

Finance Act, 2002

Section 24 - INSERTION OF NEW SECTION 50-C -AfterSection 50-B of the Income Tax Act-, the following section shall be inserted with

1) Where the consideration received or accruing as a result of the transfer by an assessee of a capital asset, being land or building or both, is less than the value adopted or assessed by any authority of a State Government (hereafter in this section referred to as the "stamp valuation authority") for the purpose of payment of stamp duty in respect of such transfer, the value so adopted or assessed shall, for the purposes ofSection 48-, be deemed to be the full value of the consideration received or accruing as a result of such transfer. (2) Without prejudice to the provisions of sub-section (1), where- (a) the assessee claims before any Assessing Officer that the value adopted or assessed by the stamp valuation authority under sub-section (1) exceeds the fair market value of the property as on the date of transfer; (b) the value so adopted or assessed by the stamp valuation authority under sub-section (1) has not been disputed in any appeal or revision or no reference has been made before any other authority, court or the High Court, the Assessing Officer may refer the valuation of the capital asset to a Valuation Officer and where any such reference is made, the provisions of sub-sections (2), (3), (4), (5) and (6) of Section 16-A- , clause (i) of sub-section (1) and sub-sections (6) and (7) ofSection 23-A-, sub-section (5) ofSection 24-,Section 34-AA-,Section 35-andSection 37 of the Wealth Tax Act, 1957-(27 of 1957), shall, with necessary modifications, apply in relation to such reference as they apply in relation to a reference made by the Assessing Officer under sub-section (1) of Section 16-A- of that Act. Explanation.-For the purposes of this section, "Valuation Officer" shall have the same meaning as in clause (r) ofSection 2 of the Wealth Tax Act, 1957-(27 of 1957). (3) Subject to the provisions contained in sub-section (2), where the value ascertained under subsection (2) exceeds the value adopted or assessed by the stamp valuation authority referred to in sub-section (1), the value so adopted or assessed by such authority shall be taken as the full value of the consideration received or accruing as a result of the transfer.'