

Finance Act, 1978

**Section 39 - AMENDMENT OF ACT 6 OF 1898 [incorporated the principal Act] SCHEDULE 01:
THE SCHEDULE**

Seesection 2-) PART 1INCOME-TAX AND SURCHARGE ON INCOME-TAXParagraph A Sub-Paragraph I In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not every artificial juridical person referred to in sub-clause (vii) of clause (31) ofsection 2 of the Income-tax Act-, not being a case to which Sub- Paragraph II of this Paragraph or any other Paragraph of this Part

applies. _____ Rates of income-tax _____

(1) where the total income does not exceed Nil: Rs. 8,000 (2) where the total income exceeds Rs. 8,000 15 per cent of the amount by but does not exceed Rs. 15,000 which the total income exceeds Rs. 8,000: (3)where the total income exceeds Rs. 15,000 Rs. 1,050 plus 18 per cent. but does not exceed Rs. 20,000 of the amount by which the total income exceeds Rs. 15,000: (4)where the total income exceeds Rs. 20,000 Rs. 1,950 plus 25 per cent. but does not exceed Rs.25,000 of the amount by which the total income exceeds Rs. 20,000: (5)where the total income exceeds Rs. 25,000 Rs. 3,200 plus 30 per cent. but does not exceed Rs. 30,000 of the amount by which the total income exceeds Rs 25,000: (6)where the total income exceeds Rs. 30,000 Rs. 4,700 plus 40 per cent. but does not exceed Rs.50,000 of the amount by which the total income exceeds Rs. 30,000: (7)where the total income exceeds Rs. 50,000 Rs. 12,700 plus 50 per cent. but does not exceed Rs. 70,000 of the amount by which the total income exceeds Rs.. 50,000: (8)where the total income exceeds Rs. 70,000 Rs. 22,700 plus 55 percent of but does not exceed Rs. 1,00,000 the amount by which the total income exceeds Rs. 70,000; (9)where the total income exceeds Rs. 1,00,000 Rs. 39,200 plus 60 per cent. of the amount by which the total income exceeds Rs. 1,00,000

_____ Provided that for the purposes of the Sub-Paragraph --- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000: (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 10,540, the income-tax payable thereon shall not exceed seventy per cent. of the amount by which the total income exceeds Rs. 10,000. Surcharge on income-tax The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax. Sub-Paragraph II In the case of every Hindu undivided family which at any time during the previous year has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1978 exceeds Rs. 10,000.-

_____ Rates of income-tax _____

(1) where the total income does not exceed Nil: Rs. 8,000 (2) where the total income exceeds Rs. 8,000 18 per cent of the amount by but does not exceed Rs. 15,000 which the total income exceeds Rs. 8,000: (3)where the total income exceeds Rs. 15,000 Rs. 1,260 plus 20 per cent. but does not exceed Rs. 20,000 of the amount by which the total income exceeds Rs. 15,000: (4)where the total income exceeds Rs. 20,000 Rs. 2,510 plus 30 per cent. But does not exceed Rs.25,000 of the amount by which the total income exceeds Rs. 20,000: (5)where the total income exceeds Rs. 25,000 Rs. 4,010 plus 40 per cent. but does not exceed Rs. 30,000 of the amount by which the total income exceeds Rs 25,000: (6)where the total income exceeds Rs. 30,000 Rs. 6,010 plus 50 per cent. but does not exceed Rs.50,000 of the amount by which the total income exceeds Rs. 30,000: (7)where the total income exceeds Rs. 50,000 Rs. 16,010 plus 55 per cent. but does not exceed Rs. 70,000 of the amount by which the total income exceeds Rs.. 50,000: (8)where the total income exceeds Rs. 70,000 Rs. 27,010 plus 60 percent of but does not exceed Rs. 1,00,000 the amount by which the total income exceeds Rs. 70,000;

_____ Provided that

for the purposes of the Sub-Paragraph,--- (i) no income-tax shall be payable on a total income not exceeding Rs. 10,000: (ii) where the total income exceeds Rs. 10,000 but does not exceed Rs. 10,690; the income-tax payable thereon shall not exceed seventy per cent. of the amount by which the total income exceeds Rs. 10,000. Surcharge on income-tax The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the union calculated at the rate of fifteen per cent. of such income-tax. Paragraph B In the case of every co-operative society. -

Rates of
income-tax

(1) where the total income does not exceed Nil: Rs. 10,000 (2) where the total income exceeds Rs.10,000 15 per cent of the amount by but does not exceed Rs. 20,000 which the total income exceeds Rs. 10000: (3)where the total income exceeds Rs. 20,000 Rs. 4000 plus 40 per cent. but does not exceed Rs. 20,000 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 shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax. Paragraph C Sub-Paragraph I In the case of every registered firm, not being a case to which Sub-Paragraph II of this Paragraph applies,-

Rates of
income-tax

(1) where the total income does not exceed Nil: Rs. 10,000 (2) where the total income exceeds Rs.10,000 5 per cent of the amount by but does not exceed Rs. 25,000 which the total income exceeds Rs. 10,000: (3)where the total income exceeds Rs. 25,000 Rs. 750 plus 7 per cent. but does not exceed Rs. 20,000 of the amount by which the total income exceeds Rs. 25,000: (4)where the total income exceeds Rs. 50,000 Rs. 2500 plus 15 per cent. but does not exceed Rs.100000 of the amount by which the total income exceeds Rs. 50,000: (5)where the total income exceeds Rs. 100000 Rs.10000 plus 30 per cent. of the amount by which the total income exceeds Rs 100000

Surcharge on
income-tax The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax. Sub-Paragraph II In the case of every registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent. of such total income.---

Rates of
income-tax

(1) where the total income does not exceed Nil: Rs. 10,000 (2) where the total income exceeds Rs.10,000 4 per cent of the amount by but does not exceed Rs. 25,000 which the total income exceeds Rs. 10,000: (3)where the total income exceeds Rs. 25,000 Rs. 600 plus 7 per cent. but does not exceed Rs. 20,000 of the amount by which the total income exceeds Rs. 25,000: (4)where the total income exceeds Rs. 50,000 Rs. 2350 plus 13 per cent. but does not exceed Rs.100000 of the amount by which the total income exceeds Rs. 50000 (5)where the total income exceeds Rs. 100000 Rs.8850 plus 22 per cent. of the amount by which the total income exceeds Rs 100000

Surcharge on
income-tax The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax. Explanation.--- For the purposes of this Paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (b) of section 183 of the Income-tax Act.

Paragraph D In the case of every local authority, -- Rate of income-tax On the whole of the total income 50 per cent. Surcharge on Income-tax The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen 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,- (1) where the company is a company in which the public are substantially interested,- (i) in a case where the total income 45 per cent. of the total income; does not exceed fts. 1,00,000 (ii) in a case where the total 55 per cent. of the total income; income exceeds Rs. 1,00,000 (2) where the company is not a company

in which the public are substantially interested,- (i) in the case of an- industrial company,- (a) where the total income does 55 per cent. of the total income; not exceed Rs. 2,00,000 (b) where the total income 60 per cent. of the total income; exceeds Rs. 2,00,000 (ii) in any other case 65 per cent. of the total income. Provided that - (i) the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of - (a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and (b) eighty per cent. of the amount by which its total income exceeds Rupees 1,00,000; (ii) the income-tax payable by a domestic company, not being a company in which the public are substantially interested, which is an industrial company and the total income of which exceeds Rs. 2,00,000. shall not exceed the aggregate of- (a) the income-tax which would have been payable by the company if its total income had been Rs. 2,00,000 (the income of Rs. 2,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and (b) eighty per cent. of the amount by which its total income exceeds Rupees 2,00,000.

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 an Indian concern in pursuance of an agreement made by it with 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 an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976, and where such agreement has, in 50 per cent.; either case, been approved by the Central Government (ii) on the balance, if any, of the total income 70 per cent. Surcharge on Income-tax The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent of such income-tax