Finance Act, 2003

Section 16 - Amendment of Section 33ab

In section 33AB of the Income-tax Act, with effect from the 1st day of April, 2004,--

(a) in the marginal heading, after the word "account", the words ", coffee development account and rubber development account" shall be inserted;

(b) for the words "Tea Deposit Account", wherever they occur, the words "Deposit Account" shall be substituted;

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

(i) in the opening portion,--

(A) for the words "growing and manufacturing tea", the words "growing and manufacturing tea or coffee or rubber" shall be substituted;

(B) for the words "furnishing the return of his income", the words "the due date of furnishing the return of his income" shall be substituted;

(ii) in clause (a), for the words "approved in this behalf by the Tea Board", the words "approved in this behalf by the Tea Board or the Coffee Board or the Rubber Board" shall be substituted;

(iii) in clause (b), for the portion beginning with the words "deposited any amount" and ending with the words "approval of the Central Government,", the following shall be substituted, namely:--

"deposited any amount in an account (hereafter in this section referred to as the Deposit Account) opened by the assessee in accordance with, and for the purposes specified in, a scheme framed by the Tea Board or the Coffee Board or the Rubber Board, as the case may be (hereafter in this section referred to as the deposit scheme), with the previous approval of the Central Government,";

(d) for sub-section (4), the following sub-section shall be substituted, namely:--

'(4) Notwithstanding anything contained in sub-section (3), where any amount standing to the credit of the assessee in the special account or in the Deposit Account is released during any previous year by the National Bank or withdrawn by the assessee from the Deposit Account, and such amount is utilised for the purchase of--

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

(b) any office appliances (not being computers);

(c) 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;

(d) any new machinery or plant to be installed in an industrial undertaking for the purposes of business of construction, manufacture or production of any article or thing specified in the list in the Eleventh Schedule,

the whole of such amount so utilised shall be deemed to be the profits and gains of business of that previous year and shall accordingly be chargeable to income-tax as the income of that previous year.';

(e) in the Explanation occurring at the end, for clause (a), the following clauses shall be substituted, namely:--

'(a) "Coffee Board" means the Coffee Board constituted under section 4 of the Coffee Act, 1942(7 of 1942);

(aa) "National Bank" means the National Bank for Agriculture and Rural Development established under section 3 of the National Bank for Agriculture and Rural Development Act, 1981(61 of 1981);

(ab) "Rubber Board" means the Rubber Board constituted under sub- section (1) of section 4 of the Rubber Act, 1947(24 of 1947);'.