

GOLD BONDS IMMUNITIES AND EXEMPTIONS ACT, 1993

Preamble 1 - GOLD BONDS IMMUNITIES AND EXEMPTIONS ACT,  
1993

GOLD BONDS (IMMUNITIES AND EXEMPTIONS) ACT, 1993

[Act, No. 25 of 1993]

[2nd April, 1993]

PREAMBLE

An Act to provide for certain immunities to the subscribers of the  
Gold Bonds and for certain

exemptions from direct taxes in relation to such Bonds and for  
matters connected therewith

or incidental thereto.

WHEREAS with a view to mobilising the idle gold resources of  
residents in India, it is

expedient to provide for certain immunities and exemptions to  
render it possible for such

residents to subscribe to Gold Bonds.

BE it enacted by Parliament in the Forty-fourth Year of the Republic  
of India as follows:-

Section 1 - Short title and commencement

(1) This Act may be called the Gold Bonds (Immunities and  
Exemptions) Act, 1993.

(2) It shall be deemed to have come into force on the 31st day of  
January, 1993.

Section 2 - Definitions

In this Act, unless the context otherwise requires, -

(a) "Gold Bonds" means the Gold Bonds, 1998, issued by the Central  
Government in

accordance with the scheme framed by that Government under  
Section 3;

(b) "Subscriber" means an individual, a Hindu undivided family,  
trustees of a trust, a firm

or a company, being a resident or residents in India, who has or have  
initially subscribed

to the Gold Bonds.

Explanation. - For the purposes of this clause, the expression  
"individual" shall also

include,

(i) his legal heirs; or

(ii) Where a partition has taken place among the members of the Hindu undivided

family, every member of such family having a share in the Gold Bonds;

(c) All other words and expressions used in this Act but not defined and defined in the

Income-tax Act, 1961, shall have the meanings respectively assigned to them in that Act.

### Section 3 - Gold Bonds Scheme

(1) The Central Government may, by notification in the Official Gazette, frame a scheme for

subscription to the Gold Bonds, 1998, on or after the date of commencement of this Act, but

before the specified date.

Explanation. - For the purposes of this sub-section, "specified date" means the 31st day

of March, 1993 or such other later date as the Central Government may, by notification

in the Official Gazette, specify in this behalf.

(2) The scheme framed under sub-section (1) shall be laid, as soon as may be after it is

framed, before each House of Parliament.

### Section 4 - Immunities

(1) Notwithstanding anything contained in the Wealth-tax Act, 1957, the Gift-tax Act, 1958,

the Income-tax Act, 1961, the Customs Act, 1962, the Foreign Exchange Regulation Act, 1973

and the Foreign Contribution (Regulation) Act, 1976,

(a) No subscriber shall be required to disclose, for any purpose whatsoever, the nature

and source of acquisition of the gold subscribed for the Gold Bonds, including the source

of money with which the gold was acquired;

(b) No inquiry or investigation shall be commenced against any subscriber under any of

the said Acts on the ground that such subscriber owns the Gold Bonds; and

(c) The fact that any subscriber owns the Gold Bonds shall not be taken into account for

the purposes of, and shall be inadmissible as evidence in any proceedings under any of

the said Acts:

PROVIDED that nothing contained in this sub-section shall apply where any

proceedings in respect of the gold subscribed by the subscriber have already been

initiated before the commencement of this Act in accordance with the provisions of

any of the aforesaid Acts.

(2) Nothing in sub-section (1) shall apply in relation to prosecution for any offence

punishable under Chapter 9 or Chapter 17 of the Indian Penal Code, the Narcotic Drugs and

Psychotropic Substances Act, 1985, the Terrorist and Disruptive Activities (Prevention) Act,

1987, the Prevention of Corruption Act, 1988 or for the purposes of enforcement of any civil

liability.

Section 5 - Gold Bonds not to be taken into account in certain cases

Without prejudice to the generality of the provisions of Section 4,

(a) The provisions of the Income-tax Act, 1961 shall not apply to-

(i) Any interest accruing to the subscriber from the Gold Bonds;

(ii) Any long-term capital gains arising to the subscriber;

(b) The provisions of the Gift-tax Act, 1958 shall not apply where the gift of the Gold

Bonds is made by a subscriber, being an individual, to his spouse, child or parent.

Section 6 - Repeal and savings

(1) The Gold Bonds (Immunities and Exemptions) Ordinance, 1993 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said

Ordinance, shall be deemed to have been done or taken under the corresponding provisions

of this Act.