Finance Act, 1982

Section 34 - Amendment of Section 5

In section 5 of the Wealth-tax Act, with effect from the 1st day of April, 1983, -

(a) in sub-section (1), -

(i) clauses (iva) and (ivb) shall be omitted;

(ii) in clauses (viii), in the second proviso, for the words "thirty thousand rupees", the words "seventy-five thousand rupees" shall be substituted;

(iii) clauses (viiia) and (viiib) shall be omitted;

(iv) in clause (x), for the words "twenty thousand rupees", the words "fifty thousand rupees" shall be substituted;

(v) after clause (xvib), the following clauses shall be inserted, namely :-

'(xvic) in the case of an individual, being a citizen of India or a person of Indian origin, who is not resident in India during the year ending on the valuation date, any such saving certificates issued by the Central Government as that Government may, by notification in the Official Gazette, specify in this behalf :

Provided that the individuals has subscribed to such certificates in convertible foreign exchange remitted from a country outside India in accordance with the provisions of the Foreign Exchange Regulation Act, 1973 (46 of 1973), and any rules made thereunder.

Explanation : For the purposes of this clause, -

(a) a person shall be deemed to be of Indian origin if he or either of his parents or any of his grand-parents was born in undivided India;

(b) an individual shall be deemed to be not resident in India during the year ending on the valuation date if in respect of that year the individual is not resident in India within the meaning of the Income-tax Act;

(c) "convertible foreign exchange" means foreign exchange which is for the time being treated by the Reserve Bank of India as convertible foreign exchange for the purposes of the Foreign Regulation Act, 1973 (46 of 1973), and any rules made thereunder;

(xvid) such Capital Investment Bonds as the Central Government may, by notification in the Official Gazette, specify in this behalf;';

(b) in sub-section (1A), -

(i) for the words, brackets, figures and letter "in clauses (iva), (xv)", the words, brackets and figures "in clause (xv)" shall be substituted;

(ii) for the words "one hundred and fifty thousand rupees", at both the places where they occur, the words "one hundred and sixty-five thousand rupees" shall be substituted;

(c) in sub-section (3), -

(i) in the opening portion, for the words, brackets and figures "in clauses (xv), (xvi)", the words, brackets, figures and letter "in clauses (xv), (xvi), (xvid)" shall be substituted;

(ii) in clause (a), the word "and" occurring at the end shall be omitted;

(iii) after clause (a) as so amended, the following clause shall be inserted, namely :-

"(aa) in the case of Capital Investment Bonds referred to in clause (xvid) of sub-section (1), from the date on which the Bonds were subscribed to by the assessee, or for a period of at least six months ending with the relevant valuation date, whichever is shorter; and";

(iv) in the Explanation, after the word, brackets and letter "clause (a)", the words, brackets and letters "or clause (aa)" shall be inserted.