

1. **The interest under sections 234B and 234C is chargeable on MAT, in the event of failure to pay advance tax in respect of tax payable under section 115JB.** That as per the Hon'ble Apex Court's exposition interest u/s 234B and 234C of the Act is clearly leviable on assessments on book profit u/s 115JB of the Act as per the clear indentment of the Act. The Hon'ble Apex Court has itself referred to the decision of Hon'ble Karnataka High Court in the case of *Kwality Biscuits Ltd. v. CIT* [2000] 243 ITR 519 and the subsequent dismissal of Special leave petition by the Hon'ble Apex Court in limine against the above order. The Hon'ble Apex Court had mentioned that the said decision was confined to section 115J of the Act and thereafter in the case of *Jindal Thermal Power Co. Ltd. v. Dy. CIT* [2006] 154 Taxman 547 (Kar.) the Hon'ble Karnataka High Court has itself distinguished its own decision in the case of *Kwality Biscuits Ltd. (supra)* and held that section 115JB of the Act was a self-contained code pertaining to MAT, which imposed liability for payment of advance tax on MAT companies and, therefore, where such companies defaulted in payment of advance tax in respect of tax payable u/s 115JB, it was liable to pay interest u/s 234B and 234C of the Act. **Binani Cement Ltd v. Deputy Commissioner of Income-tax [2015] 68 SOT 190 (Kolkata - Trib.)(URO).**

2. **Whether assessee can sought exemption both under sections 54B and 54F – held Yes.** On a perusal of section 54B, it is evident that if the capital gain arising from sale of agricultural land is invested in purchase of agricultural land, then the assessee is eligible for exemption. Similarly section 54F provides that if the capital gain arising from transfer of long term capital asset, not being a residential house is utilized for purchase of a residential house, within a period of two years, then assessee will be eligible for exemption under section 54F. On a reading of the aforesaid provisions, we do not find any restriction/conditions imposed therein that if an assessee claims exemption under section 54B is not eligible to claim under section 54F. Similarly, there is no restriction imposed under section 54F that capital gain derived from sale of agricultural land is not eligible for exemption under section 54F. In the aforesaid view of the matter, we do not find the reasoning of the learned CIT to be in accordance with the statutory provisions, hence acceptable. **Koganti Venkata Ramaiah v. Assistant Commissioner of Income-tax [2015] 68 SOT 261 (Visakhapatnam - Trib.)**