Contents

 ◆ Al ◆ Se ◆ Al ◆ Ga 	few words from the authors bout the authors ection-wise Index mendments at a glance effected by the Finance Act, 2018 ist of relevant Circulars, Clarifications and Notifications issued during muary 1, 2003 to March 2018 ist of landmark rulings of Supreme Court/High Courts [2003 - March 2018]	PAGE I-5 I-7 I-23 I-29 I-66 I-438
	1 Basic concepts	
1.	Assessment year	1
2.	Previous year	1
3.	Person	5
4.	Assessee	6
5.	Charge of income-tax	6
6.	Income	7
7.	Gross total income	17
8.	Total income and tax liability	21
9.	Agricultural income	29
10.	Difference between exemption and deduction	29
11.	Assessment	29
12.	Definition of "manufacture"	29
13.	Capital asset	30
14. 15.	Company Fair market value	30
16.		30 30
17.	Capital receipts vs. Revenue receipts Capital expenditure vs. Revenue expenditure	36
18.	Method of accounting	36
19.	Definitions of amalgamation, demerger, infrastructure capital company and	30
17.	infrastructure capital fund	38
20.	Rules of interpretation	38
	Residential status and tax incidence	
22.	What is relevance of residential status	53
23.	Residential status - General norms	53
24.	Residential status of an individual	54
25.	Residential status of a Hindu undivided family	59
26.	Residential status of the firm and association of persons	61
27.	Residential status of a company	61
28.	Residential status of "every other person"	66
29.	Relation between residential status and incidence of tax	66
30.	Receipt of income	68
31.	Accrual of income	71
22	Income deemed to accrue or arise in India	7/

Contents	I-10

32A. 33. 34.	Hints	Managers in India not to constitute business connection of offshore funds for tax planning in respect of residential status lems on residential status and tax incidence	PAGE 90 92 93
	3	Incomes exempt from tax	
38.	Inco	mes exempt under section 10	97
39.	Spec	ial provisions in respect of newly established undertakings in	
	free	trade zone, etc.	124
39A.	_	ial provisions in respect of newly established units in Special Economic Zone	124
40.		ial provisions in respect of newly established hundred per cent rt-oriented undertakings	128
42.	_	ial provision in respect of export of artistic hand-made wooden articles	128
43.		me exempt under section 13A	128
44.		nption to Electoral Trust	128
	4	Salaries	
46.	Essei	ntial norms of salary income	129
47.		s of charge	131
48.		e of accrual of salary income	132
49.		reatment of different forms of salary income	133
50.	Allov	vance	151
51.		uisites	158
52.		ation of perquisites	162
53.		action from salary income	188
54.		on salary of non-resident technicians	188
55.		ries of other foreign citizens	188
56.	_	loyees' provident fund	189
57.		oved superannuation fund	192
58.		oved gratuity fund	192
59.		action under section 80C	192
60.		f under section 89	193
61. 62.		ning of salary for different computations	196
63.		s for tax planning lems on salary income	198 199
		requently Asked Questions (FAQs) about computation of salary income	210
Aillie	X 1 . 1 1	equently Asked Questions (PAQs) about computation of salary income	210
	5	Income from house property	
86.	Char	geability	211
87.		cability of section 22 in certain typical situations	216
88.		siple of mutuality <i>vis-a-vis</i> section 22	218
89.		erty income exempt from tax	219
90.	_	putation of income from a let out house property	219
91.		putation of income from a let out house property	228
92.		ial provisions when unrealised rent is realised subsequently	234
93.		e of taxation of arrears of rent in the year of receipt	234

I-11 Contents

94. 95. App.	Hints for tax planning Problems on computation of property income Frequently Asked Questions (FAQs) about mode of computation of annual value	234 235 249
	6 Profits and gains of business or profession	
101.	Chargeability	253
102.	General principles governing assessment of business income	266
103.	Method of accounting	272
104.	Scheme of deductions and allowances	273
105.	Basic principles governing admissibility of deduction under sections 30 to 44DB	273
106.	Deductions expressly allowed in respect of expenses/allowances	275
107.	Rent, rates, taxes, repairs and insurance of building	275
108.	Repairs and insurance of machinery, plant and furniture	276
109.	Depreciation	277
110. 110A.	Investment allowance for acquisition and installation of new plant and machinery Investment allowance in backward area in Andhra Pradesh, Bihar, Telangana or	320
	West Bengal	323
111.	Tea/coffee/rubber development account	324
112. 113.	Site restoration fund	327
113. 114.	Reserves for shipping business Expenditure on scientific research	329 329
115.	Expenditure on acquisition of patent rights, copyrights, know-how	339
116.	Expenditure on acquisition of patent rights, copyrights, know-now Expenditure for obtaining right to use spectrum for telecommunication services	339
117.	Amortization of telecom licence fees	339
118.	Expenditure on eligible projects or scheme	342
119.	Deduction in respect of expenditure on specified business	342
120.	Payment to the associations and institutions carrying out rural development programmes	347
120A.	Weighted deduction for expenditure incurred on agricultural extension project	347
	Weighted deduction for expenditure for skill development	348
121.	Amortisation of preliminary expenses	348
121A.	Amortisation of expenditure in the case of amalgamation/demerger	352
121B. 122.	Amortisation of expenditure under voluntary retirement scheme Amortisation of expenditure on prospecting, etc., for development	353
122.	of certain minerals	353
123.	Insurance premium	356
124.	Insurance premium paid by a federal milk co-operative society	356
125.	Insurance premium on health of employees	356
126.	Bonus or commission to employees	356
127.	Interest on borrowed capital	357
127A.	Discount on zero coupon bonds	360
128.	Employer's contribution to recognised provident fund and approved superannuation fund	361
	Employer's contribution to notified pension scheme	362
129.	Contribution towards approved gratuity fund	362
130.	Employees' contribution towards staff welfare schemes	363
131.	Write off allowance for animals	363
132.	Bad debts	363
133.	Provision for bad and doubtful debts relating to rural branches of commercial banks	367

Contents	I-12

	Contents	1-12
		PAGE
134.	Transfer to special reserve	370
135.	Family planning expenditure	372
136.	Contribution towards Exchange Risk Administration Fund	373
137.	Revenue expenditure incurred by entities established under any	
	Central, State or Provincial Act	373
	Contribution to credit guarantee trust fund	373
137B.	Commodities transaction tax/Securities transaction tax	373
138.	Expenditure for purchase of sugarcane by a co-operative society engaged in	2=2
1203	sugar manufacturing	373
	Market to market loss	374
139. 140.	Expenditure on advertisement Expenses deductible from commission earned by life insurance	374
140.	agents, UTI agents, post office/Government securities agents and	
	agents of notified mutual funds	375
141.	General deduction	376
142.	Amounts expressly disallowed under the Act	433
143.	Amount not deductible under section 40(<i>a</i>)	434
144.	Amount not deductible in the case of partnership firm	444
145.	Amounts not deductible in the case of an association of persons	
	and body of individuals	444
146.	Amount not deductible under section $40(c)/(d)$	444
147.	Payments to relative	444
148.	Payments exceeding Rs. 10,000 paid otherwise than by account payee cheques or bank drafts	447
149.	Expenditure on payment of salary or perquisite to employees	451
150.	Fees for services payable to a former employee	451
151.	Provision for payment of gratuity	451
152.	Interest on public deposit	452
153.	Restriction on contributions by employers to non-statutory funds	452
154.	Disallowance of marked to market loss	453
155.	Disallowance of unpaid liability	453
156.	Deemed profit	463
157.	Income from undisclosed sources	467
158.	Maintenance of accounts by certain persons	469
159.	Audit of accounts of certain persons	471
160.	Special provisions consequential to changes in the rate of exchange of	472
161	currency	473
161.	Special provision for deduction in the case of trade, professional or similar associations	475
162.	Special provisions	475
163.	Valuation of stock	498
164.	Hints for tax planning	503
165.	Problems on computation of income from business/profession	508
	7 Capital gains	
	Capital gains	
166.	Chargeability	518
167.	Meaning of capital asset	518
168.	Types of capital assets Types of capital asset	522 525
169. 170.	Transfer of capital asset Computation of capital gain	525 537
170. 171.	Full value of consideration	542
172.	Expenditure on transfer	543
	A	

I-13 Contents

			PAGE
173.	Cost	of acquisition	545
174.		of improvement	558
175.		xed cost of acquisition and indexed cost of improvement	560
176.		putation of capital gain in certain special cases	564
177.		rence to Valuation Officer	589
178.	Capit	al gains exempt from tax	589
179.		al gains arising from transfer of residential house	591
180.		al gains arising from the transfer of land used for agricultural purpose	596
181.	Capit	cal gains on compulsory acquisition of land and buildings ing part of industrial undertaking	598
182.		cal gain not to be charged on investment in certain bonds	599
182A.		al gain not to be charged on investment in certain bonds	603
183.		cal gains on transfer of a long-term capital asset other than a house property	604
184.		cal gains on transfer of a solig-term capital asset other than a house property	004
		rtaking from urban area	609
185.	Exen	nption of capital gains on transfer of assets in cases of shifting of	
		strial undertaking from urban area to any Special Economic Zone	612
185A.	Capit	al gain on transfer of residential property	612
185B.	Exte	nsion of time-limit for acquiring new asset	616
186.	Shor	t-term/long-term capital gains - How charged to tax	617
187.	Hints	s for tax planning	631
188.	Prob	lems on computation of capital gains	633
$-\Gamma$	0		
	8	Income from other sources	
191.	Basis	of charge	642
192.	Rele	vance of method of accounting	645
193.	Divid		645
194.		sings from lotteries, crossword puzzles, horse races and card games, etc.	656
195.		received from employees as their contribution towards staff	658
196.	Inter	est on securities	658
197.	Inco	me from machinery, plant or furniture let on hire	662
198.		me from composite letting of building, machinery, plant or furniture	662
199.	Mone	ey/property is received without consideration or for inadequate	
		deration	664
200.		e premium in excess of fair market value	673
201.		nce money received in course of negotiations for transfer of a capital asset pensation on termination of employment or modification of terms of	674
201A.		oyment	675
202.		est on KVP, IVP, NSC, etc.	675
203.		actions	676
204.		r points	678
205.		lems on computation of income from other sources	679
	9	Income of other persons included in assessee's total income	
206.	Tran	sfer of income without transfer of assets	685
207.		ocable transfer of assets	685
208.		n an individual is assessable in respect of remuneration of spouse	686
209.		n an individual is assessable in respect of income from assets	000
		ferred to spouse	689

Contents	I-	. 1	Δ	
Comenis	1-	1	7	١

		PAGE
210.	When individual is assessable in respect of income from assets	
211	transferred to son's wife	693
211.	When individual is assessable in respect of income from assets transferred to a person for the benefit of spouse	694
212.	When an individual is assessable in respect of income from assets	٠, ٠
	transferred to a person for the benefit of son's wife	695
213.	Income of minor child	695
214.	Conversion of self-acquired property into joint family property and	607
215.	subsequent partition Other profits	697 698
216.	Recovery of tax	698
217.	Hints for tax planning	699
218.	Problems explaining clubbing provisions	700
1	Set off and carry forward of losses	
226.	Mode of set off and carry forward - The three steps	705
227.	Inter-source adjustment - How made	705
228.	Inter-head adjustment - How made	706
229.	Carry forward of loss	708
230. 231.	Loss of partnership firms	722 722
231. 232.	Loss of closely held companies Carry forward and set off of loss and depreciation - When permissible in the	122
232.	hands of amalgamated and demerged company or co-operative bank	722
233.	Problems illustrating the provisions of set off and carry forward of losses	723
233.		723
	Problems illustrating the provisions of set off and carry forward of losses	723
		723
234.	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions	723
	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions	727
234. 235.	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc.	727 728
234. 235. 235A.	Problems illustrating the provisions of set off and carry forward of losses 1 Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme	727 728 736
234. 235.	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme	727 728
234. 235. 235A. 236. 237. 237A.	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS)	727 728 736 737
234. 235. 235A. 236. 237. 237A.	Problems illustrating the provisions of set off and carry forward of losses Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds -	727 728 736 737 738 738
234. 235. 235A. 236. 237. 237A. 237B.	Problems illustrating the provisions of set off and carry forward of losses 1 Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF	727 728 736 737 738 738 738
234. 235. 235A. 236. 237A. 237B. 237C.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme	727 728 736 737 738 738 741 741
234. 235. 235A. 236. 237A. 237B. 237C. 238.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia	727 728 736 737 738 738 738
234. 235. 235A. 236. 237A. 237B. 237C.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme	727 728 736 737 738 738 741 741
234. 235. 235A. 236. 237A. 237B. 237C. 238. 239.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc.	727 728 736 737 738 738 738 741 741 742 745 746
234. 235. 235A. 236. 237A. 237B. 237C. 238. 239.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc. Deduction in respect of payment of interest on loan taken for higher studies	727 728 736 737 738 738 741 741 742 745 746 749
234. 235. 235A. 236. 237A. 237B. 237C. 238. 239. 240. 241. 241A.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of payment of interest on loan taken for higher studies Deduction in respect of interest on loan taken for residential house property	727 728 736 737 738 738 738 741 741 742 745 746 749 750
234. 235. 235A. 236. 237A. 237B. 237C. 238. 239. 240. 241. 241A. 242.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc. Deduction in respect of payment of interest on loan taken for higher studies Deduction in respect of donation to certain funds, charitable institutions, etc.	727 728 736 737 738 738 738 741 741 742 745 746 749 750 752
234. 235A. 236. 237A. 237B. 237C. 238. 239. 240. 241. 241A. 242. 243.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc. Deduction in respect of interest on loan taken for higher studies Deduction in respect of donation to certain funds, charitable institutions, etc. Deduction in respect of rent paid	727 728 736 737 738 738 738 741 741 742 745 746 749 750
234. 235. 235A. 236. 237A. 237B. 237C. 238. 239. 240. 241. 241A. 242.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc. Deduction in respect of interest on loan taken for higher studies Deduction in respect of donation to certain funds, charitable institutions, etc. Deduction in respect of rent paid Deduction in respect of certain donations for scientific research or rural	727 728 736 737 738 738 738 741 741 742 745 746 749 750 752
234. 235A. 236. 237A. 237B. 237C. 238. 239. 240. 241. 241A. 242. 243.	Deductions from gross total income and tax liability Essential rules governing deductions Deduction in respect of life insurance premia, deferred annuity, contributions to provident fund, subscription to certain equity shares or debentures, etc. Deduction in respect of deposit under National Savings Scheme Equity Linked Savings Scheme Deduction in respect of pension fund Deduction in respect of contribution to a National Pension System (NPS) Deduction in respect of subscription to long-term infrastructure bonds - When available under section 80CCF Deduction in respect of investment made under any equity saving scheme Deduction in respect of medical insurance premia Deduction in respect of maintenance including medical treatment of a dependent being a person with disability - When and to what extent available Deduction in respect of medical treatment, etc. Deduction in respect of interest on loan taken for higher studies Deduction in respect of donation to certain funds, charitable institutions, etc. Deduction in respect of rent paid	727 728 736 737 738 738 738 741 741 742 745 746 749 750 752 758

I-15 Contents

			PAGE
246.	Deduction in respect of contributions given	by any person to	
	political parties or electoral trust	3 3 1	760
247.	Deduction in respect of profits and gains fro	om projects outside India	761
248 .	Deduction in respect of profits and gains fro	m housing projects aided	
	by World Bank		761
249.	Tax incentives for exports		761
250 .	Deduction in respect of earnings in converti		761
251.	Deduction in respect of profit from export of		761
252.	Deduction in respect of profits and gains fro films software	om export or transfer of	761
253.	Deduction in respect of profits and gains fro		
	enterprises engaged in infrastructure develo		761
253A.	. Deductions in respect of profits and gains by		
	engaged in development of Special Econom	ic Zone	774
	B. Deduction in respect of eligible start-up		774
254.	Deduction in respect of profits and gains fro		776
2543	other than infrastructure development under		776
254A. 255.	 Deduction in respect of profits from housing Deduction in respect of profits and gains of 		797
255.	certain special category of States - How to f		798
255A	Deduction in the case of hotels and convent		802
	B. Deduction in the case of notes and convented. Deduction in respect of certain undertaking		802
256.	Deduction in respect of profits and gains from		002
200.	collecting and processing of bio-degradable		803
257.	Deduction in respect of employment of new		804
258.	Deduction in respect of interest on certain s		806
259.	Deduction in respect of certain income of O		
	International Financial Services Centre	<u> </u>	806
260 .	Deduction in respect of royalties from certa	in foreign enterprises	807
261.	Deduction in respect of income of a co-oper		807
262.	Deduction in respect of certain income of pr		807
263 .	Deduction in respect of royalty income of a		808
264.	Deduction in respect of remuneration or pro	ofessional income from certain	
	foreign sources		809
265 .	Deduction in respect of royalty on patents		809
266.	Deduction in respect of interest on deposits		810
267 .	Deduction in respect of interest on deposits		811
268.	Deduction in case of a person with disability	,	811
269. 270.	Deductions from tax liability Rebate for resident individuals		813 813
210. 	Redate for resident individuals		013
	12 Agricultural income		
 278.	Definition		815
279.	Income which is partly agricultural and part	ly from business	821
280.	Partially integrated taxation of non-agricult		
	derived from agriculture		823
281.	Computation of net agricultural income		824
	Typical problems on assessment of	individuals	
			033
285 .	Tax incidence on individuals		832
286.	Taxable income - How computed		832

Contents	I-	.1	6	

	Somorio	110
		PAGE
287.	Tax liability	833
288.	Problems on computation of taxable income	837
1	Tax treatment of Hindu undivided families	
295.	Meaning of Hindu undivided family	847
296.	Hindu coparcenary	847
297.	Different schools of Hindu law	847
298.	Jain and Sikh families	848
299.	Assessment as Hindu undivided family - Basic conditions	848
300.	Taxable income - How to compute	849
301.	Rates of tax	851
302.	Partition of a Hindu undivided family	851
303.	Problems on Hindu undivided families	853
1	Special provisions governing assessment of firms and association of persons	
	of persons	
313.	Meaning of partnership	860
314.	Scheme of taxation of firms	860
315.	When remuneration/interest is deductible	860
316.	What are the conditions a firm should fulfil under section 184	861
317.	What are the conditions for claiming deduction of remuneration to	
	partners under section 40(<i>b</i>)	862
318.	What are the conditions for claiming deduction of interest to	
	partners under section 40(b)	868
319.	Carry forward and set-off of loss in the case of change in the constitution of firm	
320.	Computation of income of firm	872
321.	Computation of tax of firm	874
322.	Assessment of partners of a firm	881
323.	How to compute income of an association of persons (AOP) or body of individuals (BOI)	884
324.	Computation of income of an AOP/BOI	886
32 4 .	Computation of tax of AOP or BOI	886
326.	Assessment of member of AOP/BOI	888
327.	Hints for tax planning	894
328.	Problems on computation of taxable income of firms/partners and	0,
	association of persons	901
1	6 Taxation of companies	
333.	Definitions	908
334.	Taxable income and tax liability - How computed	910
335.	Carry forward and set-off of losses in the cases of certain companies	913
336.	Minimum alternate tax	915
33 7 .	Tax on distributed profits of domestic companies	937
	Tax on income distributed to unitholders	942
	Tax on income received from venture capital companies and	
	venture capital funds	943

I-17 Contents

			PAGE
337C.		tional income-tax on distributed income by company for buy-back of ted shares	944
338.		lems on computation of taxable income of a corporate-assessee	945
1	17	Assessment of co-operative societies	
339.	Mea	ning of co-operative society	969
340.		ible income and tax liability - How computed	969
341.		action in respect of income of co-operative societies	970
342.		lems on computation of income of a co-operative society	978
1	18	Assessment of charitable and other trusts	
242	M		000
343. 344.		ning of trust	980 980
345.		exemption itable purpose	980
346.		ntial conditions for exemption	984
347.		to find out exemption u/s 11	988
348.		imulation of income	996
349.		eiture of exemption	997
350.		ic charitable/religious trust - How chargeable to tax	1007
351.		ate discretionary trust	1009
352.		me from property held under trust partly for religious	
		oses and partly for other purposes	1010
352A.			1011
		on distributed income by securitization trusts	1012
		ial provisions pertaining to business trust	1013
352D.	Pass	through status to Category I and Category II Alternative Investment Funds	1016
1	19	Return of income and assessment	
353.	Volu	ntary return	1020
354.		rn of loss	1023
355.		nsion of time	1024
356.		ted return	1024
357 .	Revi	sed return	1025
358.	Defe	ctive or incomplete return	1026
359.	Sche	eme to facilitate submission of returns through Tax Return Preparers	1029
		er of Board to dispense with furnishing of documents	1029
		g of return in electronic form	1029
360.		rn by whom to be verified	1029
361.		nanent Account Number (PAN)	1030
		ting of Aadhaar number	1034
362.		t is self-assessment	1035 1037
363. 364.		iry before assessment mary assessment without calling the assessee	1037
365.		ssment in response to notice under section 143(2)	1041
366.		judgment assessment	1049
		rence to dispute resolution panel	1051

			Contents	I-18
372	3. 9. 9. 1. 2. 2A.	Issue Wha Time Prov Prob Oblig trans Subr	issessment e of notice for reassessment t are the provisions regarding rectification of mistake e limit for completion of assessments/reassessments isions of section 155 lems on return of income and assessment gation to furnish annual information return pertaining to financial sactions mission of statement by a non-resident having liaison office in India sishing of information or document by an Indian concern	PAGE 1053 1062 1071 1075 1081 1082 1086 1088
	2	20	Penalties and prosecutions	
373 374 375 376 378 378 386	1. 5. 6. 7. 3.	Pena Who Powe Proce Time Offer	ulties for defaults in brief ulty for concealment/under-reporting of Income can levy penalty er of Commissioner to reduce or waive penalty edure for imposition of penalty e-limit for completion of penalty proceedings nces and prosecutions s of proof	1089 1099 1127 1128 1132 1133 1135
	2	1	Advance payment of tax	
381 382 383 384	2. 3.	Adva Inter	me liable for advance tax ance tax liability - Under different situations rest payable by the assessee or Government lems illustrating advance tax provisions	1141 1142 1143 1143
	2	22	Interest	
385 386 387 388 389 390 391	5. 7. 3. 9. 0.	Inter Proc Waiv Chief pena Powe Writ	rest payable by the assessee rest payable to assessee redure to be followed in calculation of interest rer or reduction of interest under sections 234A, 234B and 234C of Commissioner/Director General (Investigation) to reduce l interest in certain cases rer of CBDT and Settlement Commission to reduce/waive interest petition lems illustrating computation of interest	1145 1160 1165 1165 1165 1166 1166
	2	23	Tax deduction or collection at source	
404 405 405 406 407	5. 5 A . 5.	Dedu Tax o Dedu Dedu	eme of tax deduction at source action of tax from salaries deduction at source from withdrawal from employees provident fund scheme action of tax at source from interest on securities action of tax at source from dividends action of tax at source from interest other than interest on securities	1175 1178 1183 1186 1187 1188
	-•	Lui		1100

Deduction of tax at source from winnings from lotteries or crossword puzzles

1192

409.

I-19 Contents

			PAGE
410.	Dedi	action of tax at source from winnings from horse races	1193
411.		action of tax at source from payments to contractors or sub-contractors	1193
412.		action of tax at source from insurance commission	1199
412A		deduction from payment of life insurance policy	1200
413.		nent to non-resident sportsman or sports association	1201
414.		action of tax from payments in respect of National Savings Scheme	1201
415.	Dedi	action of tax at source on payments on account of repurchase	
	of ur	nits by Mutual Funds or UTI	1202
416.		action of tax from commission, etc., on sale of lottery tickets	1202
417.		action of tax at source from commission or brokerage	1202
418.		action of tax at source from income by way of rent	1205
		deduction at source on purchase of immovable property	1209
		deduction from payment of rent by certain individuals/HUFs	1209
		deduction from payment under joint development agreement	1210
419.	Tax	deduction at source on fees for professional or technical	1210
400		ces, royalty or directors fees	1210
420.		deduction from payment of compensation in certain cases	1214
		action of tax at source from interest payable on infrastructure debt fund	1215
		deduction from income from units of business trust	1216
		deduction from income in respect of units of investment fund	1216 1217
		ax deduction from income in respect of investment in Securitization fund deduction by an Indian specified company or business trust from interest	1217
42UD	to a i	non-resident/foreign company	1217
4200		deduction at source on interest on bonds/Government securities	1218
421.		action of tax at source from other sums	1219
422.		deduction from any income payable to non-resident unit-holders of	1-17
,	Muti	ial Fund	1225
423 .	Dedu	action of tax at source in respect of units referred to in section 115AB	1225
424.	Dedu	action of tax from income or long-term capital gain from	
		gn currency bonds/Global Depository Receipts	1225
42 5.		action of tax at source from income of Foreign Institutional	1225
100		stors from securities	1225
426.		nent without tax deduction or with deduction at lower rate	1226
427. 428.		e of tax deposit, annual reports, etc.	1230
420. 429.		er points for consideration collection at source	1232 1241
429.	Tax	conection at source	1241
\pm	24	D-f1-f	
_	2 4	Refund of excess payments	
430.	Righ	t to claim refund - When arises	1248
431.		can claim refund	1248
432.		to claim refund	1248
433.	Othe	er points	1249
	25	Appeals and revisions	
435.	Mea	ning of appeal	1251
436.		ellate hierarchy	1251
437.	Appe	eal to the Commissioner (Appeals)	1252
438.		sion by the Commissioner of Income-tax	1262
439.		eal to the Appellate Tribunal	1270
440.	Appe	eal to High Court	1281

		Contents	I-20
			PAGE
441		al to the Supreme Court	1287
442		ision for avoiding repetitive appeals	1288
443		edure for appeal by revenue when an identical question of law is ing before Supreme Court	1288
444	_	equence of non-filing of appeal in respect of cases where the tax	1200
		t is less than the prescribed monetary limit	1289
	26	Income-tax authorities	
— 445	Tax	authorities	1291
446		ral Board of Direct Taxes	1291
440	. Cent	tal board of Direct Taxes	1291
	27	Settlement of cases	
457	. Intro	duction	1294
458		ning of case	1294
459		ement Commission	1295
460		cation for settlement of cases	1295
461		edure on receipt of application under section 245C	1298
462		er of Settlement Commission to order provisional attachment to	
	prote	ect revenue	1301
463		er of Settlement Commission to reopen completed proceedings	1302
464		ers and procedure of Settlement Commission	1302
465	_	ection, etc., of reports	1303
466		ers of Settlement Commission to grant immunity from prosecution, etc.	1303
467		ement of proceeding before Settlement Commission	1304
468	. Orde	r of settlement to be conclusive	1305
469	. Othe	r points	1305
	20	Special measures in respect of transactions with persons located in no	otified
	28	jurisdictional area	
471	. Spec	ial measures in respect of certain transactions	1307
472		ied jurisdictional area	1307
47 3		cability of transfer pricing provisions	1307
474		lowance of payment to financial institutions located in notified	
		dictional area	1308
475		lowance of other expenditure	1308
476		unt received to be treated as income in some cases	1308
477		at higher rate	1308
478	. Prov	isions illustrated	1308
	29	General Anti-avoidance Rule	

1311

480. Applicability of general anti-avoidance rule

I-21 Contents

481. 482. 483.	Proce	rmissible avoidance arrangement edure for invoking GAAR fications given by Board	PAGE 1311 1313 1313
3	30	Advance ruling for non-residents	
486.	 Adva	nce ruling	1315
487.		edure for filing application	1316
488.		edure on receipt of application	1318
489.	Appli	cability of advance ruling	1320
490.		nce ruling to be void in certain circumstances	1320
491.	Powe	ers of authority	1321
491A.		ority for advance rulings	1321
3	31	Search, seizure and assessment	
492.	Powe	ers regarding discovery, production of evidence, etc.	1323
493.		ch and seizure	1324
494.		isitioning of books of account, etc.	1332
495.	_	cation of assets seized or requisitioned	1333
496.	Powe	er to call for information	1334
497.	Powe	er of survey	1335
498.		er to collect certain information	1338
		r to call for information by prescribed income-tax authority	1338
499.		me of assessment in case of search or requisition	1339
500.	Prior	approval in the case of search	1345
3	32	Transfer pricing	
506 .	Taxa	tion of international transaction	1346
507 .	Com	putation of the arm's length price	1350
508 .	Arm'	s length price - Computation of	1351
509.		putation of arm's length price in cases where more than one price is mined under most appropriate method	1358
510 .	Refe	rence to transfer pricing officer	1368
510A.	Powe	er of Board to make Safe Harbour Rules	1372
511.		tenance of books of account and furnishing of report in respect of national group	1374
512.		rt from accountant	1379
513.	Spec	fied domestic transactions	1379
514.	Adva	nce Pricing Agreement (APA)	1380
514A.	Seco	ndary adjustment in certain international transactions	1382
		sions pertaining to thin capitalisation	1384
514C.	Impo	rtant judicial rulings	1387

Contents	I-22	2
Contents	1 22	

			PAGE
	33	Business restructuring	
515.	Rest	ructuring business	1388
16.		gamation	1388
17.	Dem	erger	1390
18.	Conv	rersion of sole proprietary business into company	140
19.		rersion of firm into company	140
20.	Slum	ap sale	1409
21.		sfer of assets between holding and subsidiary companies	141
22.	Ama	gamation or demerger of co-operative banks	1420
23.		rersion of private company/unlisted public company into Limited Liability nership (LLP)	1422
	34	Tax planning	
⁻└ 25.	Tax	planning	142
26.		blanning with reference to setting up of a new business	1429
27.		planning with reference to financial management decisions	143
28.	Tax ı	planning with reference to specific managerial decisions	1432
29.	Tax j	planning in respect of employees' remuneration	1430
30.	Tax _I	planning in respect of non-residents	1438
31.		planning in respect of amalgamation or demerger of companies asiness restructuring	1443
	35	Miscellaneous	
□ 32.	Intro	duction of Tonnage Tax	144
33.	Secu	rities Transaction Tax	144
34.	Tax	clearance certificate	1449
35.	Wha	t is equalisation levy	1450
37 .	Inco	me-tax on fringe benefit	1452
38.	Com	modities transaction tax	1452
10.	Facil	ity for electronic communication	1452
41.	Intro	duction of Document Identification Number	1452
42.		er to withdraw approvals	1453
43.		riction on cash transactions	1453
		ANNEXURES	
1.	Taxı	rates	1450
2.		s of depreciation	1479
3.		Eleventh Schedule, Thirteenth Schedule, Fourteenth Schedule/	
		stment ceiling in the case of small scale industrial undertaking	148
4.	Notif	ied backward districts	149
5.	Case	studies	1495