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Dt: 02nd April, 2021

INCOME TAX



CLAUSE 30C & 44 OF TAX AUDIT

The CBDT has issued Circular that the existing Form No. 3CD was amended vide notification no. GSR 666(E) dated 20th July, 2018 with effect from 20th August, 2018. However, the reporting under clause 30C and clause 44 of the Tax Audit Report was kept in abeyance till 31 st March, 2019 vide Circular No. 6/2018 dated 17.08.2018, which was subsequently extended to 31 st March, 2020 vide Circular No. 9/2019. Vide circular no. 10/2020 dated 24.04.2020, it was further extended to 31st March, 2021. In view of the prevailing situation due to COVID-19 pandemic across the country, it has been decided by the Board that the reporting under clause 30C and clause 44 of the Tax Audit Report shall be kept in abeyance till 31st March, 2022. (Circular No 05/2021 dated 25th March,2021.)

CLARIFICATION ON VIVAD SE VISHWAS SCHEME

The CBDT has issued Circular and clarified that Several representations have been received seeking further clarity with regard to the classification of a case as a 'search case' for the purposes of Vivad se Vishwas. The matter has been examined. In order to remove any uncertainty in this regard, and in exercise of powers under section 10 and 11 of Vivad se Vishwas, it is hereby clarified that a 'search case' means an assessment or reassessment made under sections 143(3)/ 144/ 147/ 153A/ 153C/ 158BC of the Income-tax Act in the case of a person referred to in section 153A or section 153C or section 158BC or section 158BD of the Income-tax Act on the basis of search initiated under section 132, or requisition made under section 132A of the Income-tax Act. The FAQ no. 70 of circular 2.11.2020 stands modified to this extent.(Circular no 04/2021 dated 23rd March,2021.)

ALLOTMENT OF PAN TO MORE THAN ONE PERSON

The CBDT has issued Instruction However, application of the said instruction has resulted in some grievances. After considering the grievances raised and with the approval of Competent Authority the above instruction is partially modified as follows:-

S. No	First PAN	Second PAN	Resolution
1	Not filing ITR	Filing ITR	First PAN holder will be allotted a new PAN as per existing procedure and second PAN holder will continue to retain the original PAN
2	Not Filing ITR	Not filing ITR	Existing procedure will be followed i.e. first allottee will retain the original PAN and second allottee will be given a new PAN
3	Filing ITR for Part Years	Filing ITR for part Years	To be resolved after gathering information with regard to the pending part years demands and refunds in respect to those returns filed, with the approval of ADG(System)-1

REGISTRATION OF TRUST ETC

The CBDT has issued Notification and amended the Rules 2C, 5C, 5CA, 5F, 11AA, 17A and Form 10A and 10AB of the Income Tax Rules, 1962. All these amendments are related to registration and Application for the purpose of grant of approval of a fund or trust or institution or university or any hospital or other medical institution and Application for registration of charitable or religious trusts (Notification No 19/2021 dated 26th March, 2021.)

FORM 12BA AND PART B OF FORM NO 16

The CBDT has issued Notification and amended Income Tax Rules, 1962 by substituting Form 12BA - Statement showing particulars of perquisites, other fringe benefits or amenities and profits in lieu of salary with value and Part B of Form No 16. .(Notification No 15/2021 dated 11th March, 2021.

STATEMENT OF FINANCIAL TRANSACTIONS

The CBDT has issued Notification and amended Rule 114E that for the purposes of pre-filing the return of income, a statement of financial transaction under subsection (1) of section 285BA of the Act containing information relating to capital gains on transfer of listed securities or units of Mutual Funds, dividend income, and interest income shall be furnished by the specified persons. (Notification No 16/2021 dated 12th March, 2021.)

FORM NO 15E

The CBDT has issued notification and inserted Rule 59BA for Application for grant of certificate for determination of appropriate proportion of sum (other than Salary), payable to non-resident, chargeable in case of the recipients in Form No 15E. (Notification no 18/2021 dated 16th March,2021.)

CONDONATION OF DELAY IN FILING FORM 10B & 10BB

The CBDT has issued Circular and with a view to expedite the disposal of applications filed by such entities for condoning the delay and in exercise of the powers conferred under section 119(2) (b) of the Act, the Central Board of Direct Taxes hereby directs that: (i) In all the cases of belated applications in filing of Form No. 10B & 10BB for years prior to AY. 2018-19, the Commissioners of Income-tax are authorized to admit such applications for Condonation of delay u/s 119(2)(b) of the Act. The Commissioner will while entertaining such applications regarding filing Form No.10B & 10BB shall satisfy themselves that the applicant was prevented by reasonable cause from filing such application within the stipulated time. Further, all such applications shall be disposed of by 30.06.2021. (ii) where there is delay of upto 365 days in filing Form 10B & 10BB for Assessment Year 2018-19 or for any subsequent Assessment Years, the Commissioners of Income-tax are hereby authorized to admit such belated applications of condonation of delay under section 119(2) of the Income-tax Act, 1961 and decide on merits. (Circular no 06/2021 & 07/2021 dated 26th March,2021.)

LINKING OF AADHAAR WITH PAN

The government has extended the deadline for linking of Aadhaar with permanent account number (PAN) to 30th June, 2021. The said notification also extended time-limits for issue of notice under section 148 of the Act, passing of consequential order for direction issued by the Dispute Resolution Panel (DRP) and processing of equalisation levy statements to 30th April, 2021. (Notification No 20/2021 dated 31st March, 2021)

ITR FORM 1 TO 7 NOTIFIED

The CBDT has notified the ITR form 1 to 7 for the Assessment year 2021-22. (Notification dated 1st April,2021)

GST/CUSTOM



CLARIFICATION ON REFUND RELATED ISSUES

The CBIC has issued Circular and clarified issues in respect of refund claim by recipient of Deemed Export Supply, Extension of relaxation for filing refund claim in cases where zero-rated supplies has been wrongly declared in Table 3.1(a). The manner of calculation of Adjusted Total Turnover under sub-rule (4) of Rule 89 of CGST Rules, 2017.(Circular No 147/03/2021 dated 12th March ,2021).

WAIVER OF PENALTY FOR NON COMPLIANCE OF QR CODE

The CBIC has issued Notification and wave the penalty for non compliance of Notification 14/2020 dated 21st March,2021 ie issue of Invoices with QR code up to 30th June,2021.(Notification No 06/2021 dated 30th March,2021).

E-WAY LIMIT INCREASED TO RS 1 LAKH IN RAJASTHAN

The Commercial Taxes Department, Rajasthan has issued Notification and revised the limit of issue of e-way bill for movement of goods within Rajasthan except all type of Tobacco products from fifty thousand to Rs 1 lakh .(Notification dated 30th March,2021).

MISCELLANEOUS



Miscellaneous

CENTRAL SCRUTINY CENTRE

The MCA has issued Notification that the Central Government has established a Central Scrutiny Centre (CSC) for carrying out scrutiny of Straight Through Processes (STP) e-forms filed by the companies under the Act and the rules made there under and which shall function under the administrative control of the e-governance Cell of the MCA w.e.f 23.03.2021.

The CSC will carry out scrutiny of the e-forms filed through STP and findings will be forwarded to the concerned jurisdictional ROC, wherever required, for further necessary action under the provisions of the Act and the rules made there under. (Notification dated 18th March,2021.)

MANNER OF BOOKS OF ACCOUNT

The MCA has issued notification and amended companies (Accounts) Rules,2014, that from financial year commencing on or after April 01, 2022 every company which uses accounting software for maintaining its books of account, shall use only such accounting software which has a feature of recording audit trail of each and every account along with the date when such changes were made and ensuring that the audit trail cannot be disabled. (Notification dated 24th March,2021 & 1st April,2021.)

AMENDMENT IN AUDIT REPORT

The MCA has issued notification that broadens the scope of reporting by inserting clause e in Rule 11 which defines 'Other Matters to be included in the Audit Report' As per the amendment following Additional Disclosures are also required: Reporting regarding advances loans & Investment other than disclosed in notes to accounts. Receiving of funds for further lending or investing other than disclosed in notes to accounts. Comment upon above 2 points whether representation made contains any material misstatement. Dividend declared or paid is in compliance of section 123 of CA, 2013. Comment of use of Accounting Software having Audit Trail & other rules therein.(Notification No dated 24th March,2021.)

AMENDMENT IN SCHEDULE

III

The MCA has issued notification and amended the Schedule III to the Companies Act, 2013 to incorporate the general instructions for preparation of the balance sheet and the profit and loss account of an company along with additional disclosure requirements.(Notification dated 24th March,2021.)

UPDATION OF UDIN

The ICAI has made announcement that, in order to mitigate the likely hardships that would be faced by the tax payers due to non-compliance owing to such invalidation, the Condonation Scheme to regularize UDINs provided by the ICAI vide its announcement dated 31st January 2021 which ended on 28th February 2021 is now being extended up to 31st March 2021. Whereby, all the missed UDINs between the period 1st February 2019 to 10th March 2021 can now be generated up to 31st March 2021 and this is in continuation to the Condonation Scheme announced previously.

INTEREST REVISED IN SMALL SAVINGS

The Government cuts interest rates on small savings wef from April 1,2021.

Savings deposit revised from 4% to 3.5%,annually. PPF rate down from 7.1% to 6.4%,annually. 1 yr time deposit revised from 5.5% to 4.4%,quarterly.

Senior citizen savings schemes rate down from 7.4% to 6.5%,quarterly & paid. This notification has been subsequently withdrawn and same rate are applicable as stood on 31st March,2021.)

COMPLIANCE DATES FOR APRIL,2021

7th April	Deposit of TCS for the month of March,2021.
10th April	Filing of GSTR-7 for the month of March,2021.
10th April	Filing of GSTR-8 for the month of March,2021.
11th April	Filing of GSTR-1 for the month of March,2021.
13th April	Filing of GSTR-1 for the Quarter ended 31st March,2021.
13th April	Filing of GSTR 6 for the month of March,2021.
15th April	Deposit of P F for the month of March,2021.

DISCLAIMER : Although due care has been taken while compiling the above details, yet the author carries no responsibility for any inadvertent misquoting. Please check the relevant source before relying on any of the compilations. The notification and circulars covered under the compilation are chosen which are considered important and not all, issued under the relevant statute

COMPLIANCE DATES FOR APRIL,2021

15th April	Deposit of ESI for the month of March,2021.
20th April	File GSTR-3B Return for the month of March, 2021.(Turnover Above 5 crore) .
20th April	File GSTR-5 Return for the month of March,2021.
20th April	File GSTR-5A Return for the month of March,2021.
22nd April	File GSTR-3B Return for the month of March, 2021.(Turnover Below 5 crore) for specified states.
24th April	File GSTR-3B Return for the month of March,2021.(Turnover Below 5 crore) for specified states.
30th April	Deposit of TDS for the month of March,2021.

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Thank
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