

[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)

New Delhi, the 28th August, 2012.

NOTIFICATION
INCOME-TAX

S.O. 1979(E) .-In exercise of the powers conferred by 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, 1962, namely:-

1. (1) These rules may be called the Income-tax (Ninth Amendment) Rules, 2012.
(2) They shall come into force on the 1st day of April, 2013.
2. In the Income-tax Rules, 1962,(hereafter referred to as the “said rules”), for rule 40BA, the following rule shall be substituted, namely:-

“Special provisions for payment of tax by certain persons other than a company.

40BA. The report of an accountant which is required to be furnished by the assessee under sub-section (3) of section 115JC, shall be in form No. 29C.”.

3. In Appendix-II of the said rules, for Form No. 29C, the following form shall be substituted, namely:-

“FORM NO. 29C
[See rule 40BA]

**Report under section 115JC of the Income-tax Act, 1961 for computing
adjusted total income and alternate minimum tax of the person other than a company**

1. I/We* have examined the accounts and records of _____
(name and address of the assessee with PAN)
engaged in business of _____ in order to arrive at the adjusted
(nature of business)
total income and the alternate minimum tax for the year ended on the 31st March, _____

2. (a) I/We* certify that the adjusted total income and the alternate minimum tax has been computed in accordance with the provisions of Chapter XII-BA of the Income-tax Act. The tax payable under section 115JC of the Income-tax Act in respect of the assessment year _____ is Rs _____, which has been determined on the basis of the details in Annexure A to this Form.

3. In my/our * opinion and to the best of my/our* knowledge and according to the explanations givento me/us* the particulars given in the Annexure A are true and correct.

(Signature and Stamp/Seal of the Signatory)

†Accountant

Place:

Date:

Name of the Signatory:

Full Address:

Membership No:

Notes:

1. *Delete whichever is not applicable.
2. †This certificate is to be given by –
 - (i) a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (38 of 1949); or
 - (ii) any person, who in relation to any State, is, by virtue of the provisions in sub-section (2) of section 226 of the companies Act, 1956 (1 of 1956), entitled to be appointed to act as an auditor of companies registered in that State.
3. Where any of the matters stated in this report is answered in the negative or with a qualification, the report shall state the reasons therefor.

ANNEXURE A

[See paragraph 2]

Details relating to the computation of Adjusted Total Income and Alternate Minimum Tax for the purposes of section 115JC of the Income-tax Act, 1961

1.	Name of the assessee	
2.	Address of assessee	
3.	Permanent Account Number	

4.	Assessment year			
5.	Total income of the assessee computed in the manner laid down in the Income-tax Act before giving effect to Chapter XII-BA of the Incometax Act, 1961(43 of 1961)			
6.	Income-tax payable on total income referred to in Column 5 above			
7.	The amount of deduction claimed under any section (other than section 80P) included in Chapter VI-A under the heading "C. - Deductions in respect of certain incomes"	Sl. No.	Section under which deduction claimed	Amount of deduction claimed
8.	The amount of deduction claimed under section 10AA			
9.	Adjusted total income of the assessee (5+7+8)			
10.	Minimum alternate tax (18.5% of adjusted total income computed in column 9 above)".			

[Notification No 34/ 2012 /F.No. 142 /22 /2012-SO(TPL)]

(J. Saravanan)
Under Secretary (TPL-III)

Note.- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii), vide notification number S.O.969(E), dated the 26th March, 1962 and last amended by Income-tax (8th Amendment) Rules, 2012 vide notification S.O.No.1705(E) dated 26/07/2012.