B.Com. III Year

Syllabus

Subject – Tax Planning & Management

Unit I	Basic Concepts – Meaning Need of Tax Planning – Principles and objectives of Tax Planning, Obligations of parties to Tax Planning, Tax Avoidance and Tax Evasion – Legal thinking on Tax Planning, Scope of tax planning.
Unit II	Tax Planning with reference to residential status, Tax planning through exempted income for residents/ non-residents, Tax Planning through permissible deductions for residents / non-residents. Tax planning with reference to clubbing provisions.
Unit III	Tax Planning under different heads of Income, Tax planning measures relating to income from salary, Income from House Property, Profit and gains of Business or Profession, Capital gain and Income from other Sources.
Unit IV	Tax Planning through investments, tax planning through various tax saving investment avenues available for individual and HUF like Mutual funds, Unit linked insurance plans, bonds, Equity linked saving schemes, Post office savings schemes and others. Tax deductions under income tax Act.

UNIT-I

Tax Planning , Tax Avoidance and Tax Evasion

Meaning of Tax Planning

INTRODUCTION

The main goal of every taxpayer is to minimize his Tax Liability. To achieve this objective taxpayer may resort to following Three Methods :

- Tax Planning
- Tax Avoidance
- Tax Evasion

It is well said that "Taxpayer is not expected to arrange his affairs in a such manner to pay maximum tax " . So, the assessee shall arrange the affairs in a manner to reduce tax. But the question what method he opts for ? Tax Planning, Tax Avoidance, Tax Evasion !
Let us see its meaning and their difference.

MEANINNG OF TAX PLANNING

Tax Planning involves planning in order to avail all exemptions, deductions and rebates provided in Act. The Income Tax law itself provides for various methods for Tax Planning, Generally it is provided under exemptions u/s 10, deductions u/s 80C to 80U and rebates and relief's. Some of the provisions are enumerated below :

- Investment in securities provided u/s 10(15) . Interest on such securities is fully exempt from tax.
- Exemptions u/s 10A, 10B, and 10BA
- Residential Status of the person
- Choice of accounting system
- Choice of organization.

For availing benefits, one should resort to bonafide means by complying with the provisions of law in letter and in spirit.

Where a person buys a machinery instead of hiring it, he is availing the benefit of depreciation. If is his exclusive right either to buy or lease it . In the same manner to choice the form of organization, capital structure, buy or make products are the assese's exclusive right. One may look for various tax incentives in the above said transactions provided in this Act, for reduction of tax liability. All this transaction involves tax planning.

Objective of Tax Planning

Tax planning is a pivotal part of financial planning. Through effective tax planning all elements of the financial plan falls in place in the most efficient manner. This results in channelization of taxable income to different investment avenues thus relieving the individual of tax liability. The investment amount post lock-in can be utilized for fulfilling needs and act as the retirement corpus in most cases. All in all, the objective of tax planning is to reduce tax liability and attain economic stability.

Why Every Person Needs Tax Planning ?

Tax Planning is resorted to maximize the cash inflow and minimize the cash outflow. Since Tax is kind of cast, the reduction of cost shall increase the profitability. Every prudence person, to maximize the Return, shall increase the profits by resorting to a tool known as a Tax Planning.

How is Tool of Tax Planning Exercised ?

Tax Planning should be done by keeping in mine following factors :

- The Planning should be done before the accrual of income. Any planning done after the accrual income is known as Application of Income an it may lead to a conclusion of that there is a fraud.
- Tax Planning should be resorted at the source of income.
- The Choice of an organization, i.e. Taxable Entity. Business may be done through a Proprietorship concern or Firm or through a Company.
- The choice of location of business , undertaking, or division also play a very important role.
- Residential Status of a person. Therefore, a person should arranged his stay in India such a way that he is treated as NR in India.
- Choice to Buy or Lease the Assets. Where the assets are bought, depreciation is allowed and when asset is leased, lease rental is allowed as deduction.
- Capital Structure decision also plays a major role. Mixture of debt and equity fund should be balanced, to maximize the return on capital and minimize the tax liability.

Interest on debt is allowed as deduction whereas dividend on equity fund is not allowed as deduction

Methods Of Tax Planning

Various methods of Tax Planning may be classified as follows :

1. *Short Term Tax Planning :* Short range Tax Planning means the planning thought of and executed at the end of the income year to reduce taxable income in a legal way.
Example : Suppose , at the end of the income year, an assessee finds his taxes have been too high in comparison with last year and he intends to reduce it. Now, he may do that, to a great extent by making proper arrangements to get the maximum tax rebate u/s 88. Such plan does not involve any long term commitment, yet it results in substantial savings in tax.

2. *Long Term Tax Planning :* Long range tax planning means a plan chaled out at the beginning or the income year to be followed around the year. This type of planning does not help immediately as in the case of short range planning but is likely to help in the long run ;

e.g. If an assessee transferred shares held by him to his minor son or spouse, though the income from such transferred shares will be clubbed with his income u/s 64, yet is the income is invested by the son or spouse, then the income from such investment will be treaded as income of the son or spouse. Moreover, if the company issue any bonus shards for the shares transferred , that will also be treated as income in the hands of the son or spouse.

3. *Permissive Tax Planning :* Permissive Tax Planning means making plans which are permissible under different provisions of the law, such as planning of earning income covered by Sec.10, specially by Sec. 10(1) , Planning of taking advantage of different incentives and deductions, planning for availing different tax concessions etc.

4. *Purposive Tax Planning :* It means making plans with specific purpose to ensure the availability of maximum benefits to the assessee through correct selection of investment, making suitable programme for replacement of assets, varying the residential status and diversifying business activities and income etc.

Tax Avoidance

It is an act of dodging tax without breaking the Law. It means when a taxpayer arranges his financial activities in such a manner that although it is within the four corner of tax law but takes advantages of loopholes which exists in the Tax Law for reduction of tax a liability. In other words though he has complied the letter of law but not the sprit behind the law.

Following transactions are held as Tax Avoidance which are :

1. Where tax law is complied with by using colorable devices which means that use o dubious method or a method which is unfair for reduction of tax liability.
2. Where the fact of the case is presented in a false manner.
3. Where the sprit behind the law is avoided.
4. There is a malafide intention.

It means that method adopted for reducing tax liability should be within the framework of law. If it is not within the framework of law, it amounts to tax avoidance and not Tax planning.

Tax Evasion

Any illegal method which leads to reduction of tax liability is known as Tax Evasion. The Tax Evasion is resorted to by applying following dishonest means :

1. Concealing the Income
2. Claiming excessive expenditure
3. Falsification of accounts.
4. Willful violence of Rules

E.g. Claiming depreciation where no asset exist in the Business or claiming depreciation on the assets which is used for residential purposes. It Is basically a fraudulent method of reduction in tax liability.

The Difference Between 'Tax Avoidance' And 'Tax Evasion'

THE DIFFERENCE BETWEEN 'TAX AVOIDACNE' AND 'TAX EVASION'

TAX AVOIDANCE	***TAX EVASION***
(i) Where the payment of tax is avoided though by complying with the provisions of law but defeating the intension of the law is known as tax Avoidance.	Where the payment of tax is avoided through illegal means or fraud is termed as tax evasion.
(ii) Tax Avoidance is undertaken by taking advantage of loop holes in law	Tax evasion is undertaken by employing unfair means
(iii) Tax Avoidance is done through not malafied intention but complying the provision of law.	Tax Evasion is an unlawful way of paying tax and defaulter may punished.
(iv) Tax Avoidance looks like a tax planning and is done before the tax liability arises.	Tax evasion is blatant fraud and is done after the tax liability has arisen.

UNIT II

EXEMPTED INCOME

Section -10 of Income Tax Act laye down income which is totally or partially exempted from tax-

A. EXEMPTED INCOME FOR ALL ASSESSES

1. Agricultural Income Sec. 10(1)
2. Share of income from partnership firm Sec. 10 (2A)
3. Share of HUF Income Sec. 10(2)
4. Scholarships – Sec.10(16)
5. Income as divided Sec. 10 (34 & 35)
6. Capital gain on transfer of u/s 64 (Sec. 10 (33)
7. Allowance of M.P./MLA Sec. 10 (17)
8. Award / reward Sec. 10 (17A)
9. Pension to gallantry award winner Sec. 10(18)
10. Family Pension received by the family members of armed forces Sec. 10(19).
11. Capital gain on compulsory acquision of urban Agriculture land Sec. 10(37)
12. Interest on notified Government Securities Sec. 10(15)
13. Income of minor child which is clubbed Sec. 10(32) [Up to 1,500/- per child]
14. Compensation under Bhopal Gas Leak Disaster Sec. 10(10BB)
15. Income of subsidy from Tea Board Sec. 10(30)
16. Income of schedule Tribe members Sec. 10(26)

17. Amount received under a life Insurance Policy Sec. 10(10D)
18. Income of subsidy from Rubber Board/Coffee Board /spices board / any other notified Board Sec. 10(31)
19. Income from Sukanya Samriddhi Account – Sec. 10(11)A.

B. EXEMPTED INCOME FOR EMPLOYEES

1. House Rent Exempted upto a certain limit Sec.10(13A)
2. Gratuity :- Sec. 10(10)
   a) Gratuity for Government employees is fully exempted

   b) Gratuity for non-government, employees is exempted up to a certain limit.
3. pension Sec. 10(10A)
   a) Pension for government employees, fully exempted

   b) Pension for non-government employee exempted upto certain limit.
4. Leave travel concession in India Sec. 10(5)
   :-

   Actual Amount Received or
   Amount Prescribed or
   Amount Actual Spent

   Which ever is less is exempted
5. Amount received as leave encashment on retirement Sec.-10 (10AA)
   a) Central/State Government Employee – Fully Exempted
   b) Other Employee exempted upto certain limit
6. Compensation on retrenchment Exempted upto certain limit.Sec.10(10 B)
7. Allowance or perquisite outside India Sec 10(7)
8. Allowance/perquisite paid outside India by Indian Government is exempted.
9. Provident fund Sec. 10(11)
   a) P.F. received from Recognised P.F. fully exempted
   b) P.F. received from unrecognised P.F. Taxable
10. Superannuation fund Sec. 10(13)
11. Voluntary retirement Scheme Sec. 10(10c) (Amount received by this scheme is exempted upto 5 lakh.)
12. Tax on perquisite paid by the employer is exempted Sec. 10 (10 CC)
13. **Special Allowance Sec. 10 (14) for performing duty**

1	Travel/Tour Allowance	Actual Expanses Exempted
2	Daily Allowance	Actual Expanses Exempted
3	Conveyance Allowance	Actual Expanses Exempted

4	Helper Allowance	Actual Expenses exempted
5	Training Allowance	Actual Expenses exempted
6	Uniform Allowance	Actual Expenses exempted

14. **compensatory allowances to Employee ---**

1	Education Allowance	100/- Per month Per Child (for 2 child)
2	Hostel Allowance	300/- Per month Per Child (for 2 child)
3	Transfer Allowance	70% of Allowance Or 10,000 Rs. Per month — Whichever is less
4	Tribal Area Allowance	Up to 200 Rs. Per month
5	Field Area Allowance	Rs. 2,600 Per month
6	Composite Hill Compensatory Allowance	From 300 Rs. to 7000 Rs. Per month. according to place
7	Border/Remote area allowance	200 to Rs. 1,300 Per month. according to place
8	Allowance to workers of coal mines	Rs. 500 Per month
9	High Attitude allowance	Rs. 1060 to Rs. 1600 Per month
10	Highly Active field area allowance	Rs. 4,200 Per month
11	Modified field area allowance	Rs. 1,000 per month.
12	Counter Insurgency Allowance	Rs. 3,900 per month.
13	Transport Allowance	Rs1600 per month (Rs. 3200 per month in the case of handicapped, blind or disabled employee) Upto 31/03/2018
14	Island (Duty) Allowance	Rs. 3,250 per month.

C. EXEMPTED INCOME FOR INSTITUTIONS

1. Income of scientific research association Sec. 10(21)
2. Income of employee's welfare fund Sec. 10 (23AAA)
3. Venture capital fund/Company Sec. 10 (23F)
4. Income of news Agency Sec. 10 (22B)
5. Income of Professional institutions Sec. 10 (23A)
6. Income of Regimental Fund of the Armed forces Sec. 10(23AA)
7. Income of Khadi/Village industrial Sec. 10(23B)

8. Income of Khadi Board Sec. 10(23BB)
9. Income of the European Economic Community Sec. 10 (23BBB)
10. Income of statutory bodies Sec. 10 (23 BBA)
11. Income of pension fund (Set up by LIC) Sec. 10 (23AAB)
12. Income from mutual fund Sec. 10 (23D)
13. Income of Registered Trade unions Sec. 10 (24)
14. Income of local authorities Sec. 10(20)
15. Income of Co-operative Societies for Scheduled castes/Tribes Sec. 10 (27)
16. Income of political party Sec. 13 (A)
17. Income of the SAARC fund for regional Project Sec. 10(23BBC)
18. Income of a corporation promoting the interest of a minority community Sec. 10 (26BB)
19. Income of certain national funds Sec. 10 (23 c)
20. Income of Hospitals and Educational Institution association Sec. 10 (23C)
21. Exemption of income of Investor Protection Fund – Sec. 10 (23EA)
22. Income of Swachh Bharat Kosh and Clean Ganga Fund – Sec. 10 (23C)

D. EXEMPTIONS FOR NON-RESIDENT /FOREIGN CITIZEN

1. Interest received on prescribed securities.
2. Interest received by "non-resident(External) Account"
3. Interest from notified central Government if such certificates are subscribed in foreign currency.
4. Remuneration received by foreign diplomats.
5. Salary received by foreign citizen in India/by non-resident foreign citizen/by an employee being a foreign national.
6. Tax paid by Government/Indian concern in case of non-resident/Foreign company.
7. Income arising to notified foreign companies projects connected with security of India.
8. Foreign allowance granted by the Indian government to its employee posted abroad.
9. Remuneration received from foreign government by an individual who is in India in connection with any sponsored Co-operative technical assistance programme.
10. Remuneration received by non-resident consultants and their foreign employers.

E. EXEMPTIONS FOR OTHERS

1. Exemptions for newly established industrial undertaking in free trade zones Sec. 10 (A)
2. Exemptions for newly established industrial undertaking in special Economic Zone Sec. 10 (AA) after 31st March, 2005
3. Exemptions for newly established industrial undertaking Hundred percent export oriented undertakings Sec. 10(B)
4. Deduction in respect of export of artistic hand made wooden articles section 10 (BA)
5. Income exempted of charitable/Religions trusts Sec.-11

RESIDENTIAL STATUS AND TAX LIABILITIES

The tax liability under income tax is determined on the basis of residential status of an assessee but not according to the citizenship hence it becomes necessary that firstly the residential status of an assessee should be determined.

On the basis of residential status there are 3 categories of assessees:

1) Resident/Ordinary resident
2) Not ordinarily resident
3) Non resident

There are separate rules for different types of assessee like; individual, H.U.F., firm, companies etc. for determination of residential status.

Individual Assessee

1) **Resident / Ordinary Resident : -** If an individual wants to become resident in India, then he has to fulfill the basic condition as well as two additional conditions:

i) **Basic conditions:** In the basic conditions, there are two conditions. On satisfying any one of these, it will be assumed that the basic condition is satisfied.

a) The assessee must have lived for at least 182 days in India during the previous year.

OR

b) The assessee must have lived for at least 365 days in 4 years preceding the previous year and at least 60days in the previous year.

EXCEPTIONS TO THE BASIC CONDITIONS

1. If an assessee is an India citizen and goes aboard for the employment purpose or leaves the country as a member of crew of an Indian ship.
2. If an assessee is an Indian citizen or an Indian origin, living in a foreign country and comes to India on tour during the previous year.

In both these exceptional cases an assessee has to lives for at least 182 days for satisfying the basic condition.

ii) **Additional Conditions**

There are two additional conditions and assessee has to satisfy both of these conditions. These are :

i) An assessee must have been assessed as resident for at least 2 out of 10 years preceding the previous year.

AND

ii) An assessee must have lived for at least 730 days out of 7 year proceeding the previous years.

Thus on satisfying any of the two basic conditions and two additional conditions an individual assessee can be termed as "ordinary resident".

2) **Not Ordinarily Resident:** If an assessee satisfies the basic condition but fails to satisfy the two additional conditions, then he will be assessed as "not ordinarily resident".
3) **Non Resident:** If an assessee fails to satisfy even the basic condition, then he will be assessed or" non resident".

Hindu Undivided Family (H.U.F.)

1) **Resident :** An HUF will be assessed as resident in India if :
   a) Management and control of the business is wholly/partly situated in India.
   AND
   b) "Karta" of the HUF satisfies the two additional conditions.
2) **Not Ordinarily Resident :** An HUF will be assessed as NOR if:
   a) Management and control of the business is wholly/partly situated in India
   b)
   BUT
   c) Karta of HUF does not satisfy the two additional conditions.

3) **Non Resident:** An HUF will be assessed as non resident if control and management of the HUF is wholly situated outside in India.

FIRM OR ASSOCIATION OF PERSONS

1) **Resident :-** A firm or an AOP will be assessed as Resident of India if its control and management is wholly/partially situated in India
2) **Non Resident :** A firm or an AOP will be assessed as non resident in India if it is wholly/partly controlled and managed from outside India.

COMPANY

1) **Resident :** A company will be assessed as resident in India if :
   i) It is an Indian Company
   OR
   ii) It is controlled and managed wholly within India.
2) **Non-Resident :** A company which is neither an Indian company nor it is wholly/partly controlled and managed from outside India, is called as non-resident.

RESIDENTIAL STATUS AND TAX INCIDENCE (LIABILITIES)

Tax liability of an assessee depends upon the residential status on which income he is liable to pay tax and which incomes are not taxable for him, for determination of this matter, now we have to understand the relationship between residence and tax liabilities :

a) Tax liability of **ordinarily Resident**
   i) Income received or deemed to be received in India.
   ii) Income accrued or deemed to be accrued in India.
   iii) Income from business outside but control by India.
   iv) Income received or accrued outside the India

b) Tax liability of **Not ordinarily resident:**
   i) Income received or deemed to be received in India.
   ii) Income occurred or deemed to be accrued in India.

   iii) Income business situated outside India but controlled and managed from India

c) Tax liability of **non residents of India:**
   i) Income received or deemed to be received in India
   ii) Income occurred or deemed to be accrued in India.

Clubbing of Income and deemed incomes

In addition to the general provisions which are applicable to the computation of total income and assessment of an assessee, there are special provisions in the income tax Act which are designed to counteract the various attempts which an individual may make for avoiding/ reducing his liability to tax by transferring his assets/ income to other person/ persons while at the same time retaining certain power over, or interest in the property or its income. These provisions are under sec-60 to 69 of the income Tax Act.

Clubbing of Income-

Clubbing of Income mean income of other persons included in assessee's total income under same special circumstances provisions related to clubbing of income aggregation of incomes are as under-

1. Transfer of Income where there is no transfer of assets (Sec. 60)
2. Revocable transfer of assets (Sec. 61)
3. Transfer irrevocable for a specified period (Sec. 62)
4. Income of spouse (Sec 64) (i) (ii)
   (a)Income to spouse from a concern in which such individual has substantial interest

   (b)Where husband and wife both have a substantial interest

   (c) Income to spouse from the assets transferred Sec. 64 (i) (iv)

5. Clubbing of income of minor child Sec 64 (1A)
   (a)Minor's income will not be included

   (b Exemption in respect of the income of minor (Actual income OR Rs. 1500 each child,

   whichever is less)

6. Income to son's wife Sec 64 (i) (vi)
7. Transfer for immediate or deferred benefit of son's wife sec 64 (I) (viii)

8. Income to spouse through a third person Sec. 64 (i) (vii)
9. Income from the converted property Sec 64 (2)

Note –

1. Income from capital property to spouse after partition shall be included in the income of the individual and this income shall be excluded from the total income of the family/ spouse as the case may be.
2. Clubbed income will be included under same head.
3. The tax on the income of the other person which has been included in the income of the assessee can either be recovered from the assessee or from the other person. The liability of other person is limited to the portion of tax leived on the assessee which is attributable to the income so included. His liability arises after the service of a notice of demand by the assessing officer in this behalf.

Certain Amounts deemed as income (69c)

Under section 68, 69, 69A, 69B, 69D. Certain amounts are treated as the income of the assessee. Hence, while computing the total income of the assessee. Such amount shall be included in his income for income tax purposes.

1. Cash Credits (sec. 68)
2. Unexplained Investment (Sec. 69)
3. Unexplained money etc. (Sec. 69 A)
4. Under valued Investment or valuables (Sec. 69 B)
5. Unexplained expenditure (Sec. 69 C)
6. Amount borrowed or repaid on Hundi (Sec. 69 D)

UNIT III

Computation of Income from Salary

Assessment Year 2018-19

(A) Cash Receipts :-	
Salary	-------------
Bonus	-------------
Commission	-------------
Allowances	-------------
Advance Salary	-------------
Arrears of Salary	
(B) (i) Employer's Contribution in R.P.F. (Recognized provident fund) in excess of 12% of salary	-------------
(ii) Interest on R.P.F. in excess of 9.5%	-------------
C) Perquisites:-	
Rent free house	-------------
Medical facility	-------------
Motor car	-------------
Education facility	-------------
Gross Salary	-------------

Less:- Deduction u/s 16 (ii)	
Entertainment allowance (Only for govt. employee)	
Actual entertainment allowance of 20% of basic salary or maximum 5000 Rs. Which everless . ………	
Less:- Deduction u/s 16 (iii)	
Professional tax (Paid during the previous year) ………	-(---------)
Taxable Salary	
	…………..

Deduction form Gross Salary

(1) Entertainment allowance u/s 16(ii) :- This deduction is allowable only to government employees.

Salary = Basic Salary :-

(i) Allowance received
(ii) 20% of Salary
(iii) Rs. 5000

} Whichever is less

(2) Professional Tax or Employment tax u/s 16(iii) :-

Actual Payment will be deductible.

Allowances		
Fully Taxable Allowance	**Fully Tax free allowance**	**Partly Taxable allowance**
(1) City compensatory allowance (2) Dearness Allowance (3) Deputation Allowance (4) Entertainment Allowance (5) Family allowance (6) High cost of living allowance (7) Medical Allowance (8) Non-practicing allowance (9) Overtime allowance (10) Project allowance (11) Rural area allowance (12) Servant allowance (13) Tiffin allowance (14) Warden and proctor allowance	1) Conveyance allowance 2) Travelling allowance 3) Tour allowance 4) Helper or assistant allowance 5) Academic and research allowance 6) Uniform allowance 7) Special allowance for performing duty. Above allowances will be fully exempted if :- (i) Whole amount is spent (ii) Amount is spent for office use only	1) Education allowance 2) Hostel allowance 3) Tribal area allowance 4) Transport allowance 5) Composite hill compensatory allowance 6) Running allowance to the employees of transport undertakings 7) House rent allowance 8) Under Ground Allowance

Rules regarding partly taxable allowance

1) **Education allowance :-** Exempted to Rs.100/- P.M. per child for maximum 2 children i.e. 100 × 2 × 12 = Rs. 2,400/-
2) **Hostel allowance :-** Exempted up to Rs. 300/- P.M. per child for maximum 2 children i.e. 300 × 2 × 12 = Rs. 7,200
3) **Tribal area allowance:-** Exempted up to Rs. 200/- P.M.
4) **Transport allowance:-** Allowance for going to office and coming back to home is exempted up to Rs. 800 P.M.
5) **Composite hill compensatory allowance:-**

   (i) Manipur skim, u.p., H.P. and J & K where height is 9000 ft. and above Rs. 800 P.M. exempted

   (ii) In Siachin area Rs. 7000 P.M. exempted.

   (iii) Places located at a height of 1,000 meter or more above the sea level Rs. 300 per month.

6) **Running allowance for employees of Transport undertakings**

   70% of allowance received

   or

   Rs. 10,000/- P.M.

   } Whichever is less is exempted

7) **House Rent allowance:-**

   Salary = Basic Salary + D.A. Under the terms + Commission at fixed percentage

Allowance received Less:- 1) Allowance received 2) Rent paid – 10% of salary 3) 40% or 50% of salary Whichever is less will be	 ---------------- ---------------- ----------------	---------------- ----------------
Taxable H.R.A.		----------------

8) Under Ground Allowance : - Exempted upto Rs. 800 Per Month

Perquisites

Tax free perquisites	**Taxable perquisites**	
1) Refreshment facility	**For all class of employers**	**For Specified employers**
2) Telephone facility	1) Rent free house	1) Servant facility
3) Medicinal facility	2) Concessional rent house	2) Gas, Water & electricity facility
4) Expenses on Training	3) Liabilities of employee paid by employer	3) Free education facility (exceeding Rs. 1000 P.M. Per child)
5) Sale of goods as concessional rate	4) Interest free or concessional loan exceeding Rs. 20,000	
6) Issue of shares/debentures at concessional rate	5) Use of movable assets [10% of cost will be Taxable]	
7) Free Conveyance facility	6) Transfer of movable assets [W.D.V. –Transfer price]	
8) Free Accommodation for employees	7) Medical reimbursement (exceeding Rs. 15000)	
9) Scholarship to children of employee		
10) Leave travel concession or assistance		
11) Loan facility up to 20000		
12) Free use of computers		
13) Free Education facility up to Rs. 1000 P.M. per child		

14) Health club and sport facilities		
15) Tax paid on perquisites		
16) Group insurance and accidental insurance premium paid by employer		
17) Transfer of 10 year old movable assets		
18) Free meal upto Rs. 50		

Rules Regarding Retirement

1. **Monthly Pension -** Fully Taxable
2. **Computation of Pension –**

(A) Government employee – Fully exempted

(B) Other employee

(i) If employee is getting Gratuity – 1/3rd of total pension will be exempted

(ii) If gratuity employee is not getting gratuity – ½th of total pension will be exempted.

3. Gratuity –

(A) Government employee – fully exempted

(B) Employee covered under gratuity payment 1972

Salary = Basic salary + Dearness allowance (which is under the terms of employment or not)

Gratuity received Less :- 1. Gratuity received ---------- } Whichever is less 2. $\frac{\text{Salary last drawn x Service Year x 15}}{26}$ ---------- 3. Maximum limit Rs. 10,00,000 ----------	------------ (-) -----------
Taxable Gratuity	------------

Note:- Salary will be calculated on the basis of last months receipts

(C) Employee not covered under Gratuity payment Act 1972

Salary = Basic Salary + Dearness allowance under the terms + Commission at fixed percentage

Gratuity received Less :- 1. Gratuity received ---------- 2. No. of Completed year x Preceding 10 month average salary / 2 --------- 3. Maximum limit Rs. 10,00,000 ---------- Whichever is less	------------ (-) -----------
Taxable Gratuity	------------

Note:- Salary will be calculated on the basis of last months receipts

(4) Earned Leave Salary:-

(A) Government employee – Fully exempted

(B) Non Govt. employee –

Salary = Basic salary + D.A. under the terms+Commission of fixed percentage

Salary received for earned leave Less :- 1) Salary received for earned leave ----------- 2) Salary of approval period ----------- 3) Salary of 10 months ----------- 4) Maximum limit Rs. 3,00,000 ----------- Whichever is less will be	------------ (-) -----------
Taxable earned leave Salary	------------

Note:- Salary will be calculated on the basis of last to month's average salary.

(5) Compensation on Retrenchment

Salary = Basic salary + Allowances Taxable + All taxable perquisites

Compensation received Less :- 1) Compensation received ----------- 2) Salary of 15/30 days on the completed year of service (under industrial dispute act 1947) ----------- 3) Maximum limit Rs. 5,00,000 ----------- Whichever is less	------------ (-) -----------
Taxable Amount	------------

Note:- Salary will be calculated on the basis of last 3 month's average salary

(6) Amount received from provident fund:-

Amount received from statutory P.F. and Recognised P.F. will be fully exempted but amount received from unrecognised P.F. will be taxable as under-

(i) Employer's share with interest will be taxable in the head of salary

(ii) Interest on employee's share will be taxable in the head of other sources.

INCOME FROM HOUSE PROPERTY

The second head of Income is income from house Property. In this head of income, we compute the income received by an assessee from the house owned by himself. There are some incomes which arise from house, Owned by the assessee, but not to be included in this head:

1. Income from staff-quarters.
2. House used by the assessee for his own business or profession.
3. House Let out to government authorities for police station, fire brigade, bank, insurance company etc. for taking assistance in the business.
   Similarly, income from subletting house or sub-tenancy will not be the part of this head.

Exempted Income from house properties:

Some incomes are been declared exempted which have arisen from house properties.

1. Income from self-residential house
2. Income from official residence of former rulers.
3. Income of some social & charitable institutions.
4. Income from agricultural farm house.

From the Income-tax point of view, house properties can be classified into 4 parts:

1. **Self-Residential House:**

Computation of Income from House Property

Assessment year 2019-20

Gross Annual value of self-occupied house	NIL
Less: Interest on loan (Rs. 30,000 if loan taken before 1.04.1999 OR	--------
Rs. 2,00,000 it if loan taken after april 1999)	--------
Income from House Property	

2. **Let-Out House:**

Computation of Income from House Property

Assessment year 2019-20

Gross Annual Value		--------
Less: Municipal Taxes [Paid by owner on or before 31st march, 2013].		(-) --------
Net Annual Value		--------
Less: Deduction u/s 24:		
(i) Standard deduction (30% of N.A.V.)	--------	
(ii) Interest on loan (actual interest due in previous year)	--------	(-)--------
		--------
Income from House Property (Taxable)		

3. **Partly let-out & Partly self-occupied House:**

2/3 Self-occupied	1/3 Let-out

4. Some part of the house is self-occupied for the whole year and remaining portion is let out for some period by self-occupies for the remaining period:

2/3 Self-occupied	10 months Let out
	2 months Self-occupied

While doing valuation in this case, actual rent will be calculated of the whole house for the let-out period only. But, fair-rent and municipal-valuation will be taken for the whole year

Rules regarding valuation:

1. **Gross Annual Value (G.A.V.)/Actual Rental Value**
   It is been calculated on 2 basis:

   (a) Self-occupied house: NIL

   (b) Let-out house:

i. If the house is not covered under Rent control Act:

Actual Rent
Or
Municipal Valuation
Whichever is higher

ii. If the house is covered under Rent control Act:

Actual Rent
Or
Municipal Valuation

Whichever is higher -------------

Whichever is less

Actual Rent
Or

Whichever is higher --------------

NOTES:

1. If the let-out house has remained vacant fro some period during the previous year, then actual rent for such vacancy period will be deducted in the calculation of gross annual value.
2. If amount of approved unrealized rent is given in the question then such amount will also be deducted in the calculation of G.A.V.
3. If owner of the house has provided some facilities to the tenant, free of cost as per agreement or Rent-deed during the previous year, then the value of such facilities firstly be deducted from the rent received and remaining actual rent will be compared with other rents.
4. If an assessee has kept more than one house for his own residence, then only one house will be valued as **self-occupied house** and other self-residential houses will be valued as **"deemed to be rental".**

2. **Municipal Taxes/ Local Taxes:**
Municipal taxes are deducted on "Payment Basis". It means that the whole amount of taxes paid during the previous year 2017-18 will be fully deductible, doesn't matter to which year they belongs to. To get the deduction of these taxes, it is necessary that the assessee should fulfill the following 2 conditions:

a. Taxes must be paid by the owner only.
b. Taxes must be paid on or before last day of the previous year i.e. 31st March, 2018
c.

3. **Standard Deduction:** 30% of Net Annual Value
4. **Interest on Loan:**
This deduction is allowed on "Due basis". It means that whether the amount of interest is paid or not by the assessee, on claiming the deduction by him he will get the deduction.

Deduction of interest on loan is allowed only when the amount of loan is utilized for purchasing, constructing or repairs or renewal of the house.

Deduction of interest of loan is given in 2 parts:

I. Amount of interest due during the previous year 2017-18
II. 1/5th of interest for construction period.

Construction period will be calculated from the date of taking loan upto 31st March immediately preceding the date of completion of construction of house.

Deduction of interest on loan will be allowed as under:

a. Let-out house: The whole amount of interest will be deductible.
b. Self-Residential house:

Amount of due interest during 2017-18
Or
Whichever is less

NOTE:

If loan is taken before April 1st, 1999, then maximum deductible amount will be Rs. 30,000 otherwise it will be Rs. 2,00,000

If the loan is taken for repairs or renewal of the house, then in each case maximum deductible amount will be Rs. 30,000

More than one house/houses for self residence –

Where the person has occupied more than one house for his own residential purposes, only one house (according to his own choice) is treated as self-occupied and all other houses will be deemed to be let out.

Except one house (on the choice of the assessee) remaining house or houses will be computed as let out. So, annual value of such deemed let house/houses is determined u/s 23(1) (a) on the basis of reasonable expected rent and entitled for the deduction of municipal taxes, standard deduction (30% of NAV) and interest on loan like out property.

Only one house owned and kept vacant – Section 23 (2) (b)

In the case of an assessee who owns only one house property which is kept vacant as he has to reside at some other place in a building not belonging to him due to his employment, profession or business, the annual value will be taken as nil. Deduction u/s 24 shall be allowed only in respect of interest on loan borrowed upto Rs. 30000. Where the property is acquired or constructed out of loan borrowed on or after 1-4-99, interest in respect of such property shall be allowed upto Rs. 2 Lacs.

House acquired or transferred during the year

If the house is acquired or completed during the year then annual rental value will be determined from the date of completion or acquisition to 31st March. For example a house is completed on 1.8.2011 and let out. In this situation the annual rental value will be computed for 8 months (1.8.2011 to 31.3.2012). On the contrary a house which is sold or transferred during the year, will be valued from 1st April to date of transfer.

Rent received after deduction of Tax

If the assessee lets out his property to a company or firm or trust or bank etc. (other than Individual or H.U.F.) and gross annual rent is more than Rs. 180000 then the tenant would pay rent after deduction of tax @10%. In such position at the time of determination of annual rental value gross rent should be kept in view instead of net rent. If the net rent is given then it will be grossed up as under:-

$$\frac{\text{Net Rent x 100}}{90}$$

Arrears of rent received during the year – Sec. 25B

If the assessee received any amount, by way of arrears of rent from such property, not charged to income-tax for any previous year, the amount so receivable (after deducting a sum equal to 30% of on account of standard deduction such amount) shall be deemed to be the income chargeable under the head "Income from House Property". It is taxable in the previous year in which it is received. It is taxable even if the assessee is not the owner of that property in that year.

Recovery of Unrealized rent – Sec. 25A & 25AA

If the assessee has claimed deduction for unrealized rent in preceding year (before previous year) and subsequently realized or recovered any such amount during the previous year, then it will be taxable and included in the income from house property. The following points should be noted in this reference :-

i) The amount so recovered is taxable in the previous year in which it is recovered.

ii) No deduction whatsoever will be allowed to the assessee for any expenses for recovery of such unrealized rent.

iii) Recovered amount is taxable even if the house is not owned by the assessee in the year of recovery.

iv) If the deduction for unrealized rent was not allowed and claimed in past, then such recovered amount is not taxable in the previous year because the assessee has paid tax on such amount in past.

v) If the partial deduction was allowed for unrealized rent in past then such part of recovered amount was not taxable during the previous year which was not deducted as unrealized rent at the time of assessment.

Income from Business/Profession

Third important head of the income is 'Profit and gains of business or profession. Major part of the revenue is collected by income tax department from the tax payees engaged in business activities.

Meaning of Business- Sec. 2 (13)

Business includes any trade, commerce or manufacture or any adventure or concern in the nature of trade, commerce or manufacture.

"Profession" includes 'Vocation' Sec. 2 (36)

Profession- The expression Profession involves the idea of an occupation requiring Purely intellectual skill or manual Skill controlled by the operator as distinguished from an occupation or business which is substantially the production/ sale/ arrangements for the production or sale of commodities.

Vocation: In the act, It implies natural ability of person for some particular work. In the other words by the way in which a man passes his life.

Profits and Gains of business/ Profession include-

1. Profit from trading activities
2. Compensation
3. Receipts from Profession
4. Profit from speculation business
5. Brokerage
6. Commission
7. Import-export Incentives
8. Income of trade Associations
9. Royalty etc.

Traders, Manufactures, Suppliers, banks, insurance Companies transporters, lawyers, doctors, engineers, singers, insurance agents, trade Associations, money lenders etc. are covered under this head.

The following conditions should be fulfilled for allowing deduction under the Section-

1. Expenditure must be in revenue nature, capital expenditure is not allowed.
2. Expenditure must be related to business/profession.
3. Expenditure must be actually made reserve/provision made for any expenses is not allowed.
4. Expenditure must not be personal/Domestic
5. Expenditure must be paid/ payable during the year.

Computation of income from business assessment year 2019-20

Net profit as per P & L a/c or surplus as per income & exp. a/c Add- Disallowed expenses & Losses debited to P&L A/c: 1. Household expenses/ Personal expenses 2. Life insurance premium 3. Int. on capital 4. Income tax & wealth tax 5. Capital expenditures & capital losses/ Speculations 6. Fees & penalties (except penalty in the form of interest for late payment of sales tax) 7. Reserves & provisions (except prov. For payment of excise duty) 8. Capital expenditure on advertisement expenses new sign board. 9. Adv. In souverior of political party. 10. Donation to political parties 11. Charities & donation (except compulsory subscription for business) 12. Personal gifts & presents 13. Cash payment exceeding Rs. 10,000 of the whole amt. will be disallowed. 14. Payment outside India without TDS 15. Excess payment to relatives 16. Excess dep. Charged in P & L a/c 17. Irrelative exp. Of business 18. Fringe benefit tax (FBT) 19. Securities transaction tax (STT) 20. Income tax on perquisites 21. Valuation of closing stock 22. Exp. On intangible assets like patents copyright, know how etc. (25% dep allowed on it) 23. Preliminary expenses (4/5 th disallowed) 24. Exp. On prospecting of minerals (9//10 disallowed) 25. Exp. On family planning program 26. Provision for Gratuity [u/s 40 A (7)]	

	(+) –
Total	-
Less- Allowed expenses and allowances which are not debited to P&L A/c wholly/partly for instance depreciation: 1. Allowed bad debts 2. Allowed depreciation 3. Any other allowed expenses 4. Banking cash transaction tax	(-) -
Less : Income not related to business but credited to P&L A/c: 1. Rent from house property. 2. Selling price/profit from sale of assets. 3. Interest and dividend 4. Int. on post office savings a/c 5. Income tax refund 6. Agricultural income	-

7. Bad debts recovered which were previously disallowed as bad debts 8. Personal/ Family Gift	(-) –
Add : Add- deemed income which are not recorded in the books:	(+) –
Taxable Income from Business/ Profession	-------

Deductions expressly allowed in respect to expenses and allowances (sec. 30 – 37)

1. Rent, taxes, insurance, repairs etc. of the building: If an assess is running his business in a rental house, then rent and all other expenses will be fully allowed. But if the business is running in own house, then rent will be fully disallowed and other expenses will be allowed proportionately. (Sec. 30)
2. Repairs & insurance of other assets: If an assessee has taken insurance of plant & machinery, furniture, motor car etc. or spent on repairs of these assets, then the whole amount will be fully allowed. (Sec. 31)
3. Depreciation: (sec. 32) depreciation will be allowed on all those assets at prescribed rates, which are allowed by the assessee and are used in business of profession

Dep. On leasehold assets will not be allowed and also on foreign cars.

Dep. Will be allowed on any asset only when it is existing the business on the last day of the previous year Mar'31, 10. If an asset has been sold or destroyed before this date, then dep. Won't be allowed on such asset.

If an asset is used for a period. of 180 days or more in an year, then only dep. Will be allowed for the whole year. But, if an asset is used for less than 180 days in a year, then dep. will be allowed at prescribed rate for the half year.

Dep. is to be calculated on the WDV of the asset which will be calculated As under:

WDV on 1st Apr. 09			………
(+)	Cost of new asset purchased	(+)	………
	Total		……….
(-)	Sales Price of the asset sold	(-)	………
	WDV on 31st Mar.010		………

Following are the prescribed rates of depreciation on some of the important Assets.

i.	Residential Building	5%
ii.	Commercial Building	10%
iii.	Furniture	10%
iv.	Motor Car	15%
v.	Scooter, motorcycle	15%

vi.	Plant & Machinery	15%
vii.	Intangible assets like patent, copyright, know how etc	25%
viii.	Computer	60%
ix.	Professional books :	
a)	Books annually published	100%
b)	Other books	60%

20% additional dep. will be allowed on assets purchased during the previous year. But assets use for less than 180 days rate of additional depreciation will be 10%

4. Expenditure on scientific research: Every amount of such expenditure, whether it is capital or revenue, will be fully allowed. (Sec. 35)
5. Contribution to national laboratory: Weighted deduction of 200% will be allowed. [Sec. 35(2AA)]
6. Patents, copyright, technical know how: Exp. On them exp. On various intangible assets like patent, copyright license, trademark, know how etc. will be treated as capital expenditure hence it all be disallowed if it is written in P & L a/c (Sec. 35 A & 35 AB) Being a capital expenditure, 25% dep. Will be allowed on it. (If intangible assets acquired after 31/3/98). In case of Patent/ copyright acquired before 1/4/1998 it would be allowed in 14 years equal installments.
7. Preliminary Expenses: They are allowable in 5 equal annual installments. It means that every year, 1/5th will be allowed & 4/5 disallowed. (Sec. 35 D)
8. Expenditure on prospecting of minerals: Allowable in 10 equal annual installments i.e. every year 1/10th allowed and 9/10th disallowed. (Sec. 35 E)
9. Exp. On family planning programs: If some amount is spent by the assessee on family planning programs of employees, allowed fully capital expenditure is allowed 1/5 portion and revenue expenditure whether it is capital or revenue expenses will be fully disallowed. [Sec. 36 (i) (ix)]
10. Payment for rural development program: This expense will be allowed fully only when the payment is made to an approved institution. (Sec. 35 CCA)
11. Security, transaction Tax
12. Other deduction (Sec 36) Insurance Premium, Bonus Bad Debts, Commission, Interest on capital, Contribution to P.F./ Gratuity fund
13. Tea, coffee & rubber Development Account (Sec. 33AB)
14. **Examples of expenditure allowable as a deduction u/s 37 (1)**
    I. Expenses relating to sale- purchase/ Manufacturing
    II. General expenses for running business.
    III. Remuneration to employees
    IV. Compensation/ damages
    V. Legal expenses
    VI. Indirect Taxes
    VII. Expenditure on raising loans
    VIII. Expenditure on advertisement
    IX. Other expenses are allowed as per business needs

a. Guest house Expenses, Entertainment expenses, advertisement, travelling etc.
b. Telephone deposit and installation changes.
c. Expenditure on labour welfare
d. Subscription/ contribution/ fees paid to any institution in the interest of business.
e. Office expenses, Royalty, Commission, brokerage etc.
f. Civil defence expenses
g. Expenditure on training of employees/ apprentices

h. Rebate or discount allowed to customers
i. Professional tax levied by state Govt.
j. Express incurred on the occasion of Diwali Muhurat, Business anniversary/ exhibition, festival etc.
k. Interest paid for delay payment of sales tax etc.
l. Fees/ Remuneration to tax consultant/ Advocate
m. Expenses related to tax procedure/ registration of trade mark to promote family planning among the employees.
n. Some losses are allowed like- destruction of stock due to fire, theft or war, embezzlement by employee etc. Any other expenses/ losses related to business which is in the revenue nature
o. Audit fees
p. Taxes imposed by local authority

Allowable losses: following items of losses are allowable in the head of business or profession.

a) Lost of cash or stock due to embezzlements by employees
b) Lost of cash or stock due to theft or robbery.
c) Lost of stock due to war or natural calamity
d) Lost of lapsation of advance

Deductible expenses on actual payment: Following expenses will be deductible if it is paid before due date of filing income tax return. These expenses are issued. [Sec. 43 (b)]

a) Govt. dues- (Tax/ duty etc.)
b) Bonus, comm. etc. payable to employees
c) Interest on intuitional loan.
d) Contribution to P.F.

<u>Deemed Profits (Sec 41)</u>

It is deemed to be income from business under Income tax Act

1. Remission of liability/ Recoupment of Loss/ Expenditure
2. Amount realised on transfer of an asset used for scientific research
3. Recovery of Bad Debts
4. Amount withdrawn from special reserve by financial institution
5. Receipts after discontinuance of business

<u>Methods of Accounting (Sec. 145)</u>

Accounting system adopted by the assessee should be considered while computing income from Business. Books of account may be maintained either mercantile system or cash system-

a. **<u>Mercantile System-</u>** If an assessee keeps his books of account on the basis of mercantile system then net profit / loss of business will be determined after making necessary adjustments (any income/ expenditure will be taken in computation which is related to the previous year either it is paid/ unpaid, received/ receivable)

Income- Income received during the year

Add- Accrued income

Less- Unaccrued income

= Net income related to previous year.

Expenditure- paid during the year

Add- Due but outstanding

Less- Prepaid/ Advance Expenses

= Net expenditure related to previous year.

b. **Cash system-** In this system all revenue receipts will be included in the income which are received during the year on the other hand all revenue expenses which are paid during the year will be deducted from gross receipts. In cash system no adjustment in respect of accrued, unaccrued income/ outstanding, prepaid expenses will be considered.

Computation of Income Relating to specific Business

Ascertainment of taxable income is typical in case of some business activities like retail trade, small transports and contractors, therefore. Special provisions have been made to assess the taxable income of such specific business an estimation basis under the Income tax act. These provisions are optional. If the assessee does not want to assess his income related to specific Business under these Provision,- he must to maintain regular accounts and gets audited them.

I. **Special Provisions for Computing Profits and gains of small business of civil construction, etc. [Sec. 44AD]**

1. Gross receipts not more than Rs. 2 Crore (Paid/ Payable)
2. Deemed profit equal to 8% of the gross receipts paid/payable in previous year
3. Deductions of business head not allowed
4. Maintenance of books and audit is not compulsory
5. In case if the profit is less than 8% provisions of sec. 44AD shall not apply where the assessee claims and produces evidence to prove this then the Assessing officer shall proceed to make an Assessment of the total income/loss and determine the sum payable by the assessee. Assessee has to keeps and maintains such accounts Books and other documents as required u/s 44 AA & furnishes a report of such audit as required u/s 44AB.
6. The Assessee will entitle for deductions u/s 80 c to 80 u against GTI.
7. If the assessee is a firm the salary and interest paid to its partners shall be deducted from their income computed u/s 40 (b)

II. **Special Provisions for Computing Profits and gains of business of plying, hiring or leasing goods carriages [Sec- 44AE]**

1. In case of an assessee who owns not more than 10 (at any time in the Previous year) goods Carriages
2. Estimated profit on heavy goods vehicle or light vehicle shall be an amount equal to Rs. 7,500 (A.Y. 2015-16) for per month or part of a month.
3. Further deductions are not allowed.

4. Maintenance of books and audit is not compulsory.
5. If assessee shows income lower than a foresaid limit sec. 44AF shall not apply where the assessee claims and produces evidence to prove this then the assessing officer shall proceed to make an assessment of the total income/loss and determine the sum payable by the assessee. Sec 143 (3) Assessee has to keeps and maintains such accounts Books and other documents as required u/s 44 AA & furnishes a report of such audit as required u/s 44A
6. If the assessee is a firm the salary and interest paid to its partners shall be deducted from their income computed u/s 40 (b)

III. Expenses deductible from commission earned by insurance agents etc.

Adhoc deduction from commission earned by insurance agents, UTI agents, Mutual funds agents and Govt. securities agents are allowed as under when given 2 conditions are fullfil by assessee-

1. If agent who do not maintain detailed accounts for expenses incurred of Agency
2. If gross aggregate commission should be less then Rs. 60000 during previous year.

Commission	Adhoc Deduction
1. Agent of LIC of	
• First year's commission	50% of commission
• Renewal commission	15% of renewed commission OR maximum limit 20000, whichever is less.
• When first year and renewal commission separate figures are not available	$33^{1/3}\%$ earned during the Previous Year
• Bonus commission	No Deduction allowed
2. Commission received by authorized agents of **unit trust of India**	50% of commission
3. Commission received by authorized agents of **Govt. & Post office securities**	50% of commission
4. Commission received by authorized agents of **notified mutual fund**	50% of commission

Income from Capital Gain

Meaning of capital gains (Sec. 45)

Any profit or gain arising from the sale or transfer of a capital asset is chargeable to tax under the head "Capital Gains", Capital asset means any movable or immovable asset like land, building, plot, gold, silver, jewellery, shares, securities etc. Profit/Loss arising from transfer of such assets is compared under the had of capital gain from Income tax point of view.

Definition of Capital Asset Sec-2 (14) -

Capital asset means property of any kind, whether fixed or circulating, movable or immovable, tangible or intangible e.g. land, building, plot, gold, silver, precious metals, jewellery, shares, securities, furniture, machinery etc.

Exception –

1. Though Property of any kind held by an assessee whether or not connected with his business/profession is included in the definition of 'Capital Assets' it does not include –

1. Stock in trade
2. Personal effect Assets (which is personally used by assessee and family member)
3. Agricultural land in rural area
4. Gold Bonds
5. Special Bearer Bonds
6. Gold deposit bonds

(4–6) } **Which is issued by Central Government**

2. Items included under capital gains Sec. -45

1. Profit from transfer of Capital Assets Sec. 45 (1)

2. Insurance Claim Sec. 45 (1A)

3. Conversion of Capital Assets into stock in trade Sec.45 (2)

4. Assets transferred to Firm/AOP Sec. 45 (3)

5. Profit from distribution of capital assets on dissolution Sec. 45(4)

6. Profit arises from compulsory acquisition of capital Assets. Sec. – 45 (5).

7. Capital Gain on repurchase of units of Mutual Fund Sec. 45 (6)

Types of Capital Gains

1. Short term capital gain

2. Long term capital gain

Short term capital asset

(i) Shares, securities, bonds, units are held by the assessee for not more than 12 months before transfer.
(ii) Assets on which deprecation has been allowed under the Income Tax Act, whether depreciable asset held by the assessee more or less 36 months.
(iii) Any other asset which is held by the assessee for not more than 36 months, e.g., land, building, precious metals, jewellery etc.

Long term capital asset

(i) Shares, securities, bonds, units held by the assessee for more than 12 months.
(ii) Other assets like building, gold, plot, land, jewellery etc. held by the assessee for more than36 months.

Computation of Short term capital gain/loss (For the Assessment Year 2018-19)

Sales consideration			………
Less – Aggregate amount of the following:			
(a) Transfer Expenses (Advertisement). Brokerage, legal exp. etc)		……….	
(b) Cost of acquisition of the asset	……….		
(c) Cost of improvement		………	(-)……..
		Short term capital gain/less	………..

Computation Of Long Term Capital Gain/Loss (For the Assessment Year 2018-19)

Full value of consideration		
Less : Total of the following		....
(i) Transfer expenses	....	
(ii) Indexed cost of acquisition	....	
(iii) Indexed cost of improvement	....	(-)......
Long term capital gain/loss		....

Formula:-

1. Calculation of Index cost of acquisition

(i) If assets acquired before 01.04.2001 by the Assessee

$$\text{Index Cost} = \frac{\text{Original Cost or fair market value on 1.4.1981 (which ever is more)} \times \text{Index for the transfer year 2017-18 (272)}}{\text{Cost inflation Index for 2001-02 (100)}}$$

(ii) If assets acquired on or after 01.04.2001 by the Assessee

$$\text{Index Cost} = \frac{\text{Cost of acquisition} \times \text{Index for the transfer year 2017-18 (272)}}{\text{Cost Inflation Index for the year in which the assets is acquired by the assessee}}$$

Note:- If the property is acquired before 01.04.2001 then index for 2001-02 will be taken as index for the base year.

2. Calculation of Indexed cost of improvement

Formula:-

$$= \frac{\text{Cost of Improvement} \times \text{Cost Inflation index for the year in which the asset is transferred year 2017-18 (272)}}{\text{Cost Inflation Index for the year in which Improvement to the asset took place.}}$$

Note:- Improvement cost incured before 01.04.2001is not considered. It should be lgnored. Only cost of improvement will be considered which is related after 31.03.2001

Exemption of Capital Gains

Exemptions are of two types

A. **Exemption of capital gains under various sub-clauses of section 10;**
   1. Capital gain on transfer of units of US 64 exempt [Section 10 (33)]
   2. Exemption of long-term capital gain arising from sale of shares and units and Securities Transaction Tax paid [Section 10(38)]
   3. Capital gain on compulsory acquision of urban agriculture land-Sec. 10(37)

B. **Capital gains exempt from tax – Under section 54 to 54H**

(i) Residential property converted in new residential property (Sec.54) within 3 years or before 1 year or after 2 years	Cost of new land **or** capital gain (which ever is less)
(ii) Agricultural land transferred and another agricultural land purchased within 2 year (Sec. 54B)	Cost of new land **or** capital gain (which ever is less)
(iii) Compulsory acquisition of land and building of industrial undertaking (Sec. 54D)	Cost of new land building **or** capital gain (which ever is less.)
(iv) Capital gain is invested in notified bonds (Sec. 54EC) NABARD, Rural Electrification Corporation Bonds, National Highway Authority of India etc.	Invested amount within 6 months
(v) Other capital gains invested in residential property (Sec. 54F) = <u>Capital gain x Cost of new house</u> Net consideration	Proportionate Exemption
(vi) Shifting of industrial undertaking from urban area to other area (Sec. 54G) or SEZ (Sec. 54GA)	Upto the cost of new industrial assets.
(vii) Capital gain on transfer of residential house property (sec.54GB)- w.e.f. of A.Y. 2014-15 a new exemption is available to an individual or a HUF in respect of LTCG gain. If assessee invest net consideration or part in equity shares before due date of furnishing the return, in eligible company it least 5 year he shall entitled exemption as under_ Invested amt in new equity share	Calculated Amount

________________________________= Net consideration *capital gain	

Tax on Capital Gains

- Long-term capital gains are taxable at special rates for each type of assessee –
  a. 10% tax on long-term capital gain arising from transfer of securities. bonds, units, debent
  b. 20% on other long term capital gains.
- Short-term capital gains are taxable at normal rates but Short term capital gain ce transfer of equity shares or units sold through Stock Exchange and Securities transaction tax paid, it will be taxable at concessional rate 15%.
  Add : Education cess @ 3% on tax payable.

Important points should be kept in view

- Personal effects (clothing, furniture, utensils, vehicles etc), Rural agricultural land, stock in trade, Gold Bonds are not covered under definition of "Capital Asset". So, profit or loss arising from the transfer such assets is not noticeable.
- Depreciable assets will be treated as short-term asset even if such asset held by the assessee for Less than or more than 36 months.
- Indexed cost will not be allowed for the following long-term assets-
  a. Securities, Bonds, Units and debentures of company.
  b. Listed shares of an Indian company sold outside Stock Exchange and the assessee wants to pay tax @10% for long term capital gain instead of 20%
  c. Nonresident assessee opts taxation u/s 115C to 1151 in respect of foreign exchange assets.
- If the equity shares or units are transferred during the previous year 2014-15 through Stock Exchange and Securities Transaction Tax has been paid, long term capital gain shall be exempt and in case of loss it will be ignored —
- If the transferred asset is acquired before 1.4.2001, the cost of acquisition will be—

  Original cost of the asset

  or

  Fair market value on 1.4.2001

  Whichever is more.

- Improvement cost incurred before 1.4.2001 should be ignored. It cannot be part of cost of the asset.
- Cost of bonus shares, obtained by the assessee after 31.3.2001, will be nil, so cost of acquisition of such shares will be taken Nil at the time of computation of capital gains.
- Cost of bonus shares acquired before 1.4.2001 will be considered. Fair market value of such shares on 1.4.2001 will be cost of acquisition. If the bonus shares are acquired after 31.3.2001 the cost of acquisition will be Nil.
- Where any capital asset was on any previous occasion the subject of negotiations for its transfer, any advance or other money received and retained by the assessee in respect of such negotiations shall be deducted from the cost for which the asset was acquired or the written down value or the fair market value, as the case may be, in computing the cost of acquisition.
- During the previous year (2017-18) the assessee has transferred both type of capital assets, i.e. long term and short term and capital loss arise then —
  a. Short term Capital Loss can be adjusted against any capital gain either Short term or Long term or both.
  b. Long term Capital Loss can be adjusted against only Long term Capital Gains. Short term Capital Gain cannot used to set off for Long term Capital Loss.

- Sales consideration of Land or building is lower than value assessed for Stamp Duty purpose, then consideration will be taken as per Stamp Duty purpose instead of actual consideration.
- If the assessee acquired the asset under will or gift or any other way without consideration the cost of previous owner will be cost of acquisition from the point of view of capital gains. Period of holding of such property will be determined from the date of property acquired by the previous owner not the date of gift.
- Though the period of holding is determined on the basis of the date of acquiring the property by the previous owner but when we calculate the indexed cost of the asset then index will be taken for the year in which the assessee became the owner of the said property.

Calculation of cost of Original Shares & Bonus Shares

Bonus shares means shares allotted by a company to its existing share holders without any consideration. An assessee holds shares of a company and thereafter the company allotted him bonus shares on the basis of holding.

1. **<u>If original shares acquired before 1 April, 2001</u>**

   The cost of actualisation will be taken-

Actual Cost of original shares

or

market value on 1.4.2001, whichever higher is cost

2. **<u>If the original shares acquired after 1 April, 2001</u>**

   Cost of actualisation will be actual cost

3. **<u>If the bonus shares acquired before 1st April, 2001</u>**

   Cost of Bonus Shares – Market value on 1 April, 2001

4. **<u>If the Bonus shares acquired after 1 April, 2001</u>**

   cost of Bonus Shares – Nil

Income from other sources

This is the last and residual head of charge of income. An income which does not specifically fall under any one of the preceding four heads of income (viz Salaries. Income from house property, Profits and gains of business or profession or Capital gains) is to be computed and brought to charge under section 56 under the head Income from other sources.

COMPUTATION OF INCOME FROM OTHER SOURCES

S.No.	Items	Taxability
1.	Dividend on shares	
	(i.) Dividend from domestic company (ii.) Dividend from units (iii.) Dividend from non domestic company or co-operative society	Exempt Exempt Taxable as it is
2.	Interest on securities	
	(i.) Interest on tax free Govt. securities (ii.) Interest on less tax Govt. securities (iii.) Interest on commercial securities	Exempt Taxable as it is
	(a) If gross interest is given (b) If interest is given net and amount is more than Rs. 5,000 on listed debentures	Taxable as it is Int. x 100 Gross 90

	(c) Interest on tax free commercial securities (i) Listed debentures of a company (ii) Unlisted debentures of a company (d) Interest on Semi Govt. securities	- Int. x 100 Gross 90 Int. x 100 Gross 90 Gross Interest taxable
3	Interest on Bank Deposit – up to Rs. 10,000 If interest is more than 10,000 and given net, such amount will be grossed up.	Taxable as it is Int. x 100 Gross 90
4	Co-operative interest and dividend	Taxable as it is
5	Interest on company deposits or firm's deposits (i) If interest amount is upto Rs. 5,000 (ii) If net interest is more than Rs. 5,000	Taxable as it is Int. x 100 Gross 90
6	Lottery (a) If the prize amount is given and (b) If net amount is given and such amount is more than Rs. 5,000	Fully taxable Net amount x 100 70
7	Horse race income	Fully taxable
8	Causal income	Fully taxable
9	Royalty, director's fees, article income, exam. Remuneration	Received income (-) expenses
10	Family pension	Received amount (-) 1/3 or 15,000 whichever is less
11	Income from sub tenant	Net income

12	Income from machinery, plagt or furniture on hire.	Rent received (-) expensed and depreciation.
13	Agricultural income outside India	Taxable
14	Income from non agricultural land in India	Taxable
15	Salary of M.P. or M.L.A.	Taxable
16	Income from undisclosed sources	Taxable
17	Cash gifts : (if the aggregate amount exceeding Rs. 50,000 in a financial year) from other persons except relatives. **Less : Deduction allowed (above mentioned incomes)** (i) Interest Collection charges (ii) Interest on loan (iii) Any expenditure which is incurred by the assessee to earn such income	Fully taxable …………………….. Actual amount Actual amount Actual amount

Calculation of Income from Sub-tenant

Rent received from sub-tenant Less – Expenses allowed : (i) Rent paid by the assessee for the part which is sub let out (ii) Repairs and other expenses paid by the assessee regarding such part	…………… …………	…………… (-)…………..
Income from sub tenant		……………..

Interest on National Saving Certificate

Year	Amount of interest accruing on Rs. 100 NSC (VIII issue) 8%	Year	Amount of interest accruing on Rs. 100 NSC (VIII issue) 8%
I	8.16	IV	10.33
II	8.83	V	11.17

III	9.55	VI	12.08

Income of minor

Income of minor shall be included in income of his parents (mother or father which income is higher). Upto Rs. 1,500 in case of minor's income is exempted so remaining amount shall be taxable. If the minor earns income from self efforts, then such income will not be added to income of his parents. Exemption of Rs. 1,500 is available for every minor.

Income of cricketers

Receipts be a cricket Control Board for plays for India are chargeable in the following manner –

1. Test Matches in India – 25% of Remuneration received by the player from the Cricket Control Board for playing Test matches in India is taxable.
2. Other Matches in India – Entire amount is not possible.
3. Matches outside India – 50% portion of amount received by an Indian cricket player for playing in foreign countries is taxable.

Receipts of gifts without consideration

Gift received on the occasion of marriage from any person, or gift received from nearer relative on any occasion is not taxable. However gifts (cash or property) received from any person are taxable if the following conditions are satisfied –

1. The receiver is an individual or a Hindu Undivided Family.
2. The aggregate amount of such money or value of property received by an individual or HUF during a financial year from any person or persons exceeds Rs. 50,000.
3. The sum so received does not come in the exception list.

Exceptions – Any sum of money shall not be taxable. Which is received from the following –?

1. By way of consideration
2. From any relative for the aforesaid purpose, the term "relative" means –
    a. Spouse of the individual
    b. Brother or sister of the individual
    c. Brother of sister of the spouse of the individual
    d. Brother or sister of either of the parents of the individual
    e. Any lineal ascendant or descendant of the individual
    f. Any lineal ascendant or descendant of the spouse of the individual.
    g. Spouse of the person referred in (b) to (f)
3. On the occasion of the marriage of the individual.
4. Under a will or by way of inheritance
5. In contemplation of death of the payer.
6. Aggregate of money not exceeding Rs. 50,000 from other persons.

Government Securities

Securities issued by Central Govt. or state Government are of two types -

a. Tax free Government securities – Interest on tax free Govt. securities is exempted, so it is not included in the income of an assessee. Some Govt. Securities have been declared exempted from tax u/s 10 (15) of the Income Tax Act, namely –
   1. 12 year National Saving Annuity Certificates.
   2. National Defence Gold Bonds, 1980.
   3. Special Bearer Bonds, 1991.
   4. Treasury Savings Deposits Certificates (10 years)
   5. Post Office Cash Certificates (5 years)
   6. National Plan certificates (10 years)
   7. National Plan Savings certificate (12 years)
   8. Post office National Savings certificates (12 years/ 7 years)
   9. Post office Savings Bank Account. (exempt up to rs. 3,500 in single name, up to Rs. 7,000 in joint name)
   10. Post office Cumulative Time Deposits Rules, 1981.
   11. Scheme of fixed deposits government by the Government Savings Certificates (fixed deposits) Rules, 1968
   12. Scheme of fixed Deposits governed by the Post office (Fixed Deposit).
   13. Special deposit scheme, 1981.
   14. Post Office public account 9up to Rs. 5,000)
   15. 7% Capital Investment bonds (exempted only for individual of HUF)
   16. 9% Relief Bonds (exempted only for individual or HUF assessee.
   17. NRI Bonds issued by SBI
   18. Notified Bonds issued by public sector companies.
   19. Gold Deposit Bond – 1999
   20. Interest on securities and bank deposit in respect of Bhopal Gas Leak disaster.
   21. Interest on notified bonds issued by local authority.

so, interest on the above mentioned securities does not form part of total income of any assessee and it is not taken into account in computing total income it is tax free in the hands of all assesses.

Exempted Income

Though a detail discussion has been given in chapter 'Exemptions from Tax' regarding exempted income or tax free incomes. Here a brief account of exempted incomes is given for convenience of students to solve the practical problems relating to income from other sources –

1. Agricultural income in India,
2. Share in income of HUF,
3. Share in profit of partnership firm
4. Post office savings bank interest (exempted in case of single name Rs. 3,500 and joint name Rs. 7,000)
5. All type of allowances received by M.P. (Lok Sabha or Rajya Sabha)
6. Daily allowances and constituency allowance received by MLA's
7. Scholarships
8. Gallantry awards,

9. Interest on Post office CTD accounts (10 or 15 years.)
10. Interest on capital investment Bonds. Relief bonds and Certificates,
11. Dividend from domestic companies and mutual funds, e.g. UTI units income.
12. Family pension received by the family members of armed forces died in operational duties.

UNIT IV

DEDUCTIONS FROM GROSS TOTAL INCOME

(1) **80 C Deduction in respect of investment in LIP provided funds, NSC etc.:-** This deduction is provided to individual and HUF assesses **maximum** upto **Rs. 1.5 Lac** on their investments following items will be entitled for the deductions under this section:-

(i) LIP of spouse and children [upto 20% of sum assured]
(ii) Employees contribution in statutory PF.(SPF)
(iii) Employees contribution in Recognized PF (RPF)
(iv) Deposit in Public provided fund.(PPF)
(v) Exempted contribution Super annulations fund.(SAF)
(vi) NSC's and accrued interest or it.
(vii) Contribution to "ULIP" of UTI
(viii) Amount deposited in Public sector finance companies or housing Board.
(ix) Payment of principle value of housing loan.
(x) Investment in shares or debentures of infrastructure companies.
(xi) Amount deposited in National Housing Bank.
(xii) Education expenses paid for children.
(xiii) Amount deposited in fixed deposit for a period of 5 years or more in a scheduled bank.
(xiv) Contribution to employees insurance scheme of central government by an employee of central government.
(xv) Investment in Notified Bonds of NABARD
(xvi) Senior Citizen saving Scheme

Deduction:-

Gross qualifying amount (Aggregate amount of above mentioned items)

OR

If assessee is also entitled for the deduction of 80CCC and 80CCD, then, he'll get a maximum deduction of Rs. 1.5 lac in all these 3 deduction]

Whichever is less (shall be deducted from G.T.I.)

(2) **80 CCC Deduction in respect of contribution to pension fund set up by LIC or any other insurer:** Only **individual assessee** is entitled for this deduction upto Rs. 1 Lac.

(3) **80 CCD Deduction in respect of contribution on to pension scheme of central government:-** If a person **individual** is appointed as an employee of Central government on 1st Jan 04 or there the amount

of gross salary for pension scheme and the same amount will be contributed by the central government also. Amount contributed by central government will be taxable under the head of salary but from the gross total income deduction will be allowed equal to the amount contributed by employer & employee u/s 80 CCD.

(4) **Deduction in respect of investment made under any equity saving scheme (Sec. 80 CCG)**
Amount of deduction –

The amount of deduction under section 80 CCG shall be –

a. 50% of amount invested in equity share
Or
b. Maximum Rs. 25,000 which ever is less.

(5) **80 D Deduction in respect of medical insurance premium:-** This deduction is allowed upto Rs. 25,000 for premium paid by **individual and HUF assesses** but if premium is paid for a person aged 60 years and above, an additional deduction of Rs. 5000 will be allowed, it means that maximum deduction will be Rs. 30,000.

(6) **80 DD Deduction is respect of expense of deposit for maintenance of handicapped dependent:-** Under this section**, individual & HUF assesses** will be entitled for a standard Deduction Rs. 75,000. In case of server disability, [More than 80%] S.D. will be Rs. 125,000.

(7) **80 DDB Deduction in respect of medical treatment of specified diseases:-** This deduction will be allowed to **individual & HUF assesses** upto Rs. 40,000 (In case of persons aged 60 years or above, Rs. 60,000)

(8) **80 E Deduction in respect of payment of interest of higher education loan for individual :-Actual amount of interest is deductible.**

(9) **80 G Deduction in respect of donation given to recognized charitable institutions and funds:-** This deduction is allowed to **assesses to all categories** for such donation given by them to charitable institution funds situated in India which are given in monetary form only.
This deduction can be divided into 4 categories:-

(a) Without Limit 100%

(i) P.M. National relief fund
(ii) Armenia earth quake relief fund
(iii) Africa Fund
(iv) National foundation for communal harmony.
(v) Recognized education institutions and universities
(vi) Maharashtra C.M earthquake relief fund.
(vii) Andhra Pradesh CM cyclone relief fund.
(viii) C.M. or governor relief fund.
(ix) District literacy committee
(x) National Sports Fund or National Cultural Fund
(xi) National Trust for Welfare of Persons with Autism, Cerebralpalsy, mental retardation and multiple disabilities.
(xii) Clean Ganga Fund
(xiii) Swaccha Bharat Kosh
(xiv) National Fund for control of Durg abuse

(xv) National defiance fund
(xvi) National Blood Transfusion Council And State Council For Blood Transfusion
(xvii) Fund Setup By State Government For The Medical Relief To The Poor
(xviii) Central Welfare Fund of Army and Air Force and the Indian Naval Benevolent Fund
(xix) National Illness assistance fund

(b) **Without limit 50%**
(i) Jawaharlal Nehru Memorial Fund
(ii) P.M. Draught Relief fund
(iii) Indira Gandhi Memorial fund
(iv) Rajeev Gandhi foundation.

(c) Under Limit 100% [100% of Qualifying Amount]
(i) Donation to central or state government for family planning programs

(d) Under Limit 50% [50% of Qualifying Amount]
(i) Donation to Approved charitable institutions (Educational, medical, social institutions etc.).
(ii) Donation to any notified Temple, Mosque, Gurudwara, Church or other place for renovation or repair.
(iii) Donation by a company to the Indian Olympic association or any other notified games and sports institution.
(iv) Donation to an authority for the purpose of housing accommodation or planning development of towns & villages.
(v) Donation to any corporation for promoting interest of minority community.
(vi) Donation to Government or any local authority for charitable purpose.

Here, the terms under limit means the Qualifying amount (Q.A.) which will be calculated as under :-

Q.A. ➔
10% of adjusted gross total income (Qualifying amount)
or
} Whichever is less is eligible for deduction @100% or 50%

Adjusted gross total income = GTI – LTCG - deduction u/s 80c to 80u (except Sec. 80G)

(10) **<u>80 GG Deduction in respect of rent paid for house:-</u>** This deduction is provided to such individual assesses who are living in a rental house and who are not getting accommodation facility/House rent allowance from their employer. Deduction is calculated as :-

(i) 25%of adjusted Gross total income
(ii) Rent paid – 10% of adjusted total Gross income
Or
(iii) Rs. 2000 P.M.

Whichever is less is eligible for deduction

(10) <u>80 GGA Deduction in respect of donation to Scientific research:-</u> Every person who has no income from business is entitled for 100% this type of donation.

(11) <u>80 GGB/80 GGC Deduction in respect of donation to political parties:-</u> Company assessee are entitled under Sec.

80 GGB and other assesses u/s 80 GGC for deduction in respect of donations given to Political party amount of donation is **deductible**

(12) <u>80 IA Deduction in respect of profits of industrial undertakings engaged in infra – structure industry:-</u> As such this deduction is allowed for all the assesses but here we are going to discuss the provisions regarding assessee other than company assessee.

(i) Telecommunication Services :- 1st five years - 100%
Next five years - 30%

(ii) Industrial Park :- Consecutive any 10 years out of first 15 years - 100%
(iii) Power undertakings engaged in generation and distribution consecutive any 10 years out of first 15 years - 100%

(iv) Undertakings engaged in infra structure development for 10 consecutive years out of first 15 years - 100%

(13) <u>80 IB :- Deduction in respect of profits of newly established industry, hotels etc.:</u>

Table: Eligible undertakings and Rates of deduction under section 80 – IB

Undertaking	**Period in which production started or starts**	**Company (Rate and period of deduction on profits)**	**Other assessee (Rate and period of deduction on profits)**
1. Industrial undertaking in J & K state	1.4.93 to 31.3.12	First 5 years 100% next 5 years-30%	First 5 years 100% next 5 years 25%
2. Scientific research and development company	1.4.2000 to 31.3.2007	First 10 years 100%	N.A.
3. Production or refining of mineral oil	1.4.1997 or onwards	100% for 7 years	100% for 7 years

4. Integrated business of handling, storage and transportation of food grains	on or after 1.4.2001	5 years - 100% next 5 years 30%	first 5 years 100% next 5 years 25%
5. Agro processing industry	From the 1.4.2009 and onword 2005-06 and onwards	First 5 years 100% next 5 years 30%	First 5 years 100% next 5 years 25%
6. Hospital located anywhere except metro cities	1.4.08 to 31.3.13	First 5 years 100%	First 5 years 100%

Attention Please- Deduction for profits of undertakings covered u/s 80-1A and 80-1B set up or started before 1.4.08 is not allowable for the assessment year 2018-19, because period of deduction (10 years) is expired before 1.4.2017.

(14) <u>80 IC Deduction in respect of undertakings established</u>

in H.P., Sikkim, uttarakhand, and North eastern state:- upto first 10 years 100%

(15) <u>80 ID Deduction in case of hotel & convention center in NCR</u>

100% of its profits for a period of five consecutive assessment years.

(16) <u>80 IE Deduction in respect of certain undertakings in North-Eastern States</u>

If the required conditions are satisfied 100% of profit from the aforesaid business/services shall be deductible for 10 years beginning with the assessment year relevant to the previous year.

(17) <u>80 JJA Deduction in respect of profit and gains from business of collecting and processing of bio-degradable waste – 80JJA</u>

A deduction shall be allowed of an amount equal to the whole of such profits and gains. This deduction shall be allowed a period of five consecutive assessment years.

(18) <u>80 JJAA Deduction in respect of employment of new regular workmen</u>

A deduction shall be allowed of an amount equal to 30% of additional wages paid to the new regular workman employed by the assessee.

(19) <u>80P Deduction in respect of income of cooperative societies</u>

1) Whole Deduction for the following cases – Co-operative society engaged in banking, agriculture product, agriculture implements, processing without the aid of power, fishing or allied activities, milk, oil, seeds, fruits, vegetables, warehouse, godown for storage and housing society.

2) Restricted Deduction – A restricted deduction shall be allowed if a co-operative society engaged in activities other than aforesaid activities, so much of its profits and gains attributable to such activities as does not exceed –

a) Where such co-operative society is a consumers co-operative society, 1,00,000/-

OR

b) In any other cases, 50,000/-

(20) <u>80 QQB Deduction in respect of royalty income of authors</u>:-

Max Rs. 3,00,000.or actual royalty income (whichever is lower)

(21) <u>80 RRB Deduction in respect of royalty income on patents :-</u>

Max Rs. 3,00,000.or actual royalty income (whichever is lower)

(22) <u>80 TTA Deduction in respect of Interest on Saving Bank A/c deposit:-</u>

Bank, post office, and co-operative society savings bank account interest shall be deductible up to Rs. 10,000. In case of post office savings bank interest firstly Rs. 3,500 shall be exempt and excess interest will be included under other source income.

(23) <u>80 U: - Deduction in case of a person with disability</u> :–

Fixed Deduction of Rs. 75,000. (if disability up to 80%)

Higher Deduction of Rs 1,25,000. (if disability over 80%)