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L.L.B Part - IIIrd
Paper - VIIIth
Taxation Laws

Deduction in respect of profits and gains from the business of publication of books (S. 80C)

(1) Where in the case of an assessee, the gross total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1992, or to anyone of the four assessment years next following that assessment year, includes any profits and gains derived from a business carried on in India of printing and publication of books or publication of books, there shall, in accordance with and subject to the provisions of this section, be allowed in computing the total income of the assessee, a deduction from such profits and gains of an amount equal to ten per cent thereof.

(2) In a case where the assessee is entitled also to the deduction under section 80HH or section 80HHA or section 80HHC or section 80-I or section 80-IA or section 80J or section 80B, in relation to any of the profits and gains referred

(2)

to in such section (1) shall be allowed with reference to such profits and gains included in the gross total income as reduced by the deductions under section 80HH, section 80HHA, section 80HHC, section 80I, section 80IA, section 80D and section 80P.

(3) For the purposes of this section, 'books' shall not include newspapers, journals, magazines, diaries, brochures, tracts, pamphlets and other publications of a similar nature by whatever name called.

(4) The provisions of this section shall not apply in relation to any co-operative bank other than a primary agricultural credit society or a primary co-operative agricultural and rural development bank according to the Explanation for the purposes of this sub-section —

(a) 'co-operative bank' and primary agricultural (and rural development bank) credit shall have the meaning assigned to them in part V of the Banking Regulation Act 1949.

(b) Primary co-operative agricultural and rural development bank' means a society having its area of operation confined to a taluk and the principal object of which is to provide for long-term credit for agricultural and rural development activities.

(3)

Deduction in respect of professional income of authors of books in Indian language (Section 80GGA) -

(1) Where, in the case of an individual resident in India, being an author, the gross total income of the previous year relevant to the assessment year commencing on

(a) the first day of April 1980 or to anyone of the nine assessment years next following that assessment year; or,

(b) the first day of April 1992 or to anyone of the four assessment years next following that assessment year, includes any income derived by him in the exercise of his profession or (includes any income) account of any lump sum consideration for the assignment or grant of any of his interests in the copyright of any book or of royalties or copyright fees in respect of such book, there shall in accordance with and subject to the provisions of this section, be allowed in computing the total income of the assessee a deduction from such income of an amount equal to twenty-five per cent thereof.

(2) No deduction under sub-section (1) shall be allowed unless -

(4)

(a) the book is either in the nature of a dictionary, thesaurus or encyclopedia or is one that has been prescribed, or recommended as a text book, or included in the curriculum, by any University, for a degree, or post-graduate course of that University; and

(b) the book is written in any language specified in the Eighth Schedule to the Constitution or in any such other language as the Central Government may, by notification in the Official Gazette, specify in this behalf having regard to the need for promotion of publication of books of the nature referred to in clause (a) in that language and other relevant factors.

For the purposes of this section:

(i) "author" includes a joint author
(ii) "lump sum" in regard to royalties or copyright fees, includes an advance payment or account of such royalties or copyright fees which is not returnable.

(iii) "University" shall have the same meaning as in the Explanation to clause (x) of section 47.