

**Assam Agricultural Income Tax (Amendment) Act, 1990**

**7 of 1990**

**[05 May 1990]**

CONTENTS

1. Short title extent and commencement
2. Amendment of Schedule to Assam Act IX of 1939
3. Extension of time for Compliance

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PREAMBLE

An

Act

further to amend the Assam Agricultural Income-tax Act, 1939.

Whereas it is expedient further to amend the Assam Agricultural Income-tax Act, 1939 (Assam Act IX of 1939), hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Forty-first Year of the Republic of India as follows:--

**1. Short title extent and commencement :-**

(1) This Act may be called the Assam Agricultural Income-tax (Amendment) Act, 1990.

(2) It shall have the like extent as the principal Act.

(3) It shall be deemed to have come into force on the 27th day of December, 1989.

**2. Amendment of Schedule to Assam Act IX of 1939 :-**

In the principal Act, for the existing Schedule, the following Schedule shall be and shall be deemed to have been substituted with effect from the 1st day of April, 1989 and till the 31st day of March, 1991, namely:--

**"SCHEDULE**  
**[ See Section 2 (oa), 3 and 6 ]**

| <b>A. In the case of every company</b>  | <b>Rates</b>                      |
|---|-----------------------------------|
| (a) The total income of which does not exceed Rs. 1,00,000 on the whole of the total income                           | Fifty-two paise in the rupee;     |
| (b) The total income of which exceeds Rs. 1,00,000 but does not exceed Rs. 2,00,000, on the whole of the total income | Seventy-one paise in the rupee;   |
| (c) The total income of which exceeds Rs. 2,00,000 but does not exceed Rs. 5,00,000 on the whole of the total income  | Seventy-seven paise in the rupee; |
| (d) The total income of which exceeds Rs. 5,00,000 on the whole of the total income                                   | Eighty-three paise in the rupee;  |
| <b>B. In the case of persons other than companies--</b>   |                                   |
| (a) On the first Rs. 1,000 of the total income  | Nil                               |
| (b) On the next Rs. 5,000 of the total income   | Ten paise in the rupee;           |
| (c) On the next Rs. 5,000 of the total income   | Fifteen paise in the rupee;       |
| (d) On the next Rs. 10,000 of the total income  | Thirty paise in the rupee;        |
| (e) On the next Rs. 25,000 of the total income  | Forty-five paise in the rupee;    |
| (f) On the next Rs. 54,000 of the total income  | Sixty paise in the rupee;         |
| (g) On the next Rs. 1,00,000 of the total income  | Seventy-seven paise in the rupee; |
| (h) On the balance of the total income  | Eighty-three paise in the rupee.  |

Provided that--

(i) no agricultural income-tax shall be payable on a total agricultural income which does not exceed Rs. 12,000;

(ii) in respect of paragraph A, the residual income shall not fall short of the following limits and in any case where the residual income falls short of the said limits, agricultural income tax payable shall be so reduced as to leave a residual income not falling short of such limits--

(a) rupees forty-eight thousand increased by one per cent of the excess of the total agricultural income over Rs. 1,00,000 in the case of every company the total agricultural income of which exceeds Rs. 1,00,000 but does not exceed Rs. 2,00,000;

(b) rupees fifty-eight thousand increased by two and a half per cent of the excess of the total agricultural income over Rs. 2,00,000 in the case of every company the total agricultural income of which exceeds Rs. 2,00,000 but does not exceed Rs. 5,00,000;

(c) rupees one lakh and fifteen thousand increased by five per cent of the excess of the total agricultural income over Rs. 5,00,000 in the case of every company the total agricultural income of which exceeds Rs. 5,00,000;

Explanation--In this clause, "residual income", in relation to any company, means its total agricultural income reduced by the agricultural income tax payable in respect thereof;

(iii) in respect of paragraph B, the agricultural income-tax payable shall not exceed one half the amount by which the total agricultural income exceeds Rs. 12,000 in cases where the total agricultural income does not exceed Rs. 17,000".

### **3. Extension of time for Compliance :-**

(1) In respect of the assessment year commencing on the 1st day of April, 1989 the last date for furnishing of the return under Section 19 of the principal Act along with the treasury receipt showing payment of tax due on the basis of such return and computed in accordance with the Schedule, as substituted by Section 2 of this Act, shall in the case of every person, whose total agricultural income for the relevant previous year exceeded rupees one lakh, be deemed to have been extended till the 31st day of January, 1990 and accordingly the provisions of the principal Act shall apply mutatis mutandis to such return as if such return were a return under Section 19 of the principal Act.

(2) Every person who has submitted return under Section 19 of the principal Act in respect of the assessment year commencing on the 1st day of April, 1989 before the commencement of this Act, and paid tax on the basis of such return shall be deemed to have been liable to pay the extra agricultural income tax due, if any, from him in accordance with the Schedule as amended by Section 2 of this Act on or before the 31st day of January, 1990 and accordingly the provisions of the principal Act shall apply mutatis mutandis to such extra tax as if such extra tax were tax due under the principal Act.