

Kerala Surcharge On Taxes (Amendment) Act, 1976

40 of 1976

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An Act further to amend the Kerala Surcharge on Taxes Act, 1957
WHEREAS it is expedient further to amend the Kerala Surcharge on Taxes Act, 1957, for the purposes hereinafter appearing; BE it enacted in the Twenty-seventh Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Kerala surcharge on Taxes (Amendment) Act, 1976.

(2) Clause (b) of section 3 shall be deemed to have come into force on the 1st day of July, 1975 and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of April, 1976.

2. Amendment Of Section 2 :-

In section 2 of the Kerala Surcharge on Taxes Act, 1957 (11 of 1957) (hereinafter referred to as the principal Act),-

(a) for the words "income tax or super tax", in both the places where they occur, the words "agricultural income tax" shall be substituted;

(b) for the words "five per centum", the words "ten per centum" shall be substituted.

3. Amendment Of Section 3 :-

In sub-section (1) of section 3 of the principal Act,-

(a) for the opening paragraph, the following paragraph shall be substituted, namely:-

"The tax payable under the Kerala General Sales Tax Act, 1963, shall, in the case of a dealer whose turnover--

(a) .is not less than one lakh rupees but does not exceed ten lakhs rupees in a year, be increased by a surcharge at the rate of five per centum, and

(b). exceeds ten lakhs rupees in a year, be increased by a surcharge at the rate of eight per centum, of the tax payable for that year, and the provisions of the Kerala General Sales Tax Act, 1963, shall apply in relation to the said surcharge as they apply in relation to the tax payable under the said Act;"

(b) in the proviso, for the words "three per centum", in both the places where they occur, the words "four per centum" shall be substituted.

4. Omission Of Section 4 And 5 :-

Sections 4 and 5 of the principal Act shall be omitted.

5. Repeal And Saving :-

(1) The Kerala Surcharge on Taxes (Amendment) Ordinance, 1976 (6 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.