

Finance Act, 2002

Section 34 - AMENDMENT OF SECTION 80-IB -In Section 80-IB of the Income Tax Act-, with effect from the 1st day of April, 2003,

a) in subsections (4) and (5), for the figures, letters and words "31st day of March, 2002" wherever they occur, the figures, letters and words "31st day of March, 2004" shall be substituted; (b) after sub-section (7), the following sub-sections shall be inserted, namely:- "(7-A) The amount of deduction in the case of any multiplex theatre shall be- (a) fifty per cent of the profits and gains derived, from the business of building, owning and operating a multiplex theatre, for a period of five consecutive years beginning from the initial assessment year in any place: Provided that nothing contained in this clause shall apply to a multiplex theatre located at a place within the municipal jurisdiction (whether known as a municipality, municipal corporation, notified area committee or a cantonment board or by any other name) of Chennai, Delhi, Mumbai or Kolkata; (b) the deduction under clause (a) shall be allowable only if- (i) such multiplex theatre is constructed at any time during the period beginning on the 1st day of April, 2002 and ending on the 31st day of March, 2005; (ii) the business of the multiplex theatre is not formed by the splitting up, or the reconstruction, of a business already in existence or by the transfer to a new business of any building or of any machinery or of plant previously used for any purpose; (iii) the assessee furnishes alongwith the return of income, the report of an audit in such form and containing such particulars as may be prescribed and duly signed and verified by an accountant, as defined in the Explanation below sub -section (2) of Section 288-, certifying that the deduction has been correctly claimed. (7-B) The amount of deduction in the case of any convention centre shall be- (a) fifty per cent of the profits and gains derived, by the assessee from the business of building, owning and operating a convention centre, for a period of five consecutive years beginning from the initial assessment year; (b) the deduction under clause (a) shall be allowable only if- (i) such convention centre is constructed at any time during the period beginning on the 1st day of April, 2002 and ending on the 31 st day of March, 2005; (ii) the business of the convention centre is not formed by the splitting up, or the reconstruction, of a business already in existence or by the transfer to a new business of any building or of any machinery or plant previously used for any purpose; (iii) the assessee furnishes alongwith the return of income, the report of an audit in such form and containing such particulars as may be prescribed, and duly signed and verified by an accountant, as defined in the Explanation below sub-section (2) of Section 288-, certifying that the deduction has been correctly claimed."; (c) in sub-section (14),- (i) after clause (a), the following clause shall be inserted, namely: - '(aa) "convention centre" means a building of a prescribed area comprising of convention halls to be used for the purpose of holding conferences and seminars, being of such size and number and having such other facilities and amenities, as may be prescribed;'; (ii) in clause (c), after sub - clause (iv), the following sub-clauses shall be inserted, namely:- "(v) in the case of a multiplex theatre, means the assessment year relevant to the previous year in which a cinema hall, being a part of the said multiplex theatre, starts operating on a commercial basis; (vi) in the case of a convention centre, means the assessment year relevant to the previous year in which the convention centre starts operating on a commercial basis;"; (iii) after clause (d), the following clause shall be inserted, namely: - (da) "multiplex theatre" means a building of a prescribed area, comprising of two or more cinema theatres and commercial shops of such size and number and having such other facilities and amenities as may be prescribed;'. "