

NOTES ON CHANGES

Clause 27 read with the First Schedule to the Bill, seeks to specify the rates at which income-tax is to be deducted on income chargeable to tax for the assessment year 2009-2010. Further, it lays down the rates at which tax is to be deducted at source during the financial year 2009-2010 from income subject to such deductions under the Income-tax Act, and the rates at which "advance tax" is to be paid, tax is to be deducted at source from, or paid on, income chargeable under the head "Salaries" and tax is to be calculated and charged in special cases for the financial year 2009-2010.

Rates of income-tax for the assessment year 2009-2010

Part I of the First Schedule to the Bill specifies the rates at which income is liable to tax for the assessment year 2009-2010. These rates are the same as those specified in Part II of the First Schedule to the Finance Act, 2006, for the purposes of deduction of tax at source from "Salaries", computation of "advance tax" and charging of income-tax in special cases during the financial year 2009-2010.

Rates of deduction of tax at source during the financial year 2009-2010 from income other than "Salaries"

Part II of the First Schedule to the Bill specifies the rates at which income-tax is to be deducted at source during the financial year 2009-2010 from income other than "Salaries". The rates are the same for persons not resident in India, as those specified in Part II of the First Schedule to the Finance Act, 2006, for the purposes of deduction of income-tax at source during the financial year 2009-2010. However, for the resident taxpayers, the number of rates have been reduced with the objective of simplifying the scheme of tax deducted at source.

The amount of tax so deducted shall be increased by surcharge at the rate of two and one-half per cent, in the case of a company other than a domestic company. In all other cases, no surcharge would be levied on the tax deducted at source.

Rates for deduction of tax amount from "Salaries", computation of "advance tax" and charging of income-tax in special cases during the financial year 2009-2010

Part III of the First Schedule to the Bill specifies the rates at which income-tax is to be deducted at source from, or paid on, income under the head "Salaries" and also the rates at which "advance tax" is to be paid and income-tax is to be calculated or charged in special cases for the financial year 2009-2010.

Paragraph A of this Part specifies the rates of income-tax in the case of every individual or Hindu undivided family or any association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (iii) of clause (13) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of Part III applies. In such cases, the income-tax exemption limit is proposed to be raised to Rs. 1,80,000. The new rates of income-tax on total income in such cases are proposed to be as under:-

Up to Rs. 1,80,000	Nil
Rs. 1,80,001 to 3,80,000	10 per cent.
Rs. 3,80,001 to 5,80,000	20 per cent.
Above Rs. 5,80,000	30 per cent.

In the case of every individual, being a woman resident in India, and below the age of sixty-three years at any time during the previous year, the exemption limit is proposed to be raised to Rs. 1,80,000. The new rates of income-tax on total income in such cases are proposed to be as under:-

Up to Rs. 1,80,000	Nil
Rs. 1,80,001 to 3,80,000	10 per cent.
Rs. 3,80,001 to 5,80,000	20 per cent.
Above Rs. 5,80,000	30 per cent.

In the case of every individual, being a resident of India, who is of the age of sixty-five years or more at any time during the previous year, the exemption limit is proposed to be raised to Rs. 2,40,000. The new rates of income-tax on total income in such cases are proposed to be as under:-

Up to Rs. 2,40,000	Nil
Rs. 2,40,001 to 3,80,000	10 per cent.
Rs. 3,80,001 to 5,80,000	20 per cent.
Above Rs. 5,80,000	30 per cent.

No surcharge shall now be levied in the case of persons covered in Paragraph A of Part III of First Schedule.

Paragraph B of this Part specifies the rates of income-tax in the case of every cooperative society. In such cases, the rates of tax will continue to be the same as those specified for assessment year 2008-2009. No surcharge will be levied.

Paragraph C of this Part specifies the rate of income-tax in the case of every firm. In such cases, the rate of tax will continue to be the same as that specified for assessment year 2009-2010. No surcharge shall now be levied in the case of a firm.

Paragraph D of this Part specifies the rate of income-tax in the case of every local authority. In such cases, the rate of tax will continue to be the same as that specified for the assessment year 2009-2010. No surcharge will be levied.

Paragraph E of this Part specifies the rates of income-tax in the case of companies. In the case of companies, the rate of tax will continue to be the same as that specified for assessment year 2009-2010. Surcharge shall continue to be levied in case of a company at the same rate and subject to the same conditions as were applicable for the assessment year 2009-2010.

"Education Cess" at the rate of two per cent, and "Secondary and Higher Education cess" at the rate of one per cent, shall continue to be levied in all cases covered under Part III of the First Schedule. In the cases covered under Part II of the First Schedule, the Education Cess and Secondary and Higher Education Cess will not be levied on tax deducted or collected at source in the case of a domestic company and any other person who is resident in India. Both the cesses would continue to apply on tax deducted at source in the case of salary payments.

Clause 28 of the Bill seeks to amend section 2 of Income-tax Act relating to definitions.

Clause (1) of the said section of the Income-tax Act defines the expression "charitable purpose" as relief of the poor, education, medical relief and the advancement of any other object of general public utility provided that the advancement of any other object of general public utility shall not be a charitable purpose if it involves the carrying-on of any activity in the nature of trade, commerce or business, or any activity of rendering any service in relation to any trade, commerce or business, for a gain or for any other consideration, irrespective of the nature of use or application or retention, of the income from such activity.

It is proposed to amend section 2(15) so as to include preservation of environment (including wastelands, forests and wildlife) and preservation of monuments or places or objects of artistic or historic interest along with relief of the poor, education and medical relief in the definition of "charitable purpose" under section 2(15) so that the proviso to the said section shall also not apply to those activities.

It is proposed to make the above amendment applicable with retrospective effect from 1st April, 2009 and will, accordingly, apply in relation to assessment year 2009-2010 and subsequent years.

It is proposed to insert a new clause (20AAB) in the said section to define an "electoral trust" to mean a trust so approved

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Paul S. Pregosin



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with the right tools and knowledge in order to harness the vast potentials of plant based therapeutics The main objective of Plant and Human Health is to serve as a comprehensive guide for this endeavor Volume 1 highlights how humans from specific areas or cultures use indigenous plants Despite technological developments herbal drugs still occupy a preferential place in a majority of the population in the third world and have slowly taken roots as alternative medicine in the West The integration of modern science with traditional uses of herbal drugs is important for our understanding of this ethnobotanical relationship Volume 2 deals with the phytochemical and molecular characterization of herbal medicine Specifically It will focus on the secondary metabolic compounds which afford protection against diseases Lastly Volume 3 focuses on the physiological mechanisms by which the active ingredients of medicinal plants serve to improve human health Together this three volume collection intends to bridge the gap for herbalists traditional and modern medical practitioners and students and researchers in botany and horticulture Cehmistry Textbook for College and University USA Ibrahim

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