



SUMMARY OF SECTION 44AE OF INCOME TAX ACT 1961 WITH LATEST AMENDMENTS

This provision is applicable where assessee is owner of equal to or less than ten, goods carriages. This provision is applicable where assessee is owner of equal to or less than ten goods carriages.

If it is a heavy goods vehicle then the profits and gains shall be calculated at the rate of rupees one thousand per ton per month of the unladen weight of the vehicle.

If it is a light vehicle then the profits and gains shall be calculated at the rate of Rs. 7500.00 pm per vehicle for the months as per ownership of the assessee of the vehicle.

No further depreciation is allowed.

If assessee is a partnership firm then interest and salary shall be allowed out of the profits and gains of the assessee out of the business calculated as per this provision.

If the profits and gains are less than the profits and gains as per this section then the case of the assessee shall be decided u/s 143(3) of the Act. The assessee shall produce the evidences for the expenses claimed.

If assessee shows his profits as per this section then no monetary limits under section 44AA of the Act and 44AB of the Act shall be taken into effect.

If the profits and gains are less than the profits as per this section then assessee has to get his books of accounts audited by a chartered Accountant.

The gross weight, unladen weight and good carriage, the definitions are as per section 2 of the motor vehicles Act 1988.

If assessee has taken the goods carriage on hire purchase agreement or on installments, he shall be deemed to be the owner of the goods carriage and provision of this section shall apply on the assessee accordingly.

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SJ Ball



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