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L.L.B. Part III<sup>rd</sup>  
Paper - VIII<sup>th</sup>  
Taxation

Deduction in respect of certain incomes of a Offshore Banking Units and International Financial Services Centre (Sec 80-LA):-

- (1) Where the gross total income of an assessee:-
- (i) being a scheduled bank or any bank incorporated by or under the laws of a country outside India and having an Offshore Banking Unit in a Special Economic Zone, or
  - (ii) being a Unit of an International Finance Service Centre, includes any income referred to in sub-section (2) there shall be allowed in accordance with and subject to the provisions of this section, a deduction from such income, of an amount equal to:-

(a) one hundred percent of such income for five consecutive assessment years beginning with the assessment year relevant to sub-section (2) the previous year in which the permission, under clause (a) of sub-section (1) of section 23 of the Banking Regulation Act, 1949 (10 of 1949) or permission or registration under the Securities and Exchange Board of India

(2)

Act 1992 (15 of 1992) or any other relevant law was obtained, and thereafter,

(a) fifty per cent of such income for five consecutive assessment years.

(b) The income referred to in such section (1) shall be the income :-

(a) from an Offshore Banking Unit in a Special Zone or

(b) from the business referred to in such section (1) 6 of the Banking Regulation Act 1949 (10 of 1949) with an undertaking located in a Special Economic Zone or any other undertaking which develops, develops and operates or develops, operates and maintains a Special Economic Zone, or

(c) from any Unit of the International Financial Service Centre from its business for which it has been approved for setting up in such a Centre in a Special Economic Zone.

(3) No deduction under this section shall be allowed unless the assessee furnishes along with the return of income

(i) the report, in the form specified by Central Board of Direct Taxes under clause (i) of sub-section (2) of section 80(A), as it stood immediately before its substitution by this section, of an

(3)

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accountant as defined in the Explanation below sub-section (2) of section 288, certify that the deduction has been correctly claimed in accordance with the provisions of this section; and

(ii) a copy of the permission obtained under clause (a) of sub-section (1) of section 23 of the Banking Regulation Act 1949 (10 of 1949)

Explanation: - For the purposes of this section:  
(a) "International Financial Centre" shall have the same meaning as assigned to it in clause (v) of section 2 of the Special Economic Zone Act 2005;

(b) "scheduled bank" shall have the same meaning as assigned to it in clause (c) of section 2 of the Reserve Bank of India Act 1934 (2 of 1934)

(c) "Special Economic Zone" shall have the same meaning as assigned to it in clause (a) of section 2 of the Special Economic Zones Act 2005

(d) "Unit" shall have the same meaning as assigned to it in clause (2) of section 2 of the Special Economic Zones Act 2005