

Finance (No.2) Act, 2004

Section 200 - Provided that where in respect of any such sum, tax has been deducted in any subsequent year or, has been deducted in

1 of section 200, such sum shall be allowed as a deduction in computing the income of the previous year in which such tax has been paid. Explanation-For the purposes of this sub-clause,-- (A) "royalty" shall have the same meaning as in Explanation 2 to clause (vi) of sub-section (1) of (S.9) ; (B) "fees for technical services" shall have the same meaning as in Explanation 2 to clause (vii) of sub-section (1) of (S.9); (ia) any interest, commission or brokerage, fees for professional services or fees for technical services payable to a resident, or amounts payable to a contractor or subcontractor, being resident, for carrying out any work (including supply of labour for carrying out any work), on which tax is deductible at source under Chapter XVII_B and such tax has not been deducted or, after deduction, has not been paid during the previous year, or in the subsequent year before the expiry of the time prescribed under sub-section(1) of (S.200) ; Provided that where in respect of any such sum, tax has been deducted in any subsequent year or, has been deducted in the previous year but paid in any subsequent year after the expiry of the time prescribed under sub-section (1) of (S.200), such sum shall be allowed as a deduction in computing the income of the previous year in which such tax has been paid. Explanation.--for the purposes of this sub-clause,-- (i) "commission or brokerage" shall have the same meaning as in clause (i) of the Explanation to (S.194H); (ii) "fees for technical services" shall have the same meaning as in Explanation 2 to clause (vii) of sub-section (1) of (S.9) ; (iii) "professional services" shall have the same meaning as in clause (a) of the Explanation to (S.194); (iv) "work" shall have the same meaning as in Explanation III to (S.194C) ; (ib) any sum paid on account of securities transaction tax under Chapter VII of the Finance (No. 2) Act, 2004;