

Finance Act 1969

Section 24 - Amendment of Act 27 of 1957

In the Wealth-tax Act, 1957 -

(a) in section 2, for clause (e), the following clause shall be substituted, namely :-

(e) "assets" includes property of every description, movable or immovable, but does not include, -

(1) in relation to the assessment year commencing on the 1st day of April, 1969, or any earlier assessment year -

(i) agricultural land and growing crops, grass or standing trees on such land;

(ii) any building owned or occupied by a cultivator of, or receiver of rent or revenue out of, agricultural land :

Provided that the building is on or in the immediate vicinity of the land and is a building which the cultivator or the receiver of rent or revenue by reason of his connection with the land requires as a dwelling-house or a stone house or an outhouse;

(iii) animals;

(iv) a right to any annuity in any case where the terms and conditions relating thereto preclude the commutation of any portion thereof into a lump sum grant;

(v) any interest in property where the interest is available to an assessee for a period not exceeding six years from the date the interest vests in the assessee;

(2) in relation to the assessment year commencing on the 1st day of April, 1970, or any subsequent assessment year -

(i) animals;

(ii) a right to any annuity in any case where the terms and condition relating thereto preclude the commutation of any portion thereof into a lump sum grant;

(iii) any interest in property where the interest is available to an assessee for a period not exceeding six years from the date the interest vests the assessee;;

(b) in section 5, in sub-section (1), -

(i) after clause (iv), the following clause shall be inserted with effect from the 1st day of April, 1970, namely :-

"(iva) agricultural land belonging to the assessee subject to a maximum of one hundred and fifty thousand rupees in value :

Provided that where the assessee owns any house or part of a house situate in a place with a population exceeding ten thousand and to which the provisions of clause (iv) apply and the value of such house or part of a house together with the value of the agricultural land exceeds one hundred and ten thousand rupees, then the amount that shall not be included in the net wealth the assessee under this clause shall be one hundred and fifty thousand rupees reduced by so much of the value of such house or part of house as is not to included in the net wealth of the assessee under clause (iv);";

(ii) after clause (viii), the following clause shall be inserted with effect from the 1st day of April, 1970, namely :-

"(viiiia) growing crops (including fruits on trees) on agricultural land and grass on such land;";

(iii) for clause (ix) and the Explanation thereto, the following clause (ix) and Explanation shall be substituted with effect from the 1st day of April, 1970 namely :-

"(ix) the tools, implements and equipment used by the assessee for cultivation, conservation, improvement or maintenance of agricultural land for the raising or harvesting of any agricultural or horticultural produce on the land.

Explanation : For the purposes of this clause, tools, implements and equipment do not include any plant or machinery used in any tea or other plantation in connection with the processing of any agricultural produce or in the manufacture of any article from such produce;";

(c) in section 18, in sub-section (1), for clauses (i) and (ii), the following clauses and Explanation shall be substituted, namely :-

(i) in the cases referred to in clause (a), in addition to the amount of wealth-tax, if any, payable by him, a sum, for every month during which the default continued, equal to one-half per cent. of -

(A) the net wealth assessed under section 16 as reduced by the amount of net wealth on which, in accordance with the rates of wealth-tax specified in Paragraph A of Part I of the Schedule or Part II of the Schedule, the wealth-tax chargeable is nil, or

(B) the net wealth assessed under section 17, where assessment has been made under that section, as reduced by -

(1) the net wealth, if any, assessed previously under section 16 or section 17, or

(2) the amount of net wealth on which, in accordance with the rates of wealth-tax specified in Paragraph A of Part I of the Schedule or Part II of the Schedule, the wealth-tax chargeable is nil,

whichever is greater,

but not exceeding, in the aggregate, an amount equal to the net wealth assessed under section 16, or, as the case may be, the net wealth assessed under section 17, as reduced in either case in the manner aforesaid;

(ii) in the cases referred to in clause (b), in addition to the amount of wealth-tax payable by him, a sum which shall not be less than one per cent. of the assessed net wealth but which shall not exceed the amount of the assessed net wealth.

Explanation : For the purposes of clause (ii), "assessed net wealth" shall be taken to be the net wealth assessed under section 16 as reduced by the net wealth declared in the return, if any, furnished by such person, or, as the case may be, the net wealth assessed under section 17 as reduced by -

(i) the net wealth, if any, assessed previously under section 16 or section 17, or

(ii) the net wealth declared in the return, if any, furnished by such person under section 17,

whichever is greater;.