

TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY PART-II,
SECTION 3, SUB-SECTION (ii).

Government of India
Ministry of Finance
Department of Revenue
(Central Board of Direct Taxes)

NOTIFICATION
INCOME-TAX

NEW DELHI, THE **21st** NOVEMBER, 1996.

S.O.- (E) In exercise of the powers conferred by sub-section (1) and sub-section (4) of section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1961, namely :-

1. (1) These rules may be called the Income-tax (**Fifth Amendment**)
Rules, 1996.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in Official Gazette.

2. In the Income-tax Rules, 1962 (hereinafter referred to as the said rules),-

(a) in rule 11EE, for sub-rule (1), the following sub-rule shall be substituted, namely :-

"(1) The statement which is required to be submitted by any person under the provisions of section 115K shall be in Form No. 4A and shall be verified in the manner indicated therein.";

(b) rule 18AA shall be omitted and shall be deemed to have been omitted with effect from 1st day of April, 1993:

(c) after rule 18BBC, the following rule shall be inserted, namely:-

"18BBD. Prescribed authority for approval of companies carrying on scientific and industrial research and development. For the purposes of sub-section (4B) of section 80-IA, the prescribed authority shall be Secretary in the Department of Scientific and Industrial Research and Development, Ministry of Science and Technology, Government of India."

(d) rule 18C shall be omitted and shall be deemed to have been omitted with effect from 1st day of April, 1989;

3. In the Appendix II to the said rules,-

(a) in Form No. 4A,-

(i) for the figures "1995-96", the figures "1996-97" shall be substituted;

(ii) for the figures "47,000", the figures "49,330" shall be substituted;

(iii) after item 11, under the heading "verification", for the portion beginning with the words "I _____ hereby declare that what is stated above is true to the best of my knowledge and belief" and ending with the words "Note: Tick the one which is applicable", the following shall be substituted, namely:-

"I, _____ (name in full and block letters) **son/
daughter/wife/Karta/member of Hindu Undivided Family (name

in full and block letters) hereby declare that what is stated is true to the best of my knowledge and belief.

I further declare that I have not been assessed to income-tax for assessment year commencing on or before 1st April, 1992.

I also hereby declare that my income during the financial year 1996-97 from the business or vocation mentioned at item 6 does not exceed forty nine thousand three hundred and thirty rupees and I do not have any income exceeding Rs.5,000 from source other than business or vocation mentioned above.

Dated

Place (Name and signature)

Note:

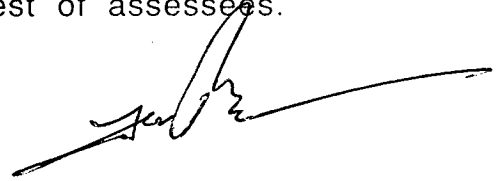
- * Tick the one which is applicable.
- * * Strike out whichever is not applicable.”;

(b) Form No. 4 B shall be omitted.

Explanatory Memorandum.

Rules 18AA and 18C of the Income-tax Rules, 1962 refers to sections 80CC and 80J of the Income-tax Act, 1961. Section 80CC and 80J of the Income-tax Act, 1961 have been omitted with effect from 1.4.1993 and 1.4.1989. It is, therefore, proposed to omit said rules 18AA and 18C with retrospective effect. The proposed amendments are of consequential nature.

It is certified that retrospective omission of rules 18AA and 18C shall not prejudicially affect the interest of assessee.



(JAI RAJ KAJLA)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

F.NO. 142 / 42 / 96 - TPL

NO. 10230