

**The Finance Act, 1973**  
( ACT NO. XI OF 1973 )

**An Act to give effect to the financial proposals of the Government and to amend certain laws.**

WHEREAS it is expedient to make provisions to give effect to the financial proposals of the Government and to amend certain laws for the purposes hereinafter appearing;

It is hereby enacted as follows:-

<b>Short title, extent and commencement</b>	<p>1. (1) This Act may be called the Finance Act, 1973.</p> <p>(2) It extends to the whole of Bangladesh.</p> <p>(3) Except as otherwise provided in this Act,-</p> <p>(a) this section and section 2 and 3 shall be deemed to have taken effect on the fourteenth day of June, 1973; and</p> <p>(b) the other provisions shall come into force on the first day of July, 1973.</p>
<b>Amendments of Act XXXII of 1934</b>	<p>2. The amendments set out in the First Schedule to this Act shall be made in the Tariff act, 1934 (XXXII of 1934).</p>
<b>Amendments of Act I of 1944</b>	<p>3. The amendments set out in the Second Schedule to this Act shall be made in the First Schedule to the Central Excises and Salt Act, 1944 (I of 1944).</p>
<b>Amendments of Act XI of 1922</b>	<p>4. The following amendments shall be made in the Income Tax Act, 1922 (XI of 1922), namely:-</p> <p>(1) throughout the Act, for the words “rupee”, and “rupees”, wherever occurring, the word “taka” shall be substituted;</p> <p>(2) in section 2,-</p> <p>(a) in clause (1), for sub-clause (a) the following shall be substituted, namely:-</p> <p>“(a) any rent or revenue derived from land which is situated in Bangladesh and is used for agricultural purposes;”;</p>

(b) in clause (4a), for the words “the Legislature of Bangladesh” the word “Parliament” shall be substituted;

(c) in clause (5A), after the words “and includes”, the words “banks, insurance corporations and industrial enterprises nationalised or established by law and” shall be inserted and shall be deemed to have been so inserted on the 26th day of March, 1972, in respect of banks and industrial enterprises, and on the 8th day of August, 1972, in respect of insurance corporations;

(3) in section 4, after sub-section (2B), the following new sub-sections shall be inserted, namely:-

“(2C). Where, in the financial year immediately preceding the assessment year the assessee is found to be the owner of any money, bullion or jewellery, or other valuable article and such money, bullion, jewellery or valuable article is not recorded in the books of account, if any, maintained by him for any source of income, and the assessee offers no explanation about the nature and source of acquisition of the money, bullion, jewellery or other valuable article or the explanation offered by him is not, in the opinion of the Income-tax Officer, satisfactory, the money, the value of the bullion, jewellery or other valuable article may be deemed to be the income of the assessee for such year.

(2D). Where, in any previous year the assessee has made investments or is found to be the owner of any bullion, jewellery or other valuable article, and the Income-tax Officer finds that the amount expended on making such investment or in acquiring such bullion, jewellery or other valuable article exceeds the amount recorded in this behalf in the books of account maintained by the assessee for any source of income, and the assessee offers no explanation about such excess amount or the explanation offered by him is not, in the opinion of the Income-tax Officer, satisfactory, the excess amount may be deemed to be the income of the assessee for such previous year.”;

(4) in section 15C, in sub-section (2A), for the words, brackets, figures and letter “sum computed in the manner laid down in sub-section (3A) of section 15” the words, brackets and figures “sum laid down in sub-section (3) of section 15” shall be substituted;

(5) in section 15D, in sub-section (1),-

(a) in clause (d), for the semi-colon and word “; or” at the end a colon shall be substituted; and

(b) clause (e) shall be omitted;

(6) in section 15F, the comma, word, brackets and letter “, sub-section (3A)” shall be omitted;

(7) in section 16,-

(a) in sub-section (1), in clause (a), for the words, figures and letters “section 15E and section 15F” the words, figures, letters and comma “section 15E, section 15F and section 15H” shall be substituted and shall be deemed to have been so substituted on the first day of July, 1971; and

(b) in sub-section (3), the proviso shall be omitted;

(8) in section 18A,-

(a) in sub-section (1), for the words “twenty-five thousand rupees” the words “twelve thousand taka” shall be substituted;

(b) in sub-section (3), for the words “twenty-five thousand rupees” the words “twelve thousand taka” shall be substituted;

(c) in sub-section (4), in the proviso, for the words “two per cent.”, the words “one and a half per cent” shall be substituted;

(d) in sub-section (5), for the words and full-stop “from the date of payment to the thirtieth day of June of the financial year in which the amount was paid.” the words, brackets, figures, letter and colon “from the date of payment up to the date of submission of return under sub-section (1) of section 22:” shall be substituted and thereafter the following proviso shall be added, namely:-

“Provided that no interest shall be payable for the extended period for the delivery of the return under the first and second provisos to sub-section (1A) of section 22.”;-

(e) in sub-section 6,-

(i) for the words “two per cent” the words “one and a half per cent” shall be substituted; and

(ii) in the second proviso, for the words “High Court” the words “High Court Division” shall be substituted; and

(f) in sub-section (7), for the words “two per cent” the words “one and a half per cent” shall be substituted.

(9) in section 22A, the existing provision shall be renumbered as sub-section (1) and after sub-section (1), renumbered as aforesaid, the following shall be added, namely:-

“(2) If any person, without reasonable cause, fails to pay the tax under sub-section (1), he shall be deemed to be an assessee in default.”;

(10) after section 22A, amended as aforesaid, the following new section shall be inserted, namely:-

“22AA. Signature and verification of return.- Except as otherwise provided in this Act, the return under section 22 shall be signed and verified,-

(a) in the case of an individual, by the individual himself; where the individual is absent from Bangladesh, by the individual concerned or by some person duly authorised by him in this behalf; and when the individual is mentally incapacitated from attending to his affairs, by his guardian or by any other person competent to act on his behalf;

(b) in the case of a Hindu undivided family, by the Karta, and, where the Karta is absent from Bangladesh or is mentally incapacitated from attending to his affairs, by any other adult member of such family;

(c) in the case of a company or local authority, by the principal officer thereof;

(d) in the case of a firm, by any partner thereof, not being a minor;

(e) in the case of any other association, by any member of the association or the principal officer thereof; and

(f) in the case of any other person, by that person or by some person competent to act on his behalf.”;

(11) in section 23, in sub-section (6), for the word “super-tax” the word “tax” shall be substituted;

(12) in section 23A,-

(a) in sub-section (2), in clause (b), in sub-clause (ii), for the full-stop at the end a colon shall be substituted; and

(b) after sub-section (2), amended as aforesaid, the following shall be added, namely:-

“Provided that, as respects any assessment year beginning on the first day of July, 1973, and for two subsequent assessment years thereafter, the provisions of the

(13) in section 45, the commas, words, letter and figures, “, may subject to the provisions of section 45A,” shall be omitted;

(14) section 45A shall be omitted;

(15) section 49G shall be omitted;

(16) in section 61, in sub-section (2),-

(a) in clause (iv) for sub-clause (d), the following shall be substituted, namely:-

“(d) any person who has retired after putting in satisfactory service in the Income-tax Department and has for a period of not less than ten years served in a post or posts not inferior to that of an Income-tax Officer:

Provided that in the determination of the year under this clause, part of a year less than six months shall be disregarded and part of the year equal to or exceeding six months shall be regarded as one year;”;

(b) in the existing first proviso, for the words “provided that” the words “provided further that” shall be inserted;

(17) in section 66,-

(a) throughout the section, for the words “High Court” the words “High Court Division” shall be substituted; and

(b) in sub-section (7), in the proviso, for the words “Supreme Court” the words “Appellate Division” shall be substituted;

(18) in section 66A,-

(a) in sub-section (1),-

(i) for the words “High Court”, wherever occurring, the words “High Court Division” shall be substituted; and

(ii) for the words “any High Court” the words “the High Court Division” shall be substituted;

(b) after sub-section (1), amended as aforesaid, the following new sub-sections shall be added, namely:-

“(2) An appeal shall lie to the Appellate Division from any judgment of the High Court Division delivered on a reference made under section 66 in any case which the High Court Division certifies to be a fit one for appeal to the Appellate Division.