the Explanation, for clause (a), the following clause shall be substituted, namely: - '(a) the expression "rural area" shall have the meaning assigned to it in clause (ff) of section 2 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956).'	21st day of February, 2000 to 28th day of February, 2003 (both days inclusive)

THE SEVENTH SCHEDULE

(See section 85)

NOTES

1. In this Schedule, "heading", "sub-heading", "tariff item" and "Chapter" mean respectively a heading, sub-heading, tariff item and Chapter in the First Schedule to the Central Excise Tariff Act.

2. The rules for the interpretation of the First Schedule to the Central Excise Tariff Act, the Section and Chapter Notes and the General Explanatory Notes of the First Schedule shall apply to the interpretation of this Schedule.

Tariff item	Description of goods	Unit	Rate of duty
(1)	(2)	(3)	(4)
2106 90 20	--- Pan masala	kg.	10%
2401	UNMANUFACTURED TOBACCO; TOBACCO REFUSE		
2401 10	- Tobacco, not stemmed or stripped:		
2401 10 10	--- Flue cured Virginia tobacco	kg.	10%
2401 10 20	--- Sun cured country (natu) tobacco	kg.	10%
2401 10 30	--- Sun cured Virginia tobacco	kg.	10%
2401 10 40	--- Burley tobacco	kg.	10%
2401 10 50	--- Tobacco for manufacture of biris, not stemmed	kg.	10%
2401 10 60	--- Tobacco for manufacture of chewing tobacco	kg.	10%
2401 10 70	--- Tobacco for manufacture of cigar and cheroot	kg.	10%
2401 10 80	--- Tobacco for manufacture of hookah tobacco	kg.	10%
2401 10 90	--- Other	kg.	10%
	- Tobacco partly or wholly stemmed or stripped:		
2401 20 10	--- Flue cured virginia tobacco	kg.	10%
2401 20 20	--- Sun cured country (natu) tobacco	kg.	10%
2401 20 30	--- Sun cured virginia tobacco	kg.	10%
2401 20 40	--- Burley tobacco	kg.	10%
2401 20 50	--- Tobacco for manufacture of biris, not stemmed	kg.	10%
2401 20 60	--- Tobacco for manufacture of chewing tobacco	kg.	10%
2401 20	--- Tobacco for manufacture of cigar and	kg.	10%

70		cheroot		
2401 20	---	Tobacco for manufacture of hookah tobacco	kg.	10%
80				
2401 20	---	Other	kg.	
90				

THE EIGHTH SCHEDULE

[See section 86(a)]

In the First Schedule to the Central Excise Tariff Act,-

(1) in Chapter 15, after NOTE 5, the following Note shall be inserted, namely:-

"6. In relation to refined edible vegetable oils falling under headings 1507 to 1515, the process of refining, that is to say, any one or more of the processes, namely, treatment of crude oil with an alkali, bleaching and deodorisation, shall amount to "manufacture".;

(2) in Chapter 17, for the entry in column (4) occurring against all the tariff items of heading 1703, the entry "Rs. 1,000 per tonne" shall be substituted;

(3) in Chapter 22, in tariff item 2201 90 90, for the entry in column (4), the entry "16%" shall be substituted;

(4) in Chapter 25, in tariff item 2523 10 00, for the entry in column (4), the entry "Rs.350 per tonne" shall be substituted;

(5) in Chapter 27, -

(i) for the entry in column (4) occurring against all tariff items of sub-heading 2710 11, the entry "16% plus Rs.15.00 per litre" shall be substituted;

(ii) in tariff item 2710 19 30 for the entry in column (4), the entry "16% plus Rs. 5.00 per litre". shall be substituted;

(iii) in tariff item 2710 19 40, for the entry in column (4), the entry "16% plus Rs. 5.00 per litre" shall be substituted;

(6) in Chapter 51, in NOTE 3, for "5109", substitute "5109 or 5110, dyeing";

(7) in Chapter 52, in NOTE 2, for "5205 and 5206", substitute "5205, 5206 and 5207";

(8) in Chapter 52, in NOTE 4, for "5207 or 5208 or 5209", substitute "5208 or 5209 or 5210 or 5211 or 5212";

(9) in Chapter 54, -

(a) in NOTE 2, for "5402 and 5403", substitute "5402, 5403 and 5406";

(b) in NOTE 3, after "5403", insert "or 5404";

(10) in Chapter 55, -

(a) in NOTE 2, after "5510", insert "or 5511";

(b) in NOTE 4, after "5515", insert "or 5516";

(11) in Chapter 57, in tariff items 5701 10 00, 5701 90 10 and 5701 90 90, for the entry in column (4) occurring against each of them, the entry "16%" shall be substituted;

(12) in Chapter 58, in tariff items 5805 00 10, 5805 00 20 and 5805 00 90, for the entry in column (4) occurring against each of them, the entry "Nil" shall be inserted;

(13) in in Chapter 70, in NOTE 6, for "7015", substitute "7013";

(14) In Chapter 71; after NOTE 11, the following NOTES shall be inserted, namely: -

'12. In this Chapter, "brand name" or "trade name" means a brand name or trade name, whether registered or not, that is to say, a name or a mark, such as symbol, monogram, label, signature or invented words or any writing which is used in relation to a product, for the purpose of indicating, or so as to indicate, a connection in the course of trade between the product and some person using such name or mark with or without any indication of the identity of that person.

13. For the purposes of heading 7113, the processes of affixing or embossing trade name or brand name on articles or jewellery shall amount to "manufacture".

(15) in Chapter 90, against tariff item 9017 20 10, for the entry in column (4), the entry "16%" shall be substituted.

THE NINTH SCHEDULE

[See section 86(b)]

Tariff item (1)	Description of goods (2)	Unit (3)	Rate of duty (4)
In the Second Schedule to the Central Excise Tariff Act, -			
(a) after tariff item 2401 30 00 and the entries relating thereto; the following tariff items and entries shall be inserted, namely: -			
'2403 10 10	--- Hookah or gudaku tobacco	kg.	16%
2403 91 00	--- "Homogenised" or "reconstituted" tobacco	kg.	16%;
(b) after tariff item 2403 99 20 and the entries relating thereto, the following tariff item and entries shall be inserted, namely: -			
"2403 99 30	--- Jarda scented tobacco	kg.	16%";
(c) after heading 8704, the following sub-heading, tariff item and entries shall be inserted, namely: -			
"8704 10	--- Dumpers designed for off - highway use:		
8704 10 90	--- Other	u	8%".

THE TENTH SCHEDULE

(See section 116)

THE FIRST SCHEDULE

[See section 3(1)]

1. In this Schedule, "tariff item", "heading", "sub-heading" and "Chapter" mean respectively a tariff

item, heading, sub-heading and Chapter in the First Schedule to the Central Excise Tariff Act, 1985

(5 of 1986).

2. The rules for the interpretation of the First Schedule to the Central Excise Tariff tariff Act, 1985 (5

of 1986), the Section and Chapter NOTES and the General Explanatory NOTES of the First Schedule

shall, so far as may be, apply to the interpretation of this Schedule.

Tariff

Item

Description of goods Unit Rate of Additional

Duty

(1) (2) (3) (4)

1701

CANE OR BEET SUGAR AND

CHEMICALLY PURE SUCROSE, IN

SOLID FORM

- Raw sugar not containing added

flavouring or

colouring matter :

1701 11 -- Cane sugar:

1701 11

10 --- Cane jaggery kg. Rs. 37 per quintal

1701 11

90 --- Other kg. Rs. 37 per quintal

1701 12

00 --- Beet sugar kg. Rs. 37 per quintal

-- Other :

1701 91

00 --- Refined sugar containing added

flavouring or colouring matter kg. Rs. 37 per quintal

1701 99 --- Other:

1701 99

10 --- Sugar cubes kg. Rs. 37 per quintal

1701 99

90 --- Other kg. Rs. 37 per quintal

1702 90

10 --- Palmyra sugar kg. Nil

2401 UNMANUFACTURED TOBACCO;

TOBACCO REFUSE

2401 10 - Tobacco, not stemmed or stripped :

2401 10

10 --- Flue cured virginia tobacco kg. 10%

2401 10

20 --- Sun cured country (natu) tobacco kg. 10%

2401 10

30 --- Sun cured virginia tobacco kg. 10%

2401 10

40 --- Burley tobacco kg. 10% 2401 10

50 --- Tobacco for manufacture of biris, not

stemmed

kg. 10%

2401 10

60 --- Tobacco for manufacture of chewing

tobacco kg. 10%

2401 10

70 --- Tobacco for manufacture of cigar and

cheroot

kg. 10%

2401 10

80 --- Tobacco for manufacture of hookah

tobacco

kg. 10%

2401 10

90 --- Other kg. 10%

2401 20 --- Tobacco, partly or wholly stemmed or

stripped :

2401 20

10 --- Flue cured virginia tobacco kg. 10%

2401 20

20 --- Sun cured country (natu) tobacco kg. 10%

2401 20

30 --- Sun cured virginia tobacco kg. 10%

2401 20

40 --- Burley tobacco kg. 10%

2401 20

50 --- Tobacco for manufacture of biris kg. 10%

2401 20

60 --- Tobacco for manufacture of chewing

tobacco

kg. 10%

2401 20

70 --- Tobacco for manufacture of cigar and

cheroot

kg. 10%

2401 20

80 --- Tobacco for manufacture of hookah

tobacco kg. 10%

2401 20

90 --- Other kg. 10%

2401 30

00 - Tobacco refuse kg. 10%

2402

CIGARS, CHERROOTS, CIGARILLOS
AND CIGARETTES, OF TOBACCO OR
OF TOBACCO SUBSTITUTES

2402 10 - Cigars, cheroots and cigarillos,
containing tobacco :

2402 10

10 --- Cigar and cheroots Tu Nil

2402 10

20 --- Cigarillos Tu Nil

2402 20 --- Cigarettes, containing tobacco :

2402 20

10 --- Other than filter cigarettes, of length

not exceeding 60 millimetres

Tu Rs. 37 per

thousand

2402 20

20 ---

Other than filter cigarettes, of length

exceeding 60 millimetres but not

exceeding 70 millimetres

Tu Rs. 125 per

thousand

2402 20

30

Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) not exceeding 70 millimetres

Tu Rs. 185 per

thousand

Filter cigarettes of length (including 2402 20

40 ---

the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) exceeding 70 millimetres but not exceeding 75 millimetres

Tu Rs. 300 per

thousand

2402 20

50 ---

Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) exceeding 75 millimetres but not exceeding 85 millimetres

Tu Rs. 400 per

thousand

2402 20

90 --- Other Tu Rs. 495 per

thousand

2402 90 --- Other:

2402 90

90 --- Other Tu Nil

2403 OTHER MANUFACTURED TABACCO

2403 10

10 --- Hookah or gudaku tobacco kg. 18%

2403 10

20 --- Smoking mixtures for pipes and

cigarettes

kg. 75%

--- Biris:

2403 10

31 ---

Other than paper rolled biris,
manufactured without the aid of
machine

Tu Rs. 1.40 per
thousand

2403 10

39 --- Other Tu Rs. 3.50 per
thousand

2403 10

90 --- Other kg. 18%

2403 99 -- Other

2403 99

10 --- Chewing tobacco kg. 18%

2403 99

20 --- Preparations containing chewing
tobacco

kg. 18%

2403 99

30 --- Jarda scented tobacco kg. 18%

2403 99

40 --- Snuff kg. 18%

2403 99

50 --- Preparations containing snuff kg. 18%

2403 99

70 --- Cut-tobacco kg. Nil

2403 99

90 --- Other kg. 18%

5007 WOVEN FABRICS OF SILK OR OF SILK
WASTE

5007 10

00 - Fabrics of noil silk m2 Nil

5007 20 -

Other fabrics, containing 85% or
more by weight of silk or
of silk waste other than noil silk :

5007 20

10 --- Sarees m2 Nil

5007 20 --- Other m2 Nil 90 --- Other m2 Nil

5007 90

00 - Other fabrics m2

Nil

5111 WOVEN FABRICS OF CARDED WOOL
EXCLUDING HAIR BELTING

- Containing 85% or more by weight of
wool:

5111 11 --- Of a weight not exceeding 300 g/m²:

5111 11

10 ---- Unbleached m² 8%

5111 11

20 --- Bleached m² 8%

5111 11

30 --- Dyed m² 8%

5111 11

40 --- Printed m² 8%

5111 11

90 --- Other m² 8%

5111 19 --- Other :

5111 19

10 --- Unbleached m² 8%

5111 19

20 --- Bleached m² 8%

5111 19

30 --- Dyed m² 8%

5111 19

40 --- Printed m²

8%

5111 19

90 --- Other m² 8%

5111 20 --- Other, mixed mainly or solely with

man-made filaments:

5111 20

10 --- Unbleached m2

8%

5111 20

20 --- Bleached m2 8%

5111 20

30 --- Dyed m2 8%

5111 20

40 --- Printed m2

8%

5111 20

90 --- Other m2 8%

5111 30 - Other, mixed mainly or solely with

man-made staple fibres:

5111 30

10 --- Unbleached m2

8%

5111 30

20 --- Bleached m2 8%

5111 30

30 --- Dyed m2 8%

5111 30

40 --- Printed m2

8%

5111 30

90 Other m2 8% 5111 90 - Other :

5111 90

10 --- Unbleached m2 8%

5111 90

20 --- Bleached m2 8%

5111 90

30 --- Dyed m2 8%

5111 90

40 --- Printed m2

8%

5111 90

90 --- Other m2

8%

5112 --- WOVEN FABRICS OF COMBED WOOL

EXCLUDING HAIR BELTING

--- Containing 85% or more by weight of

wool:

5112 11 --- Of a weight not exceeding 200 g/m2:

5112 11

10 - Unbleached m2 8%

5112 11

20 --- Bleached m2 8%

5112 11

30 --- Dyed m2 8%

5112 11

40 --- Printed m2 8%

5112 11

90 --- Other m2 8%

5112 19 --- Other :

5112 19

10 --- Unbleached m2 8%

5112 19

20 --- Bleached m2 8%

5112 19

30 --- Dyed m2 8%

5112 19

40 --- Printed m2 8%

5112 19

90 --- Other m2 8%

5112 20 --- Other, mixed mainly or solely with

man-made filaments:

5112 20

10 - Unbleached m2 8%

5112 20

20 --- Bleached m2 8%

5112 20

30 --- Dyed m2 8%

5112 20

40 --- Printed m2 8%

5112 20

90 --- Other m2 8%

5112 30 - Other, mixed mainly or solely with

man-made staple fibres:

5112 30

10 --- Unbleached m2 8%

5112 30

m25112 30

20 --- Bleached m2 8%

5112 30

30 --- Dyed m2 8%

5112 30

40 --- Printed m2 8%

5112 30

90 --- Other m2 8%

5112 90 --- Other :

5112 90

10 --- Unbleached m2 8%

5112 90

20 - Bleached m2 8%

5112 90

30 --- Dyed m2 8%

5112 90

40 --- Printed m2 8%

5112 90

90 --- Other m2

8%

5208 WOVEN FABRICS OF COTTON,
CONTAINING 85% OR MORE BY
WEIGHT OF COTTON, WEIGHING NOT
MORE THAN 200 g/m²

- Unbleached:

5208 11 --- Plain weave, weighing not more than

100 g/m² :

5208 11

10 --- Dhoti m2 8%

5208 11

20 --- Saree m2 8%

5208 11

30 --- Shirting fabrics m2 8%

5208 11

40 --- Casement m2 8%

5208 11

90 - Other m2 8%

5208 12 --- Plain weave, weighing more than 100

g/m² :

5208 12

10 --- Dhoti m² 8%

5208 12

20 --- Saree m² 8%

5208 12

30 --- Shirting fabrics m² 8%

5208 12

40 --- Casement m² 8%

5208 12

50 ---

Sheeting (takia, leopard fabrics, other

than furnishing fabrics) m² 8%

5208 12

60 --- Voils m² 8%

5208 12

90 - Other m² 8%

5208 13 --- 3-thread or 4-thread twill, including

cross twill:5208 13

10 --- Shirting fabrics m² 8%

5208 13

20 --- Dobby fabrics m² 8%

5208 13

90 --- Other m2

8%

5208 19 --- Other fabrics:

5208 19

10 --- Dedsuti, dosuti fabrics m2 8%

5208 19

90 --- Other m2 8%

- Bleached:

5208 21 --- Plain weave, weighing not more than

100 g/m2 :

5208 21

10 --- Dhoti m2

8%

5208 21

20 --- Saree m2 8%

5208 21

30 --- Casement m2 8%

5208 21

40 --- Shirting fabrics m2 8%

5208 21

50 ---

Cambrics (including madapollam and

jaconet)

m2 8%

5208 21

60 --- Mulls (including limbric and willaya) m2 8%

5208 21

70 - Muslin (including lawn, mulmul and
organdi)

m2 8%

5208 21

80 --- Voils (excluding leno fabrics) m2 8%

5208 21

90 --- Other

m2

8%

5208 22 --- Plain weave, weighing more than 100

g/m2 :

5208 22

10 --- Dhoti m2 8%

5208 22

20 --- Saree m2 8%

5208 22

30 --- Shirting fabrics m2 8%

5208 22

40 --- Casement m2 8%

5208 22

50 - Cambrics (including madapollam and

jaconet) m2 8%

5208 22

60 --- Long cloth (including calico) m2 8%

5208 22

70 --- Sheeting (takia and the like) m2 8%

5208 22

80 --- Voils (excluding leno fabrics) m2 8%

5208 22

90 --- Other m2

8%

5208 23 --- 3-thread or 4-thread twill, including

cross twill:5208 23

10 ---

Shirting fabrics m2 8%

5208 23

20 --- Parmatta fabrics (including ilesia,

pocketing, Italian twill)

m2 8%

5208 23

30 - Shirting fabrics m2 8%

5208 23

90 --- Other m2

8%

5208 29 --- Other fabrics:

5208 29

10 --- Dhoti and saree, zari bordered m2 8%

5208 29

20 --- Dedsuti, dosuti fabrics, ceretonne
and osamburge

m2

8%

5208 29

90 --- Other m2

8%

- Dyed:

5208 31 ---

Plain weave, weighing not more than

100 g/m2 :

5208 31

10 --- Lungi m2 8%

5208 31

20 - Saree m2

8%

5208 31

30 --- Shirting fabrics m2 8%

5208 31

40 --- Casement m2

8%

5208 31

50 --- Cambrics (including madapollam and
jaconet) m2 8%

5208 31

60 --- Mull (including limbric and willaya) m2 8%

5208 31

70 --- Muslin (including lawn mulmul and
organdi) of carded or combed yarn
m2 8%

5208 31

80 --- Voils (excluding leno fabrics) m2 8%

5208 31

90 - Other m2 8%

5208 32 --- Plain weave, weighing more than 100
g/m2 :

5208 32

10 --- Lungi m2 8%

5208 32

20 --- Saree m2

8%

5208 32

30 --- Shirting fabrics m2 8%

5208 32

40 --- Casement m2

8%

5208 32

50 --- Bedticking, domestic m2 8%

5208 32

60

Cambrics (including madapollam and

jaconet), longcloth(including calico)

and voils (excluding leno fabrics) m2 8%

5208 32

70 --- Coating (including suiting) m2 8% 5208 32

80 --- Furnishing fabrics(excluding pile and
chenille fabrics)

m2 8%

5208 32

90 --- Other m2

8%

5208 33 --- 3-thread or 4- thread twill, including
cross twill:

5208 33

10 --- Shirting fabrics m2 8%

5208 33

20 --- Coating (including suiting) m2 8%

5208 33

30 - Shirting (including mazri) m2 8%

5208 33

90 --- Other m2

8%

5208 39 --- Other fabrics:

5208 39

10 --- Zari bordered sarees m2 8%

5208 39

90 --- Other m2 8%

5208 41

Of yarn of different colours: Plain

weave, weighing not more than 100

g/m² :

5208 41

10 ---

Bleeding Madras m2 8%

5208 41

20 --- Saree m2

8%

5208 41

30 --- Shirting fabrics m2 8%

5208 41

40 --- Bed ticking, domestic m2 8%

5208 41

50 --- Furnishing fabrics (excluding pile and
chenille fabrics)

m2 8%

5208 41

90 --- Other m2 8%

5208 42 --- Plain weave, weighing more than 100

g/m2 :

5208 42

10 --- Bleeding Madras m2 8%

5208 42

20 - Saree m2

8%

5208 42

30 --- Shirting fabrics m2 8%

5208 42

40 --- Casement m2

8%

5208 42

50 --- Bed ticking, domestic m2 8%

5208 42

60 --- Furnishing fabrics, other than pile and
chenille fabric

m2 8%

5208 42

90 --- Other m2

8%

5208 43 ---

3-thread or 4- thread twill, including

cross twill:

5208 43

10 --- Bleeding Madras m2 8% 5208 43

20 --- Shirting fabrics m2 8%

5208 43

30 --- Bedticking, damask m2 8%

5208 43

40 --- Flannelette m2

8%

5208 43

90 --- Other m2 8%

5208 49 --- Other fabrics:

5208 49

10 --- Zari bordered sarees m2 8%

5208 49

20 - Real Madras handkerchiefs m2 8%

5208 49

90 --- Other m2 8%

--- Printed:

5208 51 --- Plain weave, weighing not more than

100 g/m² :

5208 51

10 --- Lungi m² 8%

5208 51

20 --- Saree m²

8%

5208 51

30 --- Shirting fabrics m² 8%

5208 51

40 --- Casement m²

8%

5208 51

50 --- Cambrics (including madapollam and
jaconet) m² 8%

5208 51

60 --- Mull (including limbric and willaya) m² 8%

5208 51

70 --- Muslin (including lawn mulmul and
organdi) of carded or combed yarn

m² 8%

5208 51

80 --- Voils (excluding leno fabrics) m² 8%

5208 51

90 --- Other m2 8%

5208 52 --- Plain weave, weighing more than 100

g/m2 :

5208 52

10 --- Lungi m2 8%

5208 52

20 --- Saree m2

8%

5208 52

30 --- Shirting fabrics m2 8%

5208 52

40 --- Casement m2

8%

5208 52

50 --- Cambrics (including madapollam and
jaconet) m2 8%

5208 52

60 ---

Mull (including limbric and willaya) m2 8%

5208 52

70 --- Muslin (including lawn mulmul and
organdi) of carded or combed yarn

m2 8%

5208 52

80 --- Voils (excluding leno fabrics) m2 8% 5208 52

90 --- Other m2 8%

5208 53 ---

3-thread or 4 - thread twill, including

cross twill:

5208 53

10 --- Shirting fabrics m2 8%

5208 53

20 --- Bedticking m2 8%

5208 53

90 --- Other m2

8%

5208 59 --- Other fabrics:

5208 59

10 --- Zari bordered sarees m2 8%

5208 59

90 --- Other m2 8%

5209

WOVEN FABRICS OF COTTON,
CONTAINING 85% OR MORE BY
WEIGHT OF COTTON, WEIGHING
MORE THAN 200 g/m²

-- Unbleached:

5209 11 --- Plain weave:

--- Handloom:

5209 11

11 --- Dhoti m2 8%

5209 11

12 --- Saree m2 8%

5209 11

13 --- Casement m2 8%

5209 11

14 ---

Sheeting (takia, leopard cloth and

other than furnishing) m2 8%

5209 11

19 --- Other m2 8%

5209 11

90 --- Other m2 8%

5209 12 --- 3-thread or 4-thread twill, including

cross twill:

5209 12

10 --- Saree m2 8%

5209 12

20 --- Shirting fabrics m2 8%

5209 12

30 --- Furnishing fabrics (excluding pile and

chenille fabrics)

m2 8%

5209 12

40 --- Seersucker m2 8%

5209 12

50 --- Canvas, including duck – carded or

combed yarn m2 8%

5209 12

60 --- Flannelette m2

8%

5209 12

70 --- Shetting (takia, leopard cloth) m2 8%

5209 12

90 --- Other m2 8%

5209 19

00 Other fabrics m2 8% - Bleached:

5209 21 Plain weave:

5209 21

10 --- Saree m2 8%

5209 21

20 --- Shirting fabrics m2 8%

5209 21

30 ---

Furnishing fabrics (excluding pile and

chenille fabrics)

m2 8%

5209 21

40 --- Seersucker m2

8%

5209 21

50 --- Canvas (including duck) of carded or

combed yarn m2 8%

5209 21

60 --- Dhoti m2 8%

5209 21

70 --- Flannelette m2 8%

5209 21

80 --- Sheeting (takia, leopardcloth) m2 8%

5209 21

90 --- Other m2 8%

5209 22 --- 3-thread or 4-thread twill, including

cross twill:

5209 22

10 --- Shirting fabrics m2 8%

5209 22

20 --- Furnishing fabrics (excluding pile and

chenille fabrics)

m2 8%

5209 22

30 --- Drill m2

8%

5209 22

90 --- Other m2 8%

5209 29 --- Other fabrics:

5209 29

10 --- Dhoti and saree, zari bordered m2 8%

5209 29

20 ---

Dedsuti, dosuti fabrics, ceretennes

and osamburge

m2

8%

5209 29

90 --- Other m2 8%

- Dyed:

5209 31 --- Plain weave:

5209 31

10 --- Lungi m2 8%

5209 31

20 --- Saree m2

8%

5209 31

30 --- Shirting fabrics m2 8%

5209 31

40 --- Furnishing fabrics(excluding pile and
chenille fabrics)

m2 8%

5209 31

50 --- Seersucker m2

8%

5209 31

60 --- Bedticking, domestic(other than hand
dyed) m2 8%

5209 31

70 --- Canvas (including duck), of carded or
combed yarn

m2 8%

5209 31 m25209 31

80 --- Flannellete m2

8%

5209 31

90 --- Other m2 8%

5209 32 --- 3-thread or 4-thread twill, including
cross twill:

5209 32

10 ---

Shirting fabrics m2 8%

5209 32

20 --- Furnishing fabrics(excluding pile and
chenille fabrics)

m2 8%

5209 32

30 --- Drill m2 8%

5209 32

90 --- Other m2 8%

5209 39 --- Other fabrics:

5209 39

10 --- Zari bordered sarees m2 8%

5209 39

90 --- Other m2 8%

--- Of yarns of different colours:

5209 41 --- Plain weave:

5209 41

10 --- Bleeding Madras m2 8%

5209 41

20 --- Saree m2

8%

5209 41

30 --- Shirting fabrics m2 8%

5209 41

40 ---

Furnishing fabrics (excluding pile and
chenille fabrics)

m2 8%

5209 41

50 --- Seersucker m2

8%

5209 41

60 --- Bedticking, domestic (other than hand
dyed) m2 8%

5209 41

70 --- Flannelette m2 8%

5209 41

90 --- Other m2 8%

5209 42

00 --- Denim m2 8%

5209 43 --- Other fabrics of 3-thread or 4-thread
twill, including cross twill:

5209 43

10 --- Bleeding Madras m2 8%

5209 43

20 --- Shirting fabrics m2 8%

5209 43

30 --- Furnishing fabrics (excluding pile and

chenille fabrics)

m2 8%

5209 43

40 --- Coating (including suiting) m2 8%

5209 43

90 --- Other m2

8%

5209 49 --- Other fabrics:

5209 49

10 --- Zari bordered sari m2 8%

5209 495209 49

90 --- Other m2 8%

--- Printed:

5209 51 --- Plain weave:

5209 51

10 --- Lungi m2 8%

5209 51

20 --- Saree m2 8%

5209 51

30 --- Shirting fabrics m2 8%

5209 51

40 --- Furnishing fabrics (excluding pile and

chenille fabrics)

m2 8%

5209 51

50 --- Seersucker m2 8%

5209 51

60 --- Bedticking, domestic m2 8%

5209 51

70 --- Flannelette m2 8%

5209 51

90 --- Other m2 8%

5209 52 --- 3-thread or 4-thread twill, including

cross twill:

5209 52

10 --- Shirting fabrics m2 8%

5209 52

20 --- Furnishing fabrics (excluding pile and
chenille fabrics)

m2 8%

5209 52

90 --- Other m2

8%

5209 59 --- Other fabrics:

5209 59

10 --- Zari bordered saree m2 8%

5209 59

90 --- Other m2 8%

5210

WOVEN FABRICS OF COTTON,
CONTAINING LESS THAN 85% BY
WEIGHT OF COTTON, MIXED MAINLY
OR SOLELY WITH MAN-MADE FIBRES,
WEIGHING NOT MORE THAN 200

g/m²

-- Unbleached :

5210 11 --- Plain weave:

5210 11

10 --- Shirting fabrics m² 8%

5210 11

20 --- Saree m² 8%

5210 11

90 --- Other m² 8%

5210 12 --- 3-thread or 4-thread twill, including
cross twill:

5210 12

10 --- Shirting fabrics m² 8%

5210 12

90 --- Other m² 8%

5210 19 --- Other fabrics m² 8% 00 --- Other fabrics m² 8%

--- Bleached:

5210 21 --- Plain weave:

5210 21

10 --- Shirting fabrics m2 8%

5210 21

20 --- Poplin and broad fabrics m2 8%

5210 21

30 --- Saree m2 8%

5210 21

40 --- Shirting (including mazri) m2 8%

5210 21

50 --- Voile m2 8%

5210 21

90 --- Other m2 8%

5210 22 --- 3-thread or 4-thread twill, including

cross twill:

--- Handloom:

5210 22

11 --- Crepe fabrics including crepe checks m2 8%

5210 22

12 --- Shirting fabrics m2 8%

5210 22

19 --- Other fabrics m2

8%

--- Other :

5210 22

21 --- Shirting (including mazri) m2 8%

5210 22

29 --- Other m2

8%

5210 29 --- Other fabrics:

5210 29

10 --- Dhoti and saree, zari bordered m2 8%

5210 29

20 --- Dedsuti, Dosuti, ceretennes and

osamburge

m2

8%

5210 29

90 --- Other m2

8%

--- Dyed:

5210 31 --- Plain weave:

5210 31

10 --- Shirting fabrics m2 8%

5210 31

20 --- Coating (including suitings) m2 8%

5210 31

30 --- Furnishing fabrics (excluding pile and
chenille fabrics)

m2 8%

5210 31

40 --- Poplin and broad fabrics m2 8%

5210 31

50 --- Saree m2 8%

5210 31

60 --- Voils m2 8%

5210 31

90 --- Other m2 8%

5210 32 --- 3-thread or 4-thread twill, including 5210 32 --- cross twill:

5210 32

10 ---

Crepe fabrics including crepe checks m2 8%

5210 32

20 --- Shirting fabrics m2 8%

5210 32

30 --- Bedticking, damask m2 8%

5210 32

39 --- Other m2

8%

5210 39 --- Other fabrics:

5210 39

10 --- Zari bordered saree m2 8%

5210 39

90 --- Other m2 8%

--- Of yarns of different colours:

5210 41 --- Plain weave:

5210 41

10 --- Bleeding Madras m2 8%

5210 41

20 --- Crepe fabrics (excluding crepe
checks)

m2 8%

5210 41

30 --- Shirting fabrics m2 8%

5210 41

40 --- Suitings m2 8%

5210 41

50 --- Poplin and broad fabrics m2 8%

5210 41

60 --- Saree m2 8%

5210 41

70 --- Voils m2 8%

5210 41

90 --- Other m2 8%

5210 42 --- 3-thread or 4-thread twill, including
cross twill:

5210 42

10 --- Bleeding Madras m2 8%

5210 42

20 --- Crepe fabrics including crepe checks m2 8%

5210 42

30 --- Shirting fabrics m2 8%

5210 42

40 --- Suitings m2 8%

5210 42

50 --- Bedticking, damask m2 8%

5210 42

60 --- Shirtings (including mazri) m2 8%

5210 42

90 --- Other m2

8%

5210 49 --- Other fabrics:

5210 49

10 --- Zari bordered saree m2 8%

5210 49

90 --- Other m2 8%- Printed:

5210 51 --- Plain weave:

5210 51

10 --- Shirting fabrics m2 8%

5210 51

20 --- Casement m2 8%

5210 51

30 --- Saree m2 8%

5210 51

40 --- Poplin and broad fabrics m2 8%

5210 51

50 --- Voils m2 8%

5210 51

90 --- Other m2 8%

5210 52 --- 3-thread or 4-thread twill, including
cross twill:

5210 52

10 --- Crepe fabrics including crepe checks m2 8%

5210 52

20 --- Shirting fabrics m2 8%

5210 52

90 --- Other m2

8%

5210 59 --- Other fabrics:

5210 59

10 - Zari bordered saree m2 8%

5210 59

90 --- Other m2 8%

5211 ---

WOVEN FABRICS OF COTTON,

CONTAINING LESS THAN 85% BY
WEIGHT OF COTTON, MIXED MAINLY
OR SOLELY WITH MAN-MADE FIBRES,
WEIGHING MORE THAN 200 g/m²

- Unbleached:

5211 11 --- Plain weave:

5211 11

10 --- Shirting fabrics m² 8%

5211 11

20 --- Saree m²

8%

5211 11

90 --- Other m² 8%

5211 12 --- 3-thread or 4-thread twill, including
cross twill:

5211 12

10 --- Shirting fabrics m² 8%

5211 12

20 --- Twill, not elsewhere specified m² 8%

--- (including gaberdine)

5211 12

30 --- Damask m²

8%

5211 12

90 --- Other m2 8%

5211 19

00 --- Other fabrics m2 8% --- Bleached:

5211 21 - Plain weave:

5211 21

10 --- Shirting fabrics m2 8%

5211 21

20 --- Canvas (including duck) of carded or
combed yarn

m2 8%

5211 21

30 --- Flannelette m2 8%

5211 21

40 --- Saree m2 8%

5211 21

50 --- Shirting fabrics m2 8%

5211 21

90 --- Other m2

8%

5211 22 --- 3-thread or 4-thread twill, including
cross twill:

5211 22

10 --- Crepe fabrics including crepe checks m2 8%

5211 22

20 --- Shirting fabrics m2 8%

5211 22

30 --- Twill fabrics m2 8%

5211 22

90 --- Other m2 8%

5211 29 --- Other fabrics:

5211 29

10 --- Zari bordered sari m2 8%

5211 29

20 - Dedsuti, dosuti, ceretones and

osamburge m2 8%

5211 29

90 --- Other m2

8%

- Dyed:

5211 31 --- Plain weave:

5211 31

10 --- Shirting fabrics m2 8%

5211 31

20 --- Canvas (including duck) of carded or

combed yarn

m2 8%

5211 31

30 --- Coating (including suitings) m2 8%

5211 31

40 --- Flannelette m2 8%

5211 31

50 --- Saree m2 8%

5211 31

90 --- Other m2 8%

5211 32 --- 3-thread or 4-thread twill, including

cross twill:

5211 32

10 --- Crepe fabrics including crepe checks m2 8%

5211 32

20 --- Shirting fabrics m2 8%

5211 32

30 --- Twill, not elsewhere specified m2 8% --- (including gaberdine)

5211 32

40 - Trousers or pant fabrics m2 8%

--- (excluding jeans and crepe)

5211 32

90 --- Other m2 8%

5211 39 --- Other fabrics:

5211 39

10 --- Zari bordered sarees m2 8%

5211 39

90 --- Other m2 8%

--- Of yarns of different colours:

5211 41 --- Plain weave:

5211 41

10 --- Bleeding Madras m2 8%

5211 41

20 --- Check shirting (excluding crepe
checks)

m2 8%

5211 41

30 --- Shirting m2 8%

5211 41

40 --- Suitings m2 8%

5211 41

50 --- Flannelette m2

8%

5211 41

60 --- Saree m2 8%

5211 41

70 - Parachute fabrics m2 8%

5211 41

90 --- Other m2 8%

5211 42

00 --- Denim m2 8%

5211 43 ---

Other fabrics of 3-thread or 4-thread

twill,

--- including cross twill:

5211 43

10 --- Bleeding Madras m2 8%

5211 43

20 --- Crepe fabrics m2 8%

5211 43

30 --- Shirting fabrics m2 8%

5211 43

40 --- Suitings m2 8%

5211 43

90 --- Other m2

8%

5211 49 --- Other fabrics:

5211 49

10 --- Zari bordered sarees m2 8%

5211 49

90 --- Other m2 8%

--- Printed:

5211 51 - Plain weave:

5211 51

10 --- Shirting fabrics m2 8%5211 51

20 --- Furnishing fabrics m2 8%

--- (excluding pile and chenille fabrics)

5211 51

30 --- Flannelette m2

8%

5211 51

40 --- Long cloth (chintz) m2 8%

5211 51

50 --- Saree m2 8%

5211 51

90 --- Other m2 8%

5211 52 --- 3-thread or 4-thread twill, including cross twill:

5211 52

10 --- Crepe fabrics including crepe checks m2 8%

5211 52

20 --- Shirting fabrics m2 8%

5211 52

30 --- Twill, not elsewhere specified m2 8%

--- (including gaberdine)

5211 52

90 --- Other m2

8%

5211 59 - Other fabrics:

5211 59

10 --- Zari bordered saree m2 8%

5211 59

90 --- Other m2

8%

5212 --- OTHER WOVEN FABRICS OF COTTON

--- Weighing not more than 200 g/m2 :

5212 11

00 --- Unbleached m2 8%

5212 12

00 --- Bleached m2 8%

5212 13

00 --- Dyed m2 8%

5212 14

00 --- Of yarns of different colours m2 8%

5212 15

00 --- Printed m2 8%

--- Weighing more than 200 g/m2 :

5212 21

00 --- Unbleached m2 8%

5212 22

00 --- Bleached m2 8%

5212 23

00 --- Dyed m2 8%

5212 24

00 - Of yarns of different colours m2 8%

5212 25

00 --- Printed m2 8%

5407

WOVEN FABRICS OF SYNTHETIC FILAMENT YARN,
INCLUDING WOVEN FABRICS OBTAINED FROM
MATERIALS OF HEADING 5404

5407 10 - Woven fabrics obtained from high tenacity yarn of--- nylon or other polyamides or of polyesters:

--- Unbleached:

5407 10

11 --- Parachute fabrics m2 8%

5407 10

12 --- Tent fabrics m2 8%

5407 10

13 --- Nylon furnishing fabrics m2 8%

5407 10

14 --- Umbrella cloth panel fabrics m2 8%

5407 10

15 --- Other nylon and polyamide fabrics (filament) m2 8%

5407 10

16 --- Polyester suitings m2 8%

5407 10

19 --- Other polyester fabrics m2 8%

--- Bleached:

5407 10

21 --- Parachute fabrics m2 8%

5407 10

22 --- Tent fabrics m2 8%

5407 10

23 - Nylon furnishing fabrics m2 8%

5407 10

24 --- Umbrella cloth panel fabrics m2 8%

5407 10

25 --- Other nylon and polyamide fabrics of m2 8%

--- filament yarn

5407 10

26 --- Polyester suitings m2 8%

5407 10

29 --- Other m2 8%

--- Dyed:

5407 10

31 --- Parachute fabrics m2 8%

5407 10

32 --- Tent fabrics m2 8%

5407 10

33 --- Nylon furnishing fabrics m2 8%

5407 10

34 --- Umbrella cloth panel fabrics m2 8%

5407 10

35 --- Other nylon and polyamide fabrics (filament) m2 8%

5407 10

36 --- Polyester suitings m2 8%

5407 10

39 --- Other m2

8%

- Printed:

5407 10

41 --- Parachute fabrics m2 8%

5407 10

42 --- Tent fabrics m2 8%

5407 10 Nylon furnishing fabrics m2 8% 43 --- Nylon furnishing fabrics m2 8%

5407 10

44 --- Umbrella cloth panel fabrics m2 8%

5407 10

45 --- Other nylon and polyamide fabrics (filament) m2 8%

5407 10

46 --- Polyester suitings m2 8%

5407 10

49 --- Other m2

8%

--- Other :

5407 10

91 --- Parachute fabrics m2 8%

5407 10

92 --- Tent fabrics m2 8%

5407 10

93 --- Nylon furnishing fabrics m2 8%

5407 10

94 --- Umbrella cloth panel fabrics m2 8%

5407 10

95 --- Other nylon and polyamide fabrics of filament

yarn

m2 8%

5407 10

96 - Polyester suitings m2 8%

5407 10

99 --- Other m2

8%

5407 20 - Woven fabrics obtained from strip or the like:

5407 20

10 --- Unbleached m2 8%

5407 20

20 --- Bleached m2 8%

5407 20

30 --- Dyed m2 8%

5407 20

40 --- Printed m2

8%

5407 20

90 --- Other m2 8%

5407 30 --- Fabrics specified in Note 9 to Section XI:

5407 30

10 --- Unbleached m2

8%

5407 30

20 --- Bleached m2 8%

5407 30

30 --- Dyed m2 8%

5407 30

40 --- Printed m2

8%

5407 30

90 --- Other m2 8%

--- Other woven fabrics, containing 85% or more by weight of filaments of nylon or other polyamides:

5407 41 --- Unbleached or bleached:

--- Unbleached:

5407 41

11 --- Nylon brasso m2 8%

5407 41 --- Nylon georgette m2 8% 12 --- m2

5407 41

13 --- Nylon tafetta m2 8%

5407 41

14 --- Nylon sarees m2 8%

5407 41

19 --- Other m2

8%

--- Bleached:

5407 41

21 --- Nylon brasso m2 8%

5407 41

22 --- Nylon georgette m2 8%

5407 41

23 --- Nylon tafetta m2 8%

5407 41

24 --- Nylon sarees m2 8%

5407 41

29 --- Other m2

8%

5407 42 - Dyed :

5407 42

10 --- Nylon brasso m2 8%

5407 42

20 --- Nylon georgette m2 8%

5407 42

30 ---

Nylon tafetta m2 8%

5407 42

40 --- Nylon sarees m2 8%

5407 42

90 --- Other m2

8%

5407 43

00 --- Of yarn of different colours m2 8%

5407 44 --- Printed:

5407 44

10 --- Nylon brasso m2 8%

5407 44

20 --- Nylon georgette m2 8%

5407 44

30 --- Nylon tafetta m2 8%

5407 44

40 --- Nylon sarees, m2 8%

5407 44

90 --- Other m2

8%

--- Other woven fabrics, containing 85% or more by
weight of textured polyester filaments:

5407 51 --- Unbleached or bleached:

--- Unbleached:

5407 51

11 --- Polyester shirtings m2 8%

5407 51

19 --- Other m2

8%

--- Bleached:

5407 51

21 --- Polyester shirtings m2 8%

5407 51 m25407 51

29 --- Other m2

8%

5407 52 --- Dyed:

5407 52

10 --- Polyester shirtings m2 8%

5407 52 20 --- Polyester suitings m2 8%

5407 52 30 --- Terylene and dacron sarees m2 8%

5407 52 40 --- Polyester sarees m2 8%

5407 52 90 --- Other m2 8%

5407 53 00 --- Of yarns of different colours m2 8%

5407 54 --- Printed:

5407 54 10 --- Terylene and dacron sarees m2 8%

5407 54 20 --- Polyester shirtings m2 8%

5407 54 30 --- Polyester sarees m2 8%

5407 54 90 --- Other m2 8%

--- Other woven fabrics, containing 85% or

--- more by weight of polyester filaments:

5407 61 - Containing 85% or more by weight of non-

--- textured polyester filaments:

5407 61 10 --- Polyester shirtings m2 8%

5407 61 20 --- Polyester suitings m2 8%

5407 61 90 --- Other m2 8%

5407 69 00 --- Other m2 8%

Other woven fabrics, containing 85% or: more
by weight of synthetic filaments

5407 71 --- Unbleached or bleached:

5407 71 10 --- Unbleached m2 8%

5407 71 20 --- Bleached m2 8%

5407 72 00 --- Dyed m2 8%

5407 73 00 --- Of yarns of different colours m2 8%

5407 74 00 --- Printed m2 8%

-

Other woven fabrics, containing less than 85%
by weight of synthetic filaments, mixed mainly
or solely with cotton:

5407 81 --- Unbleached or bleached:

--- Unbleached:

5407 81 11 --- Nylon georgette m2 8%

5407 81 12 --- Nylon sarees m2 8%

5407 81 13 --- Polyester shirtings m2 8%

5407 81 14 --- Polyester suitings m2 8%

5407 81 15 --- Terylene and dacron sarees m2 8%

5407 81 16 --- Polyester dhoti m2 8%

5407 81 19 --- Other m2 8%

--- Bleached:

m25407 81 21 --- Nylon georgette m2 8%

5407 81 22 --- Nylon sarees m2 8%

5407 81 23 - Polyester shirtings m2 8%

5407 81 24 --- Polyester suitings m2 8%

5407 81 25 --- Terylene and dacron sarees m2 8%

5407 81 26 --- Polyester dhoti m2 8%

5407 81 29 --- Other m2 8%

5407 82 --- Dyed :

5407 82 10 --- Nylon georgette m2 8%

5407 82 20 --- Nylon sarees m2 8%

5407 82 30 --- Polyester shirtings m2 8%

5407 82 40 --- Polyester suitings m2 8%

5407 82 50 --- Terylene and dacron sarees m2 8%

5407 82 60 --- Lungies m2 8%

5407 82 90 --- Other m2 8%

5407 83 00 - Of yarns of different colours m2 8%

5407 84 --- Printed :

5407 84 10 --- Nylon georgette m2 8%

5407 84 20 --- Nylon sarees m2 8%

5407 84 30 --- Polyester shirtings m2 8%

5407 84 40 - Polyester suitings m2 8%

5407 84 50 --- Terylene and dacron sarees m2 8%

5407 84 60 --- Lungies m2 8%

5407 84 70 --- Polyester sarees m2 8%

5407 84 90 --- Other m2 8%

- Other woven fabrics:

5407 91 --- Unbleached or bleached:

5407 91

10 --- Unbleached m2 8%

5407 91

20 --- Bleached m2 8%

5407 92

00 --- Dyed m2 8%

5407 93

00 --- Of yarns of different colours m2 8%

5407 94

00 - Printed m2 8%

5408 ---

WOVEN FABRICS OF ARTIFICIAL FILAMENT YARN,
INCLUDING WOVEN FABRICS OBTAINED FROM MATERIALS
OF HEADING 5405

5408 10

00 --- Woven fabrics obtained from high tenacity yarn of viscose
rayon m2 8%

--- Other woven fabrics, containing 85% or more by weight of
artificial filament or strip or the like:5408 21 --- Unbleached or bleached:

5408 21

10 - Unbleached m2 8%

5408 21

20 --- Bleached m2 8%

5408 22 --- Dyed:

--- Fabrics of rayon:

5408 22

11 --- Rayon crepe fabrics m2 8%

5408 22

12 --- Rayon jacquards m2 8%

5408 22

13 --- Rayon brocades m2 8%

5408 22

14 - Rayon georgette m2 8%

5408 22

15 --- Rayon tafetta m2 8%

5408 22

16 --- Rayon suitings m2 8%

5408 22

17 --- Rayon shirtings m2 8%

5408 22

18 --- Rayon sarees m2 8%

5408 22

19 - Other m2 8%

5408 22

20 --- Fabrics of continuous filament, other than rayon m2 8%

5408 22

90 --- Other m2

8%

5408 23

00 --- Of yarns of different colours m2 8%

5408 24 --- Printed :

--- Of rayon:

5408 24

11 --- Rayon crepe fabrics m2 8%

5408 24

12 - Rayon jacquards m2 8%

5408 24

13 --- Rayon brocades m2 8%

5408 24

14 --- Rayon georgette m2 8%

5408 24

15 --- Rayon tafetta m2 8%

5408 24

16 --- Rayon suitings m2 8%

5408 24

17 - Rayon shirtings m2 8%

5408 24

18 --- Rayon sarees m2 8%

5408 24

19 --- Other m2

8%

5408 24

90 --- Other m2 8%--- Other woven fabrics:

5408 31 --- Unbleached or bleached:

5408 31

10 --- Unbleached m2 8%

5408 31

20 - Bleached m2 8%

5408 32 --- Dyed:

--- Fabrics of rayon:

5408 32

11 --- Rayon brocades m2 8%

5408 32

12 --- Rayon georgette m2 8%

5408 32

13 - Rayon tafetta m2 8%

5408 32

14 --- Rayon suitings m2 8%

5408 32

15 --- Rayon shirtings m2 8%

5408 32

19 --- Other m2 8%

5408 32

90 --- Other m2 8%

5408 33

00 --- Of yarns of different colours m2 8%

5408 34 --- Printed :

- Fabric of rayon :

5408 34

11 --- Rayon crepe fabrics m2 8%

5408 34

12 --- Rayon jacquards m2 8%

5408 34

13 --- Rayon brocades m2 8%

5408 34

14 --- Rayon georgette m2 8%

5408 34

15 - Rayon tafetta m2 8%

5408 34

16 --- Rayon suitings m2 8%

5408 34

17 --- Rayon shirtings m2 8%

5408 34

18 --- Rayon sarees m2 8%

5408 34

19 --- Other m2 8%

5408 34

20 --- Fabrics of continuous filament, other than rayon m2 8%

5408 34

90 --- Other m2 8%

5512

WOVEN FABRICS OF SYNTHETIC STAPLE FIBRES,

CONTAINING 85% OR MORE BY WEIGHT OF

SYNTHETIC STAPLE FIBRES- Containing 85% or more by weight of polyester staple fibres:

5512 11 --- Unbleached or bleached:

5512 11

10 --- Unbleached m2 8%

5512 11

20 --- Bleached m2 8%

5512 19 Other :

5512 19

10 Dyed m2 8%

5512 19

20 Printed m2

8%

5512 19

90 Other m2 8%

- Containing 85% or more by weight of acrylic or
modacrylic staple fibres:

5512 21 --- Unbleached or bleached:

5512 21

10 --- Unbleached m2 8%

5512 21

20 --- Bleached m2 8%

5512 29 --- Other :

5512 29

10 --- Dyed m2 8%

5512 29

20 --- Printed m2

8%

5512 29

90 - Other m2 8%

--- Other :

5512 91 --- Unbleached or bleached:

5512 91

10 --- Unbleached m2 8%

5512 91

20 --- Bleached m2 8%

5512 99 --- Other:

5512 99

10 --- Dyed m2 8%

5512 99

20 --- Printed m2 8%

5512 99

90 --- Other m2

8%

5513 ---

WOVEN FABRICS OF SYNTHETIC STAPLE FIBRES,
CONTAINING LESS THAN 85% BY WEIGHT OF SUCH
FIBRES, MIXED MAINLY OR SOLELY WITH COTTON,
OF A WEIGHT NOT EXCEEDING 170 g/m²

- Unbleached or bleached:

5513 11 --- Of polyester staple fibres, plain weave:

5513 11

10 --- Unbleached m2

8%

5513 11

20 --- Bleached m2 8%

5513 12 --- 3-thread or 4-thread twill, including cross twill, of

--- polyester staple fibres:5513 12

10 --- Unbleached m2 8%

5513 12

20 --- Bleached m2 8%

5513 13 --- Other woven fabrics of polyester staple fibres:

5513 13

10 --- Unbleached m2 8%

5513 13

20 - Bleached m2 8%

5513 19 --- Other woven fabrics:

5513 19

10 --- Unbleached m2 8%

5513 19

20 --- Bleached m2 8%

- Dyed:

5513 21

00 --- Of polyester staple fibres, plain weave m2 8%

5513 22

00 --- 3-thread or 4-thread twill, including cross twill, m2 8%

--- of polyester staple fibres

5513 23

00 --- Other woven fabrics of polyester staple fibres m2 8%

5513 29

00 --- Other woven fabrics m2 8%

--- Of yarns of different colours:

5513 31

00 - Of polyester staple fibres, plain weave m2 8%

5513 32

00 --- 3-thread or 4-thread twill, including cross twill, of

polyester staple fibres

m2 8%

5513 33

00 --- Other woven fabrics of polyester staple fibres m2 8%

5513 39

00 Other woven fabrics m2 8%

- Printed:

5513 41 00 --- Of polyester staple fibres, plain weave m2 8%

5513 42 00 --- 3-thread or 4-thread twill, including cross twill, of

polyester staple fibres

m2 8%

5513 43 00 --- Other woven fabrics of polyester staple fibres m2 8%

5513 49 00 --- Other woven fabrics m2 8%

5514 -

WOVEN FABRICS OF SYNTHETIC STAPLE FIBRES,

CONTAINING LESS THAN 85% BY WEIGHT OF

SUCH FIBRES, MIXED MAINLY OR SOLELY WITH
COTTON, OF A WEIGHT EXCEEDING 170 g/m²

--- Unbleached or bleached:

5514 11 --- Of polyester staple fibres, plain weave:

5514 11 10 --- Unbleached m² 8%

5514 11 20 --- Bleached m² 8%

5514 12 --- 3-thread or 4-thread twill, including cross twill, of

--- polyester staple fibres:

m25514 12 10 --- Unbleached m² 8%

5514 12 20 - Bleached m² 8%

5514 13 --- Other woven fabrics of polyester staple fibres:

5514 13 10 --- Unbleached m² 8%

5514 13 20 --- Bleached m² 8%

5514 19 --- Other :

5514 19 10 --- Unbleached m² 8%

5514 19 20 --- Bleached m² 8%

--- Dyed:

5514 21 00 --- Of polyester staple fibres, plain weave m² 8%

5514 22 00 - 3-thread or 4-thread twill, including cross m² 8%

--- twill, of polyester staple fibres

5514 23 00 --- Other woven fabrics of polyester staple fibres m² 8%

5514 29 00 Other woven fabrics m² 8%

- Of yarns of different colours:

5514 31 00 --- Of polyester staple fibres, plain weave m² 8%

5514 32 00 --- 3-thread or 4-thread twill, including cross twill, m2 8%

--- of polyester staple fibres

5514 33 00 --- Other woven fabrics of polyester staple fibres m2 8%

5514 39 00 --- Other woven fabrics m2 8%

--- Printed:

5514 41 00 - Of polyester staple fibres, plain weave m2 8%

5514 42 00 --- 3-thread or 4-thread twill, including cross twill, m2 8%

--- of polyester staple fibres

5514 43 00 --- Other woven fabrics of polyester staple fibres m2 8%

5514 49 00 --- Other woven fabrics m2 8%

5515 --- OTHER WOVEN FABRICS OF SYNTHETIC STAPLE

FIBRES

--- Of polyester staple fibres:

5515 11 --- Mixed mainly or solely with viscose rayon staple

fibres:

5515 11 10 --- Unbleached m2 8%

5515 11 20 - Bleached m2 8%

5515 11 30 --- Dyed m2 8%

5515 11 40 --- Printed m2 8%

5515 11 90 --- Other m2 8%

5515 12 --- Mixed mainly or solely with man-made filaments:

5515 12 10 --- Unbleached m2 8%

5515 12 20 --- Bleached m2 8%

5515 12 30 --- Dyed m2 8%

5515 12 40 --- Printed m2 8%

5515 12 90 - Other m2 8%

5515 13 --- Mixed mainly or solely with wool or fine animal

hair:

5515 13 10 --- Unbleached m2 8%

m25515 13 20 --- Bleached m2 8%

5515 13 30 --- Dyed m2 8%

5515 13 40 --- Printed m2 8%

5515 13 90 --- Other m2 8%

5515 19 --- Other :

5515 19 10 --- Unbleached m2 8%

5515 19 20 --- Bleached m2 8%

5515 19

30 --- Dyed m2 8%

5515 19

40 --- Printed m2

8%

5515 19

90 --- Other m2 8%

--- Of acrylic or modacrylic staple fibres:

5515 21 - Mixed mainly or solely with man-made filaments:

5515 21

10 --- Unbleached m2 8%

5515 21

20 --- Bleached m2 8%

5515 21

30 --- Dyed m2 8%

5515 21

40 --- Printed m2 8%

5515 21

90 --- Other m2 8%

5515 22 --- Mixed mainly or solely with wool or fine animal hair:

5515 22

10 --- Unbleached m2 8%

5515 22

20 --- Bleached m2 8%

5515 22

30 --- Dyed m2 8%

5515 22

40 --- Printed m2 8%

5515 22

90 --- Other m2 8%

5515 29 --- Other:

5515 29

10 --- Unbleached m2 8%

5515 29

20 - Bleached m2 8%

5515 29

30 --- Dyed m2 8%

5515 29

40 --- Printed m2 8%

5515 29

90 --- Other m2 8%

- Other woven fabrics:

5515 91 --- Mixed mainly or solely with man-made filaments:5515 91

10 --- Unbleached m2 8%

5515 91

20 --- Bleached m2 8%

5515 91

30 --- Dyed m2 8%

5515 91

40 --- Printed m2 8%

5515 91

90 --- Other m2 8%

5515 92 --- Mixed mainly or solely with wool or fine animal hair:

5515 92

10 --- Unbleached m2 8%

5515 92

20 --- Bleached m2 8%

5515 92

30 - Dyed m2 8%

5515 92

40 --- Printed m2 8%

5515 92

90 --- Other m2 8%

5515 99 --- Other :

5515 99

10 --- Unbleached m2 8%

5515 99

20 --- Bleached m2 8%

5515 99

30 --- Dyed m2 8%

5515 99

40 --- Printed m2 8%

5515 99

90 --- Other m2 8%

5516 WOVEN FABRICS OF ARTIFICIAL STAPLE FIBRES

- Containing 85% or more by weight of artificial

staple fibres:

5516 11 --- Unbleached or bleached:

5516 11

10 --- Unbleached m2 8%

5516 11

20 --- Bleached m2 8%

5516 12

00 --- Dyed m2 8%

5516 13

00 - Of yarns of different colours m2 8%

5516 14 --- Printed:

5516 14

10 --- Spun rayon printed shantung m2 8%

5516 14

20 --- Spun rayon printed linen m2 8%

5516 14

90 --- Other m2 8%

-

Containing less than 85% by weight of artificial
staple fibres, mixed mainly or solely with man-made
filaments:5516 21 --- Unbleached or bleached:

5516 21

10 --- Unbleached m2 8%

5516 21

20 --- Bleached m2 8%

5516 22

00 --- Dyed m 2 8%

5516 23

00

Of yarns of different colours m2 8%

5516 24

00 Printed m2

8%

-

Containing less than 85% by weight of artificial staple fibres, mixed mainly or solely with wool or fine animal hair:

5516 31 Unbleached or bleached:

5516 31

10 Unbleached m2 8%

5516 41 20 --- Bleached m2 8%

5516 42 00 --- Dyed m2 8%

5516 33 00 --- Of yarns of different colours m2 8%

5516 34 00 --- Printed m2 8%

- Containing less than 85% by weight of artificial staple fibres, mixed mainly or solely with cotton:

5516 41 --- Unbleached or bleached:

5516 41 10 --- Unbleached m2 8%

5516 41 20 --- Bleached m2 8%

5516 42 00 --- Dyed m2 8%

5516 43 00 --- Of yarns of different colours m2 8%

5516 44 00 --- Printed m2 8%

--- Other :

5516 91 --- Unbleached or bleached:

5516 91 10 --- Unbleached m2 8%

5516 91 20 --- Bleached m2 8%

5516 92 00 --- Dyed m2 8%

5516 93 00 --- Of yarns of different colours m2 8%

5516 94 00 --- Printed m2 8%

5801 - WOVEN PILE FABRICS AND CHENILLE FABRICS, OTHER

THAN FABRICS OF HEADING 5802 OR 5806

5801 10 00 --- Of wool m2 5%

--- Of cotton:

5801 21 00 --- Uncut weft pile fabrics m2 8%

5801 22 --- Cut corduroy:

5801 22 10 --- Solely of cotton

5801 22 90 --- Other m2 8%

5801 23 00 --- Other weft pile fabrics m2 8% 5801 24 00 --- Warp pile fabrics,
'epingle' (uncut) m2 8%

5801 25 00 --- Warp pile fabrics, cut m2 8%

5801 26 00 Chenille fabrics m2 8%

- Of man-made fibres:

5801 31 00 --- Uncut weft pile fabrics m2 8%

5801 32 00 --- Cut corduroy m2 8%

5801 33 00 --- Other weft pile fabrics m2 8%

5801 34 --- Warp pile fabrics, 'epingle' (uncut):

5801 34 10 - Velvet m2 8%

5801 34 90 --- Other m2 8%

5801 35 00 --- Warp pile fabrics, cut m2 8%

5801 36 --- Chenille fabrics:

5801 36 10 --- Carduroys m2 8%

5801 36 90 --- Other m2 8%

5802 --

TERRY TOWELLING AND SIMILAR WOVEN TERRY

FABRICS, OTHER THAN NARROW FABRICS OF HEADING

5806; TUFTED TEXTILE FABRICS, OTHER THAN

PRODUCTS OF HEADING 5703

--- Terry towelling and similar woven terry fabrics, of cotton:

5802 11 00 --- Unbleached m2 8%

5802 19 --- Other:

5802 19 10 --- Bleached m2 8%

5802 19 20 --- Piece dyed m2 8%

5802 19 30 --- Yarn dyed m2 8%

5802 19 40 --- Printed m2 8%

5802 19 90 --- Other m2 8%

5802 30 00 --- Tufted textile fabrics m2 8%

5803

GAUZE, OTHER THAN NARROW FABRICS OF HEADING

5806

5803 10 - Of cotton:

5803 10 10 --- Unbleached m2 8%

5803 10 20 --- Bleached m2 8%

5803 10 30 --- Piece dyed m2 8%

5803 10 40 --- Yarn dyed m2 8%

5803 10

50 --- Printed m2 8%

5803 10

90 --- Other m2 8%

5803 90 --- Of other textile materials:

5803 90

10 --- Of silk or silk waste m2 8%

5803 90

20 --- Of synthetic fiber m2 8%

5803 90

30 --- Of artificial fibre m2 8% 5803 90

90 --- Other m2 8%

5804 LACE IN THE PIECE, IN STRIPS OR IN MOTIFS,

OTHER THAN

FABRICS OF HEADINGS 6002 TO 6006

- Mechanically made lace:

5804 21

00 --- Of man-made fibres kg. 8%

5804 29 --- Of other textile materials:

5804 29

10 --- Of cotton kg. 8%

5806 ---

NARROW WOVEN FABRICS (OTHER THAN
TULLES, OTHER NET FABRICS AND GOODS OF
HEADINGS 5807, 5808, 5809 AND 5811)

5806 10

00 --- Woven pile fabrics (including terry towelling
and similar terry fabrics) and chenille fabrics

kg. Nil

5806 20

00 --- Other woven fabrics, containing by weight 5%
or more of elastomeric yarn or rubber thread

kg. Nil

--- Other woven fabrics:

5806 31 --- Of cotton:

5806 31

10 --- Typewriter ribbon cloth kg. Nil

5806 31

20 --- Newar cotton kg. Nil

5806 31

90 --- Other kg. Nil

5806 32

00 --- Of man-made fibres kg. Nil

5806 39 --- Of other textile materials:

5806 39

10 --- Goat hair puttis tape kg. Nil

5806 39

20 --- Jute webbing kg. Nil

5806 39

30

Other narrow fabrics of jute kg. Nil

5806 39

90

Other kg. Nil

5810

EMBROIDERY IN THE PIECE, IN STRIPS OR IN
MOTIFS (MANUFACTURED WITH THE AID OF
VERTICAL TYPE AUTOMATIC SHUTTLE
EMBROIDERY MACHINES OPERATED WITH
POWER):

5810 10

00 - Embroidery without visible ground kg. Nil

- Other embroidery:

5810 91

00 --- Of cotton kg. Nil

5810 92 --- Of man-made fibres :

5810 92

10 --- Embroidered badges, motifs and the like kg. Nil

5810 92

90 --- Other kg. Nil

5810 99

00 --- Of other textile materials kg. Nil5901 ---

TEXTILE FABRICS COATED WITH GUM OR
AMYLACEOUS SUBSTANCES, OF A KIND USED
FOR THE OUTER COVERS OF BOOKS OR THE
LIKE; TRACING CLOTH; PREPARED PAINTING
CANVAS; BUCKRAM AND SIMILAR STIFFENED
TEXTILE FABRICS

5901 10 ---

Textile fabrics coated with gum or amylaceous
substances, of a kind used for the outer covers
of books or the like:

5901 10

10 --- Of cotton m2 8%

5901 10

20 --- Prepared painting canvas m2 8%

5901 10

90 --- Other m2

8%

5901 90 --- Other:

5901 90

10 --- Tracing cloth of cotton m2 8%

5901 90

20 --- Varnished cambric fabrics (Empire fabrics)

tapes

m2 8%

5901 90

90 --- Other m2 8%

5902 ---

TYRE CORD FABRIC OF HIGH TENACITY YARN

OF NYLON OR OTHER POLYAMIDES,

POLYESTERS OR VISCOSE RAYON

5902 10 --- Of nylon or other polyamides:

5902 10

10 -- Impregnated with rubber m2 Rs.10 per kg.

5902 10

90 --- Other m2 Rs.10 per Kg.

5902 20 --- Of polyesters:

5902 20

10 --- Impregnated with rubber m2 Rs.10 per Kg.

5902 20

90 --- Other m2 Rs.10 per Kg.

5902 90 --- Other:

5902 30

10 --- Impregnated with rubber m2 Rs.10 per Kg.

5902 30

90 --- Other m2 Rs.10 per Kg.

5903 ---

TEXTILE FABRICS, IMPREGNATED, COATED,
COVERED OR LAMINATED WITH PLASTICS,
OTHER THAN THOSE OF HEADING 5902

5903 10 - With polyvinyl chloride:

5903 10

10 --- Imitation leather fabrics of cotton m2 5%

5903 10

90 --- Other m2 5%

5903 20 --- With polyurethane:

5903 20

10 --- Imitation leather fabrics, of cotton m2 5%

5903 20

90 --- Other m2 5%

5903 90 --- Other:5903 90

10 --- Of cotton m2 5%

5903 90

20 --- Polyethylene laminated jute fabrics m2 5%

5903 90

90 --- Other m2 5%

5907 ---

FABRICS COVERED PARTIALLY OR FULLY WITH
TEXTILE FLOCKS, OR WITH PREPARATION
CONTAINING TEXTILE FLOCKS:

Fabrics covered partially or fully with textile
flocks, or with preparation containing textile
flocks:

5907 00

11 --- On the base fabrics of cotton m2 5%

5907 00

12 --- On the base fabrics of man-made textile m2 5%

6001 ---

PILE FABRICS, INCLUDING "LONG PILE"

FABRICS AND TERRY FABRICS, KNITTED OR

CROCHETED

6001 10 --- "Long pile" fabrics:

6001 10

10 --- Of cotton kg. 8%

6001 10

20 --- Of man-made fibres kg. 8%

--- Looped pile fabrics:

6001 21

00 --- Of cotton kg. 8%

6001 22

00 --- Of man-made fibres kg. 8%

--- Other:

6001 91

00 --- Of cotton kg. 8%

6001 92

00 --- Of man-made fibres kg. 8%

6002 ---

KNITTED OR CROCHETED FABRICS OF A
WIDTH NOT EXCEEDING 30 CM, CONTAINING
BY WEIGHT 5% OR MORE OF ELASTOMERIC
YARN OR RUBBER THREAD, OTHER THAN
THOSE OF HEADING 6001

6002 40

00 ---

Containing by weight 5% or more of
elastomeric yarn but not containing rubber
thread

kg. 8%

6002 90

00 --- Other kg. 8%

6003

KNITTED OR CROCHETED FABRICS OF A
WIDTH NOT EXCEEDING 30 CM, OTHER THAN
THOSE OF HEADING 6001 OR 6002

6003 10

00 --- Of wool or fine animal hair kg. 8%

6003 20

00 --- Of cotton kg. 8%

6003 30

00 --- Of synthetic fibres kg. 8%

6003 40

00 --- Of artificial fibres kg. 8% 6003 90

00 --- Other kg. 8%

6004

KNITTED OR CROCHETED FABRICS OF A
WIDTH EXCEEDING 30 CM, CONTAINING BY
WEIGHT 5% OR MORE OF ELASTOMERIC YARN
OR RUBBER THREAD, OTHER THAN THOSE OF
HEADING 6001

6004 10

00 ---

Containing by weight 5% or more of
elastomeric yarn but not containing rubber
thread

kg. 8%

6004 90

00 --- Other kg. 8%

6005 ---

WARP KNIT FABRICS (INCLUDING THOSE
MADE ON GALLOON KNITTING MACHINES),

OTHER THAN THOSE OF HEADINGS 6001 TO

6004

--- Of cotton:

6005 21 00 --- Unbleached or bleached kg. 8%

6005 22 00 --- Dyed kg. 8%

6005 23 00 --- Of yarns of different colours kg. 8%

6005 24 00 --- Printed kg. 8%

--- Of synthetic fibres :

6005 31 00 --- Unbleached or bleached kg. 8%

6005 32 00 --- Dyed kg. 8%

6005 33 00 --- Of yarns of different colours kg. 8%

6005 34 00 --- Printed kg. 8%

--- Of artificial fibres :

6005 41 00 --- Unbleached or bleached kg. 8%

6005 42 00 --- Dyed kg. 8%

6005 43 00 --- Of yarns of different colours kg. 8%

6005 44 00 --- Printed kg. 8%

6006 OTHER KNITTED OR CROCHETED FABRICS

- Of Cotton:

6006 21 00 --- Unbleached or bleached kg. 8%

6006 22 00 --- Dyed kg. 8%

6006 23 00 --- Of yarns of different colours kg. 8%

6006 24 00 --- Printed kg. 8%

- Of synthetic fibres:

- 6006 31 00 --- Unbleached or bleached kg. 8%
- 6006 32 00 --- Dyed kg. 8%
- 6006 33 00 --- Of yarns of different colours kg. 8%
- 6006 34 00 Printed kg. 8%
- Of artificial fibres :
- 6006 41 00 --- Unbleached or bleached kg. 8%
- 6006 42 00 --- Dyed kg. 8%
- 6006 43 00 --- Of yarns of different colours kg. 8%
- 6006 44 00 --- Printed kg. 8%

THE ELEVENTH SCHEDULE

(See section 118)

'THE SCHEDULE

(See section 3)

NOTES

1. In this Schedule, "heading", "sub-heading", "tariff item" and "Chapter" mean respectively a heading, sub-heading, tariff item and Chapter in the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986).
2. The rules for the interpretation of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986) and the Section and Chapter Notes and the General Explanatory Notes of the First Schedule shall apply for the purposes of classification of goods 10 specified in this Schedule.

S.No.	Description goods
(1)	(2)
1.	Silk, that is to say, all goods falling within Chapter 50.
2.	Wool, that is to say, all goods falling within Chapter 51, other than fabrics of headings 5111, 5112 and 5113.
3.	Cotton, that is to say, all goods falling within Chapter 52.
4.	Man-made filaments, that is to say, all goods falling within Chapter 54.
5.	Man-made staple fibres, that is to say, all goods falling within Chapter 55.

6. Terry towelling and similar woven terry fabrics, falling within heading 5802.
7. Tulles and other net fabrics, not including woven, knitted or crocheted fabrics lace in the piece, in strips or in motifs, other than fabrics of headings 6002, 6003, 6004, 6005 and 6006.
8. Knitted or crocheted fabrics, that is to say, all goods falling within Chapter 60.
9. Metallised yarn, falling within heading 5605.
10. Embroidery in the piece, in strips or in motifs, falling within heading 5810.

THE TWELFTH SCHEDULE

(See section 122)

THE SEVENTH SCHEDULE

(See section 136)

NOTES

1. In this Schedule, "tariff item", "heading", "sub-heading" and "Chapter" means respectively a tariff item, heading, sub-heading and Chapter in the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986).

2. The rules for the interpretation of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), the section and Chapter Notes and the General Explanatory Notes of the First Schedule shall apply to the interpretation of this Schedule.

Tariff Item (1)	Description of goods (2)	Unit (3)	Rate of duty (4)
2106 90 20	--- Pan Masala	kg.	23%
2402 20 10	--- Other than filter cigarettes, of length not exceeding 60 millimetres	T u	Rs. 20 per thousand
2402 20 20	--- Other than filter cigarettes, of length exceeding 60 millimetres but not exceeding 70 millimetres	T u	Rs. 60 per thousand
2402 20 30	--- Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) not exceeding 70 millimetres	T u	Rs. 90 per thousand
2402 20 40	--- Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) exceeding 70 millimetres but not exceeding 75 millimetres	T u	Rs. 145 per thousand
2402	--- Filter cigarettes of length (including the	T u	Rs. 190

20 50	length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) exceeding 75 millimetres but not exceeding 85 millimetres		per thousand
2402 20 90	--- Other	T u	Rs. 235 per thousand
2402 90 10	--- Cigarettes of tobacco substitutes	T u	Rs. 150 per thousand
2403 10 10	--- Hookah or gudaku tobacco	kg.	10%
2403 10 20	--- Smoking mixtures for pipes and cigarettes	kg.	45%
2403 10 31	--- Other than paper rolled biris, manufactured without the aid of machine	T u	Re. 1.00 per thousand
2403 10 39	--- Other	T u	Rs. 2.00 per thousand
2403 10 90	--- Other	kg.	10%
2403 91 00	--- "Homogenised" or "reconstituted" tobacco	kg.	10%
2403 99 10	--- Chewing tobacco	kg.	10%
2403 99 20	--- Preparations containing chewing tobacco	kg.	10%
2403 99 30	--- Jarda scented tobacco	kg.	10%
2403 99 40	--- Snuff	kg.	10%
2403 99 50	--- Preparations containing snuff	kg.	10%
2403 99 60	--- Tobacco extracts and essence	kg.	10%
2403 99 90	--- Other	kg.	10%
2709 00 00	--- PETROLEUM OILS AND OILS OBTAINED FROM BITUMINOUS MINERALS, CRUDE	Kg	Rs. 50 per tonne
5402 20	--- High tenacity yarn of polyesters :		
5402 20 10	--- Of terylene dacron	kg.	1%
5402 20 90	--- Other	kg.	1%
5402 33 00	--- Of polyesters	kg.	1%
5402 42 00	--- Of polyesters, partially oriented	kg.	1%
5402	--- Of polyesters, other	kg.	1%

43 00			
5402	---	Of polyesters	kg. 1%
52 00			
5402	---	Of polyesters	kg. 1%
62 00			
5406	---	Synthetic Flament Yarn of Polyester	kg 1%
10 00			
8702	----	With compression-ignition internal combustion piston engine (diesel or semi-diesel)	
10			
	---	vehicles for transport of not more than 13 persons, including the driver :	
8702	---	Integrated monocoque vehicle	u 1%
10 11			
8702	---	Air-conditioned vehicle	u 1%
10 12			
8702	---	Other	u 1%
10 19			
8702	---	Other:	
90			
	---	Vehicles for transport of not more than 13 persons, including the driver:	
8702	---	Integrated monocoque vehicle	u 1%
90 11			
8702	---	Air-conditioned vehicle	u 1%
90 12			
8702	---	Electrically operated	u 1%
90 13			
8702	---	Other	u 1%
90 19			
8702	---	Electrically operated vehicles not elsewhere included or specified	u 1%
90 20			
8703	---	Vehicles specially designed for travelling on snow; golf cars and similar vehicles :	
10			
8703	---	Electrically operated	u 1%
10 10			
8703	---	Other	u
10 90			
	---	Other vehicles, with spark-ignition internal combustion reciprocating piston engine :	
8703	---	Of a cylinder capacity not exceeding 1,000 cc :	
21			
8703	---	Vehicles principally designed for the transport of more than seven persons, including the driver	u 1%
21 10			
8703	---	Three-wheeled vehicles	u 1%
21 20			
	---	Other:	
8703	---	Motor cars	u 1%
21 91			

8703 21 92	--- Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 21 99	--- Other	u	1%
8703 22	--- Of a cylinder capacity exceeding 1,000 cc but not exceeding 1,500 cc:		
8703 22 10	--- Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 22 20	--- Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 22 30	--- Three-wheeled vehicles	u	1%
	--- Other:		
8703 22 91	--- Motor cars	u	1%
8703 22 99	--- Other	u	1%
8703 23	--- Of a cylinder capacity exceeding 1,500 cc but not exceeding 3,000 cc :		
8703 23 10	--- Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 23 20	--- Three-wheeled vehicles	u	1%
	--- Other:		
8703 23 91	--- Motor cars	u	1%
8703 23 92	--- Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 23 99	--- Other	u	
8703 24	--- Of a cylinder capacity exceeding 3,000 cc :		
8703 24 10	--- Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 24 20	--- Three-wheeled vehicles	u	1%
	--- Other:		
8703 24 91	--- Motor cars	u	1%
8703 24 92	--- Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 24 99	--- Other	u	1%
	--- Other vehicles, with compression-ignition internal combustion piston engine (diesel or semi-diesel) :		
8703	--- Of a cylinder capacity not exceeding 1,500 cc		

31	:			
8703 31 10	---	Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 31 20	---	Three-wheeled vehicles	u	1%
	---	Other:		
8703 31 91	---	Motor cars	u	1%
8703 31 92	---	Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 31 99	---	Other	u	1%
8703 32	---	Of a cylinder capacity exceeding 1,500 cc :but not exceeding 2,500 cc :		
8703 32 10	---	Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 32 20	---	Three-wheeled vehicles	u	1%
	---	Other :		
8703 32 91	---	Motor cars	u	1%
8703 32 92	---	Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 32 99	---	Other	u	1%
8703 33	---	Of a cylinder capacity exceeding 2,500 cc :		
8703 33 10	---	Vehicles principally designed for the transport of more than seven persons, including the driver	u	1%
8703 33 20	---	Three-wheeled vehicles	u	1%
	---	Other :		
8703 33 91	---	Motor cars	u	1%
8703 33 92	---	Specialised transport vehicles such as ambulances, prison vans and the like	u	1%
8703 33 99	---	Other	u	1%
8703 90	---	Other :		
8703 90 10	---	Electrically operated	u	1%
8703 90 90	---	Other	u	1%
8704	---	MOTOR VEHICLE FOR THE TRANSPORT OF GOODS		
8704	---	dumpers designed for off-highway use :		

10				
8704	--	Other (not including motor vehicles, other than petrol driven)	u	1%
10 90				
	---	Other, with spark-ignition internal combustion piston engine :		
8704	---	g.v.w. not exceeding 5 tonnes :		
31				
8704	---	Refrigerated	u	1%
31 10				
8704	---	Other	u	1%
31 90				
8704	---	g.v.w. exceeding 5 tonnes :		
32				
	---	Lorries and trucks:		
8704	---	Refrigerated	u	1%
32 11				
8704	---	Other	u	1%
32 19				
8704	---	Other	u	1%
32 90				
8704	---	Other :		
90				
	---	Lorries and trucks :		
8704	---	Refrigerated	u	1%
90 11				
8704	---	Electrically operated	u	1%
90 12				
8704	---	Other	u	1%
90 19				
8704	---	Other	u	1%
90 90				
	---	For the vehicles of heading 8702 :		
8706	---	For transport of not more than thirteen persons, including the driver For the motor vehicles of heading 8703 :	u	1%
00 21				
8706	---	For three-wheeled vehicles	u	1%
00 31				
8706	---	Other	u	1%
00 39				
	---	For the vehicles of heading 8704 :		
8706	---	For dumpers covered in the heading 8704	u	1%
00 43				
8706	---	Other	u	1%
00 49				
8711	---	With reciprocating internal combustion piston engine of a cylinder capacity not exceeding 50 cc:		
10				
8711	---	Mopeds	u	1%
10 10				
8711	---	Motorised cycles	u	1%

10 20				
8711	---	Other	u	1%
10 90				
8711	---	With reciprocating internal combustion piston engine of a cylinder capacity exceeding 50cc but not exceeding 250 cc :		
20				
	---	Scooters :		
8711	---	Of cylinder capacity not exceeding 75 cc	u	1%
20 11				
8711	---	other	u	1%
20 19				
	---	Motor cycles :		
8711	---	Of cylinder capacity not exceeding 75 cc	u	1%
20 21				
8711	---	Other	u	1%
20 29				
	---	Mopeds:		
8711	---	Of cylinder capacity not exceeding 75 cc	u	1%
20 31				
8711	---	Other	u	1%
20 39				
	---	Other :		
8711	---	Of cylinder capacity not exceeding 75 cc	u	1%
20 91				
8711	---	Other	u	1%
20 99				
8711	---	With reciprocating internal combustion piston engine of cylinder capacity exceeding 250 cc but not exceeding 500 cc:		
30				
8711	---	Scooters	u	1%
30 10				
8711	---	Motor-cycles	u	1%
30 20				
8711	---	Other	u	1%
30 90				
8711	---	With reciprocating internal combustion piston engine of a cylinder capacity exceeding 500 cc but not exceeding 800 cc:		
40				
8711	---	Motor-cycles	u	1%
40 10				
8711	---	Other	u	1%
40 90				
8711	---	With reciprocating internal combustion piston engine of a cylinder capacity exceeding 800 cc	u	1%.
50 00				

T.K. VISWANATHAN
Secy. to the Govt. of India