

Assam Agricultural Income Tax (Amendment) Act, 2010

27 of 2010

[31 August 2010]

CONTENTS

1. Short title, extent and commencement
2. Amendment of section 3
3. Amendment of section 8B
4. Amendment of section 50

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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 Sixty first Year of Republic of India as follows:-

1. Short title, extent and commencement :-

(1) This Act may be called the Assam Agricultural Income Tax (Amendment) Act, 2010.

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

(3) It shall be deemed to have come into force on and from the first day of April, 2010.

2. Amendment of section 3 :-

In the principal Act, in section 3, the punctuation mark".", appearing at the end, shall be substituted by the punctuation mark ":" and thereafter following provisos shall be inserted, namely:--

"Provided that the State Government may, by notification in the

Official Gazette, vary the rates of tax under this Act and on such notification being issued, the rate of tax shall be deemed to have been amended accordingly:

Provided further that the rate of tax to be specified or varied by the State Government shall not exceed fifty percentum."

3. Amendment of section 8B :-

In the principal Act, in section 8B,--

(i) for the word "ten", appearing between the words "at the rate of and "percent of such agricultural income", the word "eighteen" shall be substituted;

(ii) the punctuation mark".", appearing at the end, shall be substituted by the punctuation mark ":" and thereafter following proviso shall be inserted, namely:--

"Provided that the State Government may, by notification in the Official Gazette, vary the rates of tax under this Act and on such notification being issued, the rate of tax shall be deemed to have been amended accordingly:

Provided further that the rate of tax to be specified or varied by the State Government shall not exceed thirty percentum."

4. Amendment of section 50 :-

In the principal Act, in section 50, --

(i) in sub-section (1), the punctuation mark ".", appearing at the end, shall be substituted by the punctuation mark ":" and thereafter following provisos shall be inserted, namely:--

"Provided that if the State Government is satisfied that circumstances exist which render it necessary for it to take immediate action, if any, it may make any rules without such previous publication:

Provided further that any rule under this Act may be made so as to have the retrospective effect.";

(ii) after sub-section (2), following new sub-section(3) shall be inserted, namely:--

"(3) The State Government shall cause every rule made under this Act and every notification issued under this Act to be laid, as soon as may be, after it is published before the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions in which it is so laid or the sessions immediately following, and if the State Legislature agrees in making any modification in the rule or

notification or that the rule or notification should not be made, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification."