

Finance Act, 1993

Section 40A - Rule 2. - Agricultural income of the nature referred to in sub-clause

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 65 per cent. total income; Surcharge on income-tax The amount of income-tax computed in accordance with the provisions of this Paragraph or section 12 shall, in the cases of every domestic company having a total income exceeding seventy-five thousand rupees, be increased by a surcharge calculated at the rate of fifteen per cent of such income-tax. PART 04: RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME Rule 1. -Agricultural income of the nature referred to in sub-clause (a) of clause (IA) 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 section 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 b) or sub-clause (c) of clause (IA) 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 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 "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]. 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 (IA) 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 section 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 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.