

Rep. by Act....19...of 1988, s. 2 & Sch. I

**THE ESTATE DUTY (DISTRIBUTION) AMENDMENT  
ACT, 1979**

No. 26 of 1979

[25th May, 1979.]

**An Act further to amend the Estate Duty (Distribution) Act, 1962.**

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

Short  
title and  
com-  
mencement.

1. (1) This Act may be called the Estate Duty (Distribution) Amendment Act, 1979.

(2) It shall be deemed to have come into force on the 1st day of April, 1979.

Amend-  
ment of  
long title  
of Act 9 of  
1962.

2. In the long title of the Estate Duty (Distribution) Act, 1962 (hereinafter referred to as the principal Act), for the figures "1973", the figures "1978" shall be substituted.

Substi-  
tution of  
new  
section  
for  
section 3.

3. For section 3 of the principal Act, the following section shall be substituted, namely:—

Distribu-  
tion of  
net pro-  
ceeds of  
estate  
duty  
assigned  
to the  
States.

3. (1) During each of the financial years commencing on and after the 1st day of April, 1979, the net proceeds of estate duty levied and collected during that financial year shall, after deducting therefrom the net proceeds attributable to Union territories, be distributed among the States in proportion to the gross value of all property situated in the respective States and brought into assessment in that financial year.

(2) For the purposes of this section,—

(a) "gross value", in relation to property, means the total value of all property passing on the death of any person as determined by the Controller under the Estate Duty Act, 1953;

34 of 1953.

(b) "net proceeds" includes the estate duty the payment whereof has been accepted in accordance with the provisions of section 52 of the Estate Duty Act, 1953;

34 of 1953.

(c) "net proceeds attributable to Union territories" means the portion of net proceeds which bears to the total net proceeds in any financial year the same proportion which the gross value of all property situated in all the Union territories and brought into assessment in that financial year bears to the total gross value of all property brought into assessment in that year;

(d) "property" does not include agricultural land;

(e) any property situated outside India shall be deemed to be situated in the State or, as the case may be, the Union territory wherein the value of such property has been brought into assessment.

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