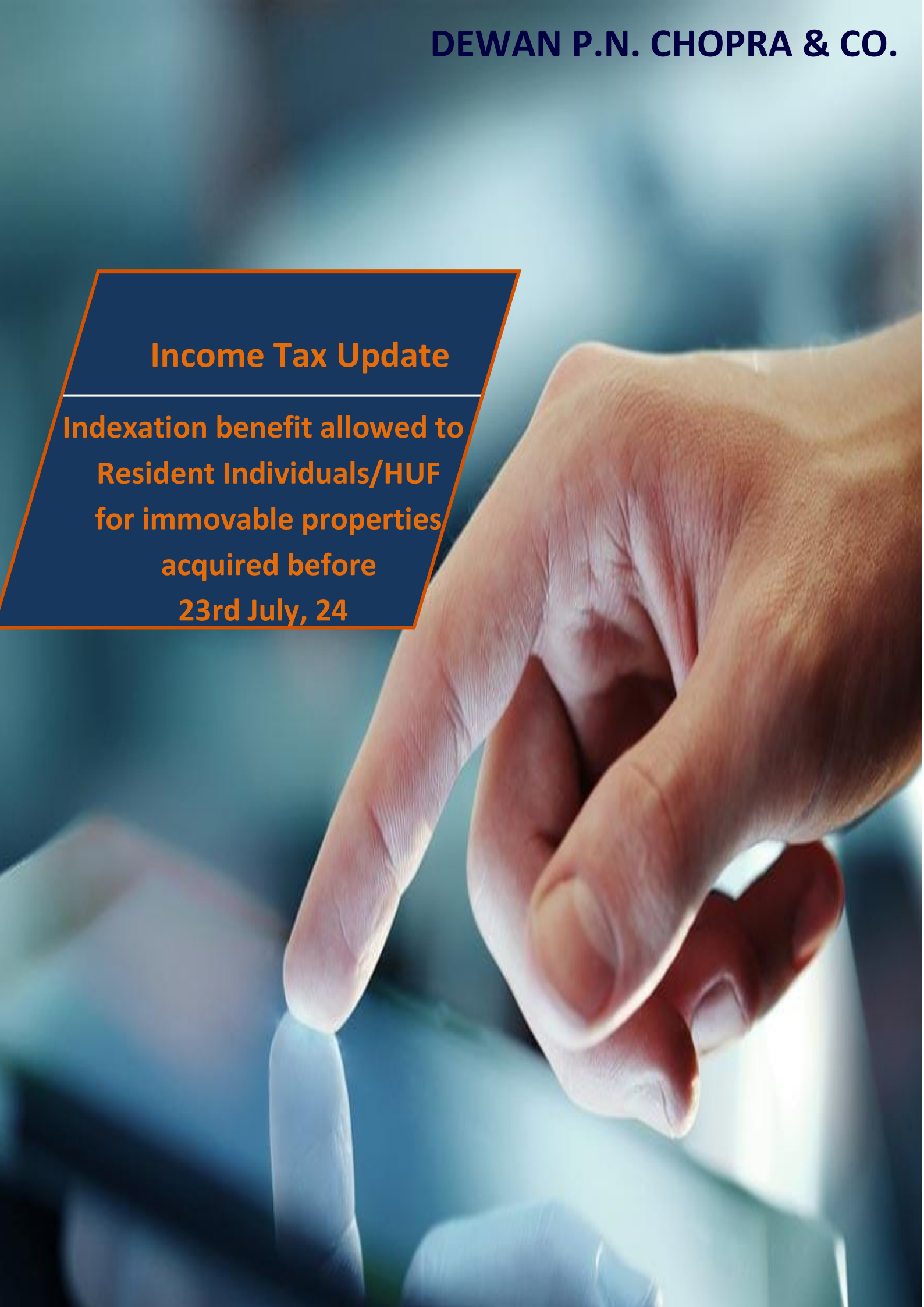


**Income Tax Update**

**Indexation benefit allowed to  
Resident Individuals/HUF  
for immovable properties  
acquired before  
23rd July, 24**



**Indexation benefit allowed to Resident  
Individuals/HUF for immovable properties  
acquired before 23rd July, 2024 –  
Amendment in Finance (No. 2) Bill, 2024**

Hon'ble Finance Minister Nirmala Sitharaman has introduced an amendment to the Finance (No. 2) Bill, 2024, granting resident Individual/HUF taxpayers the option to pay lower of 20% tax on capital gains with indexation or 12.5% tax on capital gains without indexation. This option applies to long term properties being land or buildings or both, acquired before 23rd July, 2024 and transferred on or after 23rd July 2024. Additionally, various other typographical/ clarificatory amendments have been proposed to the Finance (No. 2) Bill, 2024. These amendments have been passed by Lok Sabha on 07.08.2024.

For details, please refer to the following:

**Notice of Amendments to the Finance (No. 2) Bill, 2024**

*DISCLAIMER: - The summary information herein is based on Notice of Amendments to the Finance (No. 2) Bill, 2024 read with Finance (No. 2) Bill, 2024 as passed by Lok Sabha on 07.08.2024. While the information is believed to be accurate, we make no representations or warranties, express or implied, as to the accuracy or completeness of it. Readers should conduct and rely upon their own examination and analysis and are advised to seek their own professional advice. This note is not an offer, advice or solicitation. We accept no responsibility for any errors it may contain, whether caused by negligence or otherwise or for any loss, howsoever caused or sustained, by the person who relies upon it.*

**LOK SABHA**  
**THE FINANCE (NO.2) BILL, 2024**  
*(As introduced in Lok Sabha)*

**Notice of Amendments**

Sl. No.	Name of Member and text of Amendment	Clause No.
<b>SMT. NIRMALA SITHARAMAN:</b>		
14.	Page 28, line 12, <i>for</i> "(c)", <i>substitute</i> "(D)".	4
15.	Page 35. <i>omit</i> line 35.	<del>24</del>
16.	Page 35, line 39, <i>after</i> "inserted", <i>insert</i> "with effect from the 1st day of October, 2024".	24
17.	Page 36, <i>omit</i> lines 1 to 5.	24
18.	Page 36, line 6, <i>for</i> "(ii)", <i>substitute</i> "(b)".	<del>24</del>
19.	Page 36. <i>after</i> line 13, <i>insert</i> —  '(c) after the proviso, the following proviso shall be inserted with effect from the 1st day of October, 2024, namely:—  "Provided further that no deduction shall be allowed in case of dividend income of the nature referred to in sub-clause (f) of clause (22) of section 2.".	24
20.	Page 39, <i>after</i> line 37, <i>insert</i> —  "Provided further that in the case of transfer of a long-term capital asset, being land or building or both, which is acquired before the 23 <sup>rd</sup> day of July, 2024, where the income-tax computed under item (B) exceeds the income-tax computed in accordance with the provisions of this Act, as they stood immediately before their amendment by the Finance (No. 2), Act, 2024, such excess shall be ignored;".	30
21.	Page 40, lines 19 to 35, <i>substitute</i> —  "(ii) the amount of income-tax calculated on long-term capital gains [except where such gain arises from transfer of capital asset referred to in sub-clause (iii)],—  (A) at the rate of twenty per cent. for any transfer which takes place before the 23 <sup>rd</sup> day of July, 2024; and  (B) at the rate of twelve and one-half per cent. for any transfer which takes place on or after the 23 <sup>rd</sup> day of July, 2024; and	30

\*The President has in pursuance of clauses (1) and (3) of article 117 and clause (1) of article 274 of the Constitution recommended to Lok Sabha the moving of the amendments.



I. No.	Name of Member and text of Amendment	Clause No.
	<p>(iii) the amount of income-tax on long-term capital gains arising from the transfer of a capital asset, being unlisted securities or shares of a company not being a company in which the public are substantially interested, as computed without giving effect to the first and second provisos to section 48, calculated on such long-term capital gains,—</p> <p>(A) at the rate of ten per cent. for any transfer which takes place before the 23<sup>rd</sup> day of July, 2024; and</p> <p>(B) at the rate of twelve and one-half per cent. for any transfer which takes place on or after the 23<sup>rd</sup> day of July, 2024;”.</p>	
22.	Page 47, line 2, <i>after</i> “information”, <i>insert</i> “under the scheme notified”.	44
23.	Page 48, line 37, <i>for</i> “books of accounts”, <i>substitute</i> “books of account”.	45
24.	Page 49, line 32, <i>after</i> “Where”, <i>insert</i> “, in a case other than that covered under sub-section (3),”.	47
25.	Page 51, line 18, <i>after</i> “expense,”, <i>insert</i> “exemption,”.	49
26.	Page 53, line 27, <i>for</i> “such other materials or informations”, <i>substitute</i> “any other material or information”.	49
27.	Page 53, lines 31 and 32, <i>for</i> “such other materials or informations”, <i>substitute</i> “any other material or information”.	49
28.	Page 61, <i>omit</i> line 27.	49
29.	Page 63, <i>for</i> lines 22 to 30, <i>substitute</i> —	50
	<p>‘Provided that this sub-section shall not in any case have the effect of reducing the tax deductible from income under the head “Salaries”, except where the loss under the head “Income from house property” and the tax deducted in accordance with other provisions of Part B and tax collected in accordance with the provisions of Part BB, of this Chapter, has been taken into account.’.</p>	
30.	Page 63, line 37, <i>for</i> “8 per cent.”, <i>substitute</i> “8 %”.	51
31.	Page 63, line 38, <i>for</i> “7.75 per cent.”, <i>substitute</i> “7.75 %”.	51
32.	Page 79, line 14, <i>for</i> “section 91”, <i>substitute</i> “this section”.	91
33.	Page 86, <i>after</i> line 8, <i>insert</i> —	New clause <b>105A</b>

Sl. No.	Name of Member and text of Amendment		Clause No.
	51 of 1975.	'105A. In section 3 of the Customs Tariff Act, 1975 (hereinafter referred to as the Customs Tariff Act), for sub-section (12), the following sub-section shall be substituted, namely:—	Amendment of section 3.
	52 of 1962.	“(12) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply to the duty or tax or cess, as the case may be, chargeable under this section as they apply in relation to duties leviable under that Act or all rules or regulations made thereunder, as the case maybe.”.	
34.	Page 86, lines 9-10, <i>omit</i> “1975, (hereinafter referred to as the Customs Tariff Act),”.		106
35.	Page 86, <i>after</i> line 10, <i>insert</i> —		New clauses 106A, 106B and 106C.
		'106A. In section 8B of the Customs Tariff Act, for sub-section (9), the following sub-section shall be substituted, namely: —	
	52 of 1962.	“(9) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply to the duty chargeable under this section as they apply in relation to duties leviable under that Act or all rules or regulations made thereunder, as the case maybe.”;	
		106B. In section 9 of the Customs Tariff Act, for sub-section (7A), the following sub-section shall be substituted, namely:—	Amendment of section 9.



No.	Name of Member and text of Amendment		Clause No.
	52 of 1962.	“(7A) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply to the duty chargeable under this section as they apply in relation to duties leviable under that Act or all rules or regulations made thereunder, as the case maybe.”;	
	52 of 1962.	<p>106C. In section 9A of the Customs Tariff Act, for sub-section (8), the following sub-section shall be substituted, namely:—</p> <p>“(8) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply to the duty chargeable under this section as they apply in relation to duties leviable under that Act or all rules or regulations made thereunder, as the case maybe.”.</p>	Amendment of section 9A.
36.	Page 105, after line 35, insert—		New clauses 154A, 154B and 154C.
	<p style="text-align: center;">‘PART IA AMENDMENT TO THE FINANCE ACT, 2001</p>		Amendment of Act 14 of 2001.
		154A. In section 136 of the Finance Act, 2001, for sub-section (3), the following sub-section shall be substituted, namely:—	

No.	Name of Member and text of Amendment	Clause No.
1 of 1944.	“(3) The provisions of the Central Excise Act, 1944 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the National Calamity duty leviable under this section in respect of the goods specified in the Seventh Schedule as they apply in relation to the levy and collection of duties of excise on such goods under that Act or all rules or regulations made thereunder, as the case maybe.”;	
	PART IB AMENDMENT TO THE FINANCE ACT, 2002	
	154B. In section 147 of the Finance Act, 2002, for sub-section (3), the following sub-section shall be substituted, namely:—	Amendment of Act 20 of 2002.
1 of 1944.	“(3) The provisions of the Central Excise Act, 1944 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the Special Additional Excise Duty leviable under this section in respect of the goods specified in the Eighth Schedule, as they apply in relation to the levy and collection of duties of excise on such goods under that Act or all rules or regulations made thereunder, as the case may be.”;	
	PART IC AMENDMENT TO THE FINANCE ACT, 2003	



Sl. No.	Name of Member and text of Amendment		Clause No.	
		154C. In section 134 of the Finance Act, 2003, for sub-section (4), the following sub-section shall be substituted, namely:—	Amendment of Act 32 of 2003.	
	52 of 1962.	“(4) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the National Calamity Duty of Customs leviable under this section in respect of the goods specified in the Seventh Schedule to the Finance Act, 2001, as amended by the Thirteenth Schedule, as they apply in relation to the levy and collection of duties of customs on such goods under that Act or all rules or regulations made thereunder, as the case maybe.”.		
	14 of 2001.			
37.	Page 106, after line 6, insert—		<b>New Clause 155 A</b>	
	‘PART IIA AMENDMENT TO THE FINANCE ACT, 2005			
		155A. In section 85 of the Finance Act, 2005, for sub-section (3), the following sub-section shall be substituted, namely:—		Amendment of Act 18 of 2005.
	1 of 1944.	“(3) The provisions of the Central Excise Act, 1944 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the additional duty of excise leviable under this section in respect of the goods specified in the Seventh Schedule as they apply in relation to the levy and collection of duties of excise on such goods		

Sl. No.	Name of Member and text of Amendment	Clause No.
	under that Act or all rules or regulations made thereunder, as the case maybe.”.	
38.	Page 107, <i>after</i> line 14, <i>insert</i> —	New clauses 158, 159 and 160.
	‘PART V AMENDMENTS TO THE FINANCE ACT, 2018	
	158. In the Finance Act, 2018,—	Amendment of Act 13 of 2018.
	(a) in section 110, for sub-section (5), the following sub-section shall be substituted, namely:—	
52 of 1962.	“(5) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the Social Welfare Surcharge on imported goods as they apply in relation to the levy and collection of duties of customs on such goods under that Act or all rules or regulations made thereunder, as the case may be.”;	
	(b) in section 111, for sub-section (3), the following sub-section shall be substituted, namely:—	
52 of 1962.	“(3) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the additional	



No.	Name of Member and text of Amendment	Clause No.
	duty of customs leviable under this section in respect of scheduled goods as they apply in relation to the levy and collection of duties of customs on scheduled goods under that Act or all rules or regulations made thereunder, as the case may be.”;	
	(c) in section 112, for sub-section (3), the following sub-section shall be substituted, namely:—	
1 of 1944.	“(3) The provisions of the Central Excise Act, 1944 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the cess leviable under this section in respect of scheduled goods as they apply in relation to the levy and collection of duties of excise on such goods under that Act or all rules or regulations made thereunder, as the case maybe.”;	
	PART VI AMENDMENT TO THE FINANCE ACT, 2020	
	159. In section 141 of the Finance Act, 2020, for sub-section (5), the following sub-section shall be substituted, namely:—	Amendment of Act 12 of 2020.
	“(5) The provisions of the Customs Act and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the Health Cess leviable under this Chapter in respect of the goods	



No.	Name of Member and text of Amendment		Clause No.
		specified in the Fourth Schedule, as they apply in relation to the levy and collection of duties of customs on such goods under that Act or all rules or regulations made thereunder, as the case may be.”;	
		PART VII AMENDMENTS TO THE FINANCE ACT, 2021	
		160. In the Finance Act, 2021,—	Amendment of Act 13 of 2021.
		(a) in section 124, for sub-section (5), the following sub-section shall be substituted, namely:—	
	52 of 1962.	“(5) The provisions of the Customs Act, 1962 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in relation to the levy and collection of the Agriculture Infrastructure and Development Cess on imported goods as they apply in relation to the levy and collection of duties of customs on such goods under that Act or all rules or regulations made thereunder, as the case may be.”;	
		(b) in section 125, for sub-section (4), the following sub-section shall be substituted, namely:—	
	1 of 1944.	“(4) The provisions of the Central Excise Act, 1944 and all rules and regulations made thereunder, including but not limited to those relating to the date for determination of rate of duty, assessment, non-levy, short-levy, refunds, exemptions, interest, recovery, appeals, offences and penalties shall, as far as may be, apply in	

No.	Name of Member and text of Amendment	Clause No.
	relation to the levy and collection of the cess leviable under this section in respect of scheduled goods as they apply in relation to the levy and collection of duties of excise on such goods under that Act or all rules or regulations made thereunder, as the case maybe.”.	
39.	Page 117, line 3, <i>omit</i> “10 per cent.;”.	The First Schedule.
40.	Page 117, <i>for</i> lines 7 and 8, <i>substitute</i> —	The First Schedule.
	<p>“transfer which takes place—</p> <p>(I) before the 23rd day of July, 2024 10 per cent.;</p> <p>(II) on or after the 23rd day of July, 2024 12.5 per cent.;”.</p>	
41.	Page 121, line 13, <i>omit</i> “10 per cent.;”.	The First Schedule.
42.	Page 121, <i>for</i> lines 17 and 18, <i>substitute</i> —	The First Schedule.
	<p>“transfer which takes place—</p> <p>(I) before the 23rd day of July, 2024 10 per cent.;</p> <p>(II) on or after the 23rd day of July, 2024 12.5 per cent.;”.</p>	
43.	Page 124, line 30, <i>omit</i> “10 per cent.;”.	The First Schedule.
44.	Page 124, <i>for</i> lines 34 and 35, <i>substitute</i> —	The First Schedule.
	<p>“transfer which takes place—</p> <p>(I) before the 23rd day of July, 2024 10 per cent.;</p> <p>(II) on or after the 23rd day of July, 2024 12.5 per cent.;”.</p>	
45.	Page 148, line 33, <i>for</i> “with”, <i>substitute</i> “without”.	The Fourth Schedule.

NEW DELHI;

August 6, 2024

Sravana 15, 1946 (Saka)

UTPAL KUMAR SINGH  
SECRETARY GENERAL