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The Gold Bonds (Immunities and Exemptions) Act, 1993

(ACT NO. 25 OF 1993)

[*As on the 15th May*, 2026]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O	„	Statutory Order.
Notifn.	„	Notification.

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THE GOLD BONDS (IMMUN ITIES AND EXEMPTIONS) ACT, 1993

ARRANGEMENT OF SECTIONS

SECTIONS

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3. Gold Bonds Scheme.
4. Immunities.
5. Gold Bonds not to be taken into account in certain cases.
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THE GOLD BONDS (IMMUNITIES AND EXEMPTIONS) ACT, 1993

ACT NO. 25 OF 1993

[2*nd April*, 1993.]

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**:—**

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.

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 (43 of 1961) shall have the meanings respectively assigned to them in that Act.

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.

4. Immunities.—(*1*) Notwithstanding anything contained in the Wealth-tax Act, 1957 (27 of 1957), the Gift-tax Act, 1958 (18 of 1958), the Income-tax Act, 1961 (43 of 1961), the Customs Act, 1962 (52 of 1962), the Foreign Exchange Regulation Act, 1973 (46 of 1973) and the Foreign Contribution (Regulation) Act, 1976 (49 of 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

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(*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 IX or Chapter XVII of the Indian Penal Code (45 of 1860), the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), the Terrorist and Disruptive Activities (Prevention) Act, 1987 (28 of 1987), the Prevention of Corruption Act, 1988 (49 of 1988) or for the purposes of enforcement of any civil liability.

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 (43 of 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 (18 of 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.

6. Repeal and savings.—(*1*) The Gold Bonds (Immunities and Exemptions) Ordinance, 1993 (Ord. 22 of 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.

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STATEMENT OF OBJECTS AND REASONS

It was indicated in the Budget speech for the year 1992-93 that Government will introduce a Gold Bond Scheme to mobilise the idle gold resources of ordinary citizens to supplement official reserves and that the proposed Gold Bonds will not attract income-tax or gift-tax and that the holders of the said Bonds will not be asked any questions about the source of the gold holding.

2. With a view to enabling the Central Government to issue the bonds before the end of the financial year 1992 93, the Gold bends (Immunities and Exemptions) Ordinance, 1993 was promulgated by the President on the 31st day of January, 1993. Section 4 of the said Ordinance grants certain immunities to the subscribers to the Gold Bonds under the Wealth-lax Act, 1957, the Gift-tax Act, 1958, the Income-tax Act, 1961, the Customs Act, 1962, the Foreign Exchange Regulation Act, 1973 and the Fore Contribution (Regulation) Act, 1976. By virtue of the said immunities, no subscriber will be required to disclose, for any purpose whatsoever, the nature and source of acquisition of the gold subscribed for She Gold Bonds, including the source of money with which the gold was acquired. Further, no inquiry or investigation will be commenced against any subscriber under any of the said Acts on the ground that such subscriber owns the Gold Bonds and the fact of ownership of the Gold Bonds will not be taken into account for the purposes of and will be inadmissible as evidence in, any proceedings under any of the said Acts. However, the said immunities will not be available in relation to any proceedings connected with the gold subscribed by the subscriber where such proceedings have already been initiated, before the date of promulgation of the Ordinance, in accordance with the provisions of any of the said Acts. Section 5 of the Ordinance provides for certain fax exemptions under the Income-tax Act, 1961 and the Gift-tax Act, 1958.

3. The Bill seeks to replace the above mentioned Ordinance.

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MANMOHAN SINGH.

NEW DELHI;

The 12*th February,* 1993.