

Finance Act,1990

Section 22 - Amendment of Section 80hhc

In section 80HHC of the Income-tax Act, -

(a) in sub-section (2), in clause (a), -

(i) for the word "receivable", the words "received in, or brought into, India" shall be substituted with effect from the 1st day of April, 1991;

(ii) after the word "assessee", the brackets and words "(other than the supporting manufacturer)" shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 1989;

(iii) after the words "convertible foreign exchange", the words and brackets, "within a period of six months from the end of the previous year or, where the Chief Commissioner or Commissioner is satisfied (for reasons to be recorded in writing) that the assessee is, for reasons beyond his control, unable to do so within the said period of six months, within such further period as the Chief Commissioner or Commissioner may allow in this behalf" shall be inserted with effect from the 1st day of April, 1991;

(b) for sub-section (3), the following sub-section shall be substituted with effect from the 1st day of April, 1991, namely :-

'(3) For the purposes of sub-section (1), profits derived from the export of goods or merchandise out of India shall be the amount which bears to the profits of the business (as computed under the head "Profits and gains of business or profession"), the same proportion as the export turnover bears to the total turnover of the business carried on by the assessee.'

(c) in the Explanation, with effect from the 1st day of April, 1991, -

(i) in clause (b), -

(1) for the word "receivable", the words ", received in, or brought into, India" shall be substituted;

(2) after the words "foreign exchange", the words, brackets and figure "in accordance with clause (a) of sub-section (2)" shall be inserted;

(ii) after clause (b), the following clause shall be inserted, namely :-

'(bb) "total turnover" shall not include any sum referred to in clauses (iiia), (iiib) and (iiic) of section 28;';

(iii) in clause (d), for the words "manufacturing goods", the words and brackets "manufacturing (including processing) goods" shall be substituted.