

DAHOTRE & DAHOTRE

Chartered Accountants

Knowledge and Development Committee

Newsletter

Period of Update: 25th February, 2024 to 2nd March, 2024
Period of Issue: 3rd February, 2024 to 9th March, 2024

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Editor-in-Chief's Message

Hello readers!

Welcome to the 9th Newsletter Edition of 2024.

In this issue, we will discuss Demat of Securities by Private Companies. Also we will See Liberalised Remittance Scheme and we will Know regarding Types of Assessment under GST .

Trupti Narawade
Editor-in-chief

Team's Message

“Do not go where the path may lead, go instead where there is no path and leave a trail.”

Pramod Limaye
(Chief Business Development Officer)

Short Updates:

Direct Taxes

- Income Tax Department has identified certain mismatches between the information received from third parties on interest and dividend income, and the Income Tax Return (ITR) filed by taxpayers.
- In order to reconcile the mismatch, an on-screen functionality has been made available in the Compliance portal of the e-filing website <https://eportal.incometax.gov.in> for taxpayers to provide their response.
- At present, the information mismatches relating to Financial Years 2021-22 and 2022-23 have been displayed on the Compliance portal.

RERA

- The Maharashtra Real Estate Regulatory Authority (Maha RERA) on February 15 that it has collaborated with the Advertising Standards Council of India (ASCI) to identify developers advertising projects without registration numbers and QR codes.
- Out of total 541 projects, Maha RERA has given 356 projects an extension. The remaining 185 projects are still going through the hearing process and are expected to get the extension orders soon.
- Maha RERA officials have clarified that the extension on these projects has been given only after performing strict scrutiny of the proposals.

01 ROC Demat of Securities by Private Companies



CS Chaitanya Date

Obligations on private companies to issue securities in a dematerialised form (rule 9B to be inserted into the PAS Rules):

1. Dematerialisation of securities by private company:

a) Applicability of provisions: A Private company (which is not a small company as on last day of the financial year, ending on or after 31 March 2023), shall within 18 months from closure of such financial year need to:

- issue the securities only in dematerialized form; and
- facilitate dematerialisation of all its securities

b) Fresh issue / Buy-back of securities: Private Company which is required to dematerialize its securities as above, shall ensure that before making the following offers, entire holding of securities of its promoters, directors, key managerial personnel has been dematerialized.

- Fresh issue / offer of any securities
- Buyback of securities
- Bonus shares
- Rights offer

c) Transfer of securities: On or after 18 months from the date of applicability of dematerialization provisions to a private company, the holders of securities of private company to ensure the following:

- Transfer of shares in dematerialized form only

- Prior to subscribing to the shares of such private company, all its securities are held in dematerialized form before such subscription.

d) Other Requirements: Private company are interalia required to:

- make timely payment of fees for Demat;
- cannot issue fresh securities / buy-back securities etc. in case securities are not dematerialized
- file half yearly certificate in form PAS-6 with ROC
- deposit 2 years' fees as security deposit with depository / Registrar and Share Transfer Agent.

Exception: Above provisions are not applicable to small companies* and Government company

*Small Company under Companies Act, 2013 means a company, other than a public company whose paid-up share capital is \leq INR 40 million (4 Crores) and turnover as per the last financial year does not \leq INR 400 million (40 Crores) Following are not considered as small company viz.

- Holding company or a subsidiary company
- Section 8 company
- Company/ body corporate governed by any special act

Conclusion:

- The above amendments are in furtherance to earlier MCA notification issued on 10 September 2018 which was applicable only to public company in India.
- Extending the applicability to private companies would facilitate tracking of ownership of securities on real time basis, enhance transparency, protect investors and improve governance in the corporate sector.
- The above amendments are applicable to 'securities' i.e. shares (equity / preference), debentures and other securities.

Read next: Liberalised Remittance Scheme

02 Direct Tax

Liberalised Remittance Scheme



Abhishek Maske

Introduction

The LRS full form is Liberalized Remittance Scheme. It is a foreign exchange policy initiative introduced by the Reserve Bank of India in 2004. It intended to simplify and streamline the process of remitting funds outside India.

This scheme helped Indians overcome international fund transfer restrictions as set by the FEMA (Foreign Exchange Management Act), 1999. Under LRS, resident individuals can freely remit funds up to a certain limit for various permissible transactions involving a current or capital account.

LRS scheme for NRIs

The LRS scheme applies to the residents of India, and thus, the remittance takes place through a savings account. Non-Residential Indians are not supposed to have any savings accounts in Indian banks. Thus, they cannot remit funds from India, but they are permitted to transfer funds from NRO, NRE, and FCNR accounts abroad as per the regulations and requisite documentation:

They are permitted to transfer up to USD 10,000 from an NRO account.

No limitations apply to payments made from an NRE or FCNR account. The Liberalized Remittance Scheme has made it simpler for Indian citizens to manage financial transactions abroad.

You can use the funds for debt repayment, education, and other needs. You can also invest outside of India, which is a great method of diversifying your investment portfolio.

Liberalised Remittance Scheme limit

Under the LRS, a resident individual can remit up to USD 250,000 per financial year for permissible transactions. The LRS limit for education, medical treatment, employment, emigration, travel, investment, etc., is the same as mentioned. However, you cannot use the remittances for trading, buying lottery tickets, real estate, etc.

Tax on Liberalized Remittance Scheme:

Profits gained from overseas investments made through LRS are taxable in India depending on the investment's holding period. Investments over two years are considered long-term capital gains and impose a tax of 20% on the total profit earned. Profits earned from investments below two years are taxed at normal income tax slab rates.

Under the LRS scheme, you are liable to pay a 5% TCS (Tax Collected at Source) for remittances exceeding the limit of INR 7,00,000. However, you can claim a refund for the deducted TCS while filing ITR (income tax return) using Form 26AS.

RBI guidelines for outward remittance

Outward remittance indicates the transfer of funds from an Indian account to a foreign account. As per the RBI guidelines, outward remittance can be paid through a demand draft issued in the individual or the beneficiary's name. You can also open a bank account outside India to maintain foreign accounts. Here are some of the steps to do the same:

- Choose a bank branch that is an authorized dealer through which all payments will be made.
- Make sure to carry your PAN card.
- Follow the Anti-Money Laundering (AML) and KYC (Know Your Customer) guidelines.
- Fill out Form A2 to purchase foreign currency.
- Last but not least, banks are prohibited from providing any credit facilities to residents under LRS

Benefits of Liberalized Remittance Scheme in India

Some of the notable benefits of LRS are as follows:

Diversification of investment: The LRS allows individuals to diversify their investment portfolio by investing in foreign assets such as stocks, bonds, mutual funds, and real estate.

Overseas education: The LRS enables individuals to remit money for education-related expenses such as tuition fees, living expenses, and books. This allows students to pursue higher education in foreign universities and colleges.

Medical treatment: The LRS allows individuals to remit money for medical treatment outside India. This is particularly helpful for those requiring specialized medical treatment unavailable in India.

Eligibility for LRS:

Indian residents, apart from corporates, partnership firms, HUFs, etc., are eligible for LRS. Even minors are eligible for LRS, given that their guardian signs Form A2.

Read next: Types of Assessment under GST

03 Indirect Tax

Types of Assessment under GST



Laxmi Varma

Introduction:

Assessment under GST is a process by which the tax authorities examine the returns filed by taxpayers to verify the correctness of their tax liability. The purpose of assessment is to ensure that taxpayers have accurately calculated and paid their taxes. Assessment is an important tool to detect any errors or discrepancies in the returns filed by taxpayers. There are different types of assessments, including self-assessment, provisional assessment, scrutiny assessment, best judgment assessment, and summary assessment under GST.

Types of Assessment under GST

Self-Assessment: This is the first level of assessment, which is done by the taxpayers themselves. In self-assessment, the taxpayer calculates and pays their own tax liability, and files the returns accordingly. This is done on a monthly, quarterly or annual basis, depending on the turnover of the taxpayer. The relevant section under GST for self-assessment is Section 59.

Provisional assessment: Provisional assessment provides a method for determining the tax liability in case the correct tax liability cannot be determined at the time of supply. The major determinants of the tax liability are the applicable tax rate and the value.

The supplier requesting for payment of tax on a provisional basis has to furnish an application along with the documents in support in FORM GST ASMT-01. In case, additional information or documents in support is required to decide the case, notice in FORM GST ASMT – 02 will be issued to the supplier requesting for submission of the same. The supplier has to file a reply to the notice in FORM GST ASMT –

03. The proper officer shall issue an order, allowing payment of tax on a provisional basis indicating

- a) The value or the rate or both on the basis of which the assessment is to be allowed on a provisional basis, and
- b) The amount for which the bond is to be executed and security to be furnished not exceeding 25% of the amount covered under the bond.

The final assessment order has to be passed by the PO within 6 months from the date of the communication of the order of provisional assessment. However, on sufficient cause being shown and for reasons to be recorded in writing, the above period may be extended:

- a) By the Joint/Additional Commissioner for a further period not exceeding 6 months, and
- b) By the Commissioner for such further period as he may deem fit not exceeding 4 years

Scrutiny assessment: The supplier requesting for payment of tax on a provisional basis has to furnish an application along with the documents in support in FORM GST ASMT-01. In case, additional information or documents in support is required to decide the case, notice in FORM GST ASMT – 02 will be issued to the supplier requesting for submission of the same. The supplier has to file a reply to the notice in FORM GST ASMT – 03.

In case no satisfactory explanation is furnished by registered person or where the registered person, after accepting the discrepancies, fails to take the corrective measure in his return for the month in which the discrepancy is accepted, the PO may take recourse to any of the following provisions, under section 65 (Audit by tax authorities) or section 66 (Special audit) or section 67 (Power of inspection, search and seizure), or proceed to determine the tax and other dues under section 73 or section 74 (demand and recovery related provisions).

Best Judgement assessment: Assessment of non-filers of returns Under Section 62 Where a registered person fails to furnish the return under section 39 (Furnishing of returns) or section 45 (Final return), even after the service of a notice under section 46 (Notice to return defaulters), the officer may proceed to assess the tax liability of the said person to the best of his judgement taking into account all the relevant

material which is available or which he has gathered and issue an assessment order within a period of five years from the date specified (31st December of next financial year) under section 44 for furnishing of the annual return for the financial year to which the tax not paid relates

Where the registered person furnishes a valid return within sixty days of the service of the assessment order, the said assessment order shall be deemed to have been withdrawal of Assessment Order but the liability for payment of interest @18% under sub-section (1) of section 50

Provided that where the registered person fails to furnish a valid return within 60 days of the service of the assessment order, he may furnish the same within a further period of 60 days on payment of an additional late fee of ₹100 for each day of delay beyond 60 days of the service of the said assessment order and in case he furnishes valid return within such extended period, the said assessment order shall be deemed to have been withdrawn, but the liability for payment of interest under section 50(1) or for payment of late fee under section 47 shall continue.

Assessment of Unregistered Person Under Section 63

Where a taxable person fails to obtain registration even though liable to do so or whose registration has been cancelled under sub-section (2) of section 29 but who was liable to pay tax, the proper officer may proceed to assess the tax liability of said unregistered person to the best of his judgement for the relevant tax periods (31st December of next financial year) Time limit for Assessment Order is 5Years

Issue of Notice: Before making the assessment, proper officer shall issue a notice to a taxable person containing the grounds on which the assessment is proposed to be made on best judgment basis and shall be given 15day time to furnish his reply, if any. However, no such assessment order shall be passed without giving the person an opportunity of being heard.

Example: If a person defaults in filing of return for any tax period falling in F/Y 2019-20, period of 5 years shall be reckoned from due date of filing of Annual Return for F/Y 2019-20 i.e. 31.12.2020. Accordingly, Best judgment Assessment can be made by Proper Officer on or before 31.12.2025.

Summary Assessment Under Section 64

The officer may, on any evidence showing a tax liability of a person coming to his notice, with the previous permission of Additional Commissioner or Joint Commissioner, proceed to assess the tax liability of such person to protect the interest of revenue and issue an assessment order, if he has sufficient grounds to believe that any delay in doing so may adversely affect the interest of revenue. It appears from the proviso that provisions of summary assessment are applicable only in respect to supply of goods. Summary assessment completed in order to immediate recovery of tax from the potential tax defaulter.

Summary of the GST assessment forms

ASMT-01	Application for provisional assessment under section 60
ASMT-02	Notice for seeking additional information clarification / documents for provisional assessment
ASMT-03	Reply to the notice seeking additional information
ASMT-04	Order of provisional assessment
ASMT-05	Furnishing of Security (Bond for provisional assessment)
ASMT-06	Notice for seeking additional information / clarification / documents for final assessment
ASMT-07	Final assessment order
ASMT-08	Order for release of security or rejecting the application
ASMT-09	Order for release of security or rejecting the application
ASMT-11	Notice for intimating discrepancies in the return after scrutiny

ASMT-12	Order of acceptance of reply against the notice issued under section 61
ASMT-13	Assessment order under section 62
ASMT-14	Show Cause Notice for assessment under section 63
ASMT-15	Assessment order under section 63
ASMT-16	Assessment order under section 64
ASMT-17	Application for withdrawal of assessment order issued under section 64
ASMT-18	Acceptance or Rejection of application filed under section 64 (2)

Read next: Wall of Wisdom

WALL OF WISDOM (WOW):

- “When you change your thoughts, remember to also change your world.”
- “It is only when we take chances that our lives improve. The initial and the most difficult risk we need to take is to become honest.”

Read next: Do you know?

DO YOU KNOW?

1. Did you know lions are identifiable through their whisker patterns? Like humans and fingerprints, each lion has a whisker pattern unique to their nose, according to the New York Times.
2. Did you know you can tell if an egg is old based on whether it floats in water?

What else do You Know

Let us know.

Read next: Motivational Quote

MOTIVATIONAL QUOTE:

“In the end, it's not the years in your life that count. It's the life in your years.”

— Abraham Lincoln

Sources-

- Company Law Notifications and Circulars
- CBDT Notifications and Circulars
- CBIC Notifications and circulars
- Other Allied Law Notifications and circulars
- MCA21 Website.
- Income Tax Website.
- GST Website.
- Other Statutory Government Websites.
- Extracts from Tax guru- Extracts from Clear Tax.- Extracts from CA club India.

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Read next: Statutory Due Dates Calendar

Statutory Due Dates Calendar

INCOME TAX

Due Dates in the Month of	Particulars	For the Period	Due Date
April-2023	1 TDS/TCS Payment	March 2023	07/04/2023
May-2023	1 TDS/TCS Payment	April 2023	07/05/2023
	2 TDS Statement for Form 24Q, 26Q and 27Q	Q4 FY 2022-23	31/05/2023
	3 TCS Statement– for Form 26QB, 26QC, 26QD	Q4 FY 2022-23	15/05/2023
June-2023	1 TDS/TCS Payment	May 2023	07/06/2023
	2 Advance Tax	1 st Installment of FY 2023-24	15/06/2023
	3 Form 16/ 16A	Q4 FY 2022-23	15/06/2023
	4 Statement of Financial Transactions (SFT) Compliance	FY 2022-23	31/05/2023
July-2023	1 TDS/TCS Payment	June 2023	07/07/2023
	2 TDS Statement for Form 24Q	Q1 FY 2023-24	31/07/2023
	3 TCS Statement– for Form 26QB, 26QC, 26QD	Q1 FY 2023-24	15/07/2023
	4 Income tax Return for A.Y. 2023-24 for all assessee other than (a) Assessee whose accounts are required to be audited (b) Partner of a firm whose accounts are required to be audited (c) An assessee who is required to furnish a report under Section 92E.	FY 2022-23	31/07/2023
August-2023	1 TDS/TCS Payment	July 2023	07/08/2023
September-2023	1 TDS/TCS Payment	August 2023	07/09/2023
	2 Advance Tax	2 nd Instalment FY 2023-24	15/09/2023
	3 Due date for filing of audit report under Section 44AB for AY 2023-24 in the case of a corporate- assessee or non-corporate assessee (who is required to submit his/its return of income on October 31, 2023)	FY 2022-23	30/09/2023

		TDS Statement for Form 26Q and 27Q	Q1 FY 2023-24	30/09/2023
October-2023	1	TDS/TCS Payment	September 2023	07/10/2023
	2	Due date for filing of return of income for AY 2023-24 if assessee is (a) Corporate-assessee (b) Non-corporate assessee (whose books of account are required to be audited) (c) Partner of a firm whose accounts are required to be audited (d) An assessee who is required to furnish a Report u/s 92 E	FY 2022-23	30/09/2023
	3	TDS Statement for Form 24Q, 26Q and 27Q	Q2 FY 2023-24	31/10/2023
	4	TCS Statement– for Form 26QB, 26QC, 26QD	Q2 FY 2023-24	15/10/2023
November-2023	1	TDS/TCS Payment	October 2023	07/11/2023
December-2023	1	TDS/TCS Payment	November 2023	07/12/2023
	2	Advance Tax	3 rd Installment FY 2023-24	15/12/2023
	3	Filing of belated/revised return of income for the assessment year 2023-24 for all assessee.	FY 2022-23	31/12/2023
January-2024	1	TDS/TCS Payment	December 2023	07/01/2024
	2	TDS Statement for Form 24Q, 26Q and 27Q	Q3 FY 2023-24	31/01/2024
	3	TCS Statement– for Form 26QB, 26QC, 26QD	Q3 FY 2023-24	15/01/2024
February-2024	1	TDS/TCS Payment	January 2024	07/02/2024
March-2024	1	Advance Tax	4 th Installment of FY 2022-23	15/03/2024
	2	TDS/TCS Payment	February 2024	07/03/2024

GOODS AND SERVICES TAX ACT

Due Dates in the Month of	Particulars	For the Period	Due Date
April-2023	1 GSTR 1 (Regular Taxpayers)	March 2023	11/04/2023
	2 GSTR 1 (Quarterly Taxpayers)	March 2023	13/04/2023
	3 GSTR 3B (Monthly Return)	March 2023	20/04/2023
	3 GSTR 3B (Quarterly Return)	Jan to Mar 2023	22/04/2023
	4 CMP 08	Jan to Mar 2023	18/04/2023
	5 GSTR 4(Annual Return under Composition scheme)	Apr 2022 to Mar 2023	30/04/2023
May-2023	1 GSTR 1 (Regular Taxpayers)	April 2023	11/05/2023
	2 GSTR 3B (Monthly Return)	April 2023	20/05/2023
	3 Monthly Tax Payment under QRMP Scheme(PMT 06)	April 2023	25/05/2023
June-2023	1 GSTR 1 (Regular Taxpayers)	May 2023	11/06/2023
	2 GSTR 3B (Monthly Return)	May 2023	20/06/2023
	3 Monthly Tax Payment under QRMP Scheme(PMT 06)	May 2023	25/06/2023
July-2023	1 GSTR 1 (Regular Taxpayers)	June 2023	11/07/2023
	2 GSTR 1 (Quarterly Taxpayers)	Apr to June 2023	13/07/2023
	3 GSTR 3B (Monthly Return)	June 2023	20/07/2023
	4 GSTR 3B Quarterly Return)	June 2023	22/07/2023
	5 CMP-08	Apr to June 2023	18/07/2023

August-2023	1	GSTR 1 (Regular Taxpayers)	July 2023	11/08/2023
	2	GSTR 3B (Monthly Return)	July 2023	20/08/2023
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	July 2023	25/08/2023
September-2023	1	GSTR 1 (Regular Taxpayers)	August 2023	11/09/2023
	2	GSTR 3B (Monthly Return)	August 2023	20/09/2023
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	August 2023	25/09/2021
October-2023	1	GSTR 1 (Regular Taxpayers)	September 2023	11/10/2023
	2	GSTR 1 (Quarterly Taxpayers)	July to Sept 2023	13/10/2023
	3	GSTR 3B (Monthly Return)	September 2023	20/10/2023
	4	GSTR 3B (Quarterly Return)	July to Sept 2023	22/10/2023
	5	CMP-08	July to Sept 2023	18/10/2023
November-2023	1	GSTR 1 (Regular Taxpayers)	October 2023	11/11/2023
	2	GSTR 3B (Monthly Return)	October 2023	20/11/2023
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	October 2023	25/11/2023
December-2023	1	GSTR 1 (Regular Taxpayers)	November 2023	11/12/2023
	2	GSTR 3B (Monthly Return)	November 2023	20/12/2023
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	November 2023	25/12/2023
	4	GSTR-9(Annual Return)	FY 2022-23	31/12/2023
January-2024	1	GSTR 1 (Regular Taxpayers)	December 2023	11/01/2024
	2	GSTR 1 (Quarterly Return)	Oct to Dec 2023	13/01/2024
	3	GSTR 3B (Monthly Return)	December 2023	20/01/2024
	4	GSTR 3B Quarterly Return)	Oct to Dec 2023	22/01/2024
	5	CMP-08	Oct to Dec 2023	18/01/2024

February-2024

1	GSTR 1 (Regular Taxpayers)	January 2024	11/02/2024
2	GSTR 3B (Monthly Return)	January 2024	20/02/2024
3	Monthly Tax Payment under QRMP Scheme(PMT 06)	January 2024	25/02/2024

March-2024

1	GSTR 1 (Regular Taxpayers)	February 2024	11/03/2024
2	GSTR 3B (Monthly Return)	February 2024	20/03/2024
3	Monthly Tax Payment under QRMP Scheme(PMT 06)	February 2024	25/03/2024

April-2024

1	GSTR 1 (Regular Taxpayers)	March 2024	11/04/2024
2	GSTR 1 (Quarterly Return)	Jan to Mar 2024	13/04/2024
3	GSTR 3B (Monthly Return)	March 2024	20/04/2024
4	GSTR 3B Quarterly Return)	Jan to Mar 2024	22/04/2024
5	CMP-08	Jan to Mar 2024	18/04/2024
6	GSTR 4(Annual Return under Composition scheme)	Apr 2023 to Mar 2024	30-04-2024

COMPANIES ACT

Due Dates in the Month of	Particulars	Description	Due Date
April-2023	Form MSME (outstanding payments to MSME's)	The return is to be filed by any company, who get supplies of goods or services from micro and small enterprises and whose payments to micro and small enterprise suppliers exceed forty-five days from the date of acceptance or the date of deemed acceptance of the goods or services.	30 th April 2023 (For the period of October'22 – March'23)
			31 st October 2023 (For the period of April'23 – September'23)
May-2023	LLP FORM-11	Annual Return (to be filed by all LLP's irrespective of turnover)	15 th July 2023
June-2023	DPT-3	To be filed in case company has deposit or exempted deposit.	31th July 2023
September-2023	DIR-3 KYC	Form for Director KYC. Need to be filed mandatorily for every director on Board	30 th September 2023
October-2023	ADT-1	Form for Auditor Appointment	15 th October 2023
	AOC-4	Form for filing Financials, Auditors Report, Directors Report, etc.	30 th October 2023
November-2023	MGT-7	ROC Annual Return (Details of Shareholding etc.)	29 st November 2023
Event Based	CHG FORMS	Form for charge creation, modification, satisfaction	Within 30 days of any charge occurring
	DIR-12	Form for Director Changes (Appointment/Resignation/Death)	Within 30 days of any charge occurring

PTRC and PTEC Compliance

Due Dates in the Month of	Particulars	Description	Due Date
June-2023	PTEC	Person who stands enrolled before the commencement of a year or is enrolled on or before 31st May of a year (F.Y. 2022-23)	30/06/2023
		Person who is enrolled after the 31st May of a year	Within one month of the date of enrolment
		Person who is enrolled and the rate of tax at which he is liable to pay tax is revised	Within one month of the date of such revision
March-2023	PTRC	Yearly - Tax Liability is less than INR 1,00,000/-	31/03/2023
		Monthly - Tax Liability is equal to or more than INR 1,00,000/-	The last date of the month to which the return relates

VAT

Due Dates in the Month of	Particulars	For the Period	Due Date
April	1 Monthly Return (VAT payment)	March 2023	21/04/2023
	2 Quarterly Return (VAT payment)	January 2023 to March 2023	21/04/2023
May	1 Monthly Return (VAT payment)	April 2023	21/05/2023
June	1 Monthly Return (VAT payment)	May 2023	21/06/2023
July	1 Monthly Return (VAT payment)	June 2023	21/07/2023
	2 Quarterly Return (VAT payment)	April 2023 to June 2023	21/07/2023
August	1 Monthly Return (VAT payment)	July 2023	21/08/2023
September	1 Monthly Return (VAT payment)	August 2023	21/09/2023
October	1 Monthly Return (VAT payment)	September 2023	21/10/2023
	2 Quarterly Return (VAT payment)	July 2023 to September 2023	21/10/2023
November	1 Monthly Return (VAT payment)	October 2023	21/11/2023
December	1 Monthly Return (VAT payment)	November 2023	21/12/2023
	1 Monthly Return (VAT payment)	December 2023	21/01/2024
January	2 VAT Audit (Form 704)	F.Y. 2022-2023	15/01/2024
	3 Quarterly Return (VAT payment)	October 2023 to December 2023	21/01/2024
February	1 Monthly Return (VAT payment)	January 2024	21/02/2024
March	1 Monthly Return (VAT payment)	February 2024	21/03/2024

Summary of Penalties of Income Tax

Particulars	Description	Amount/ Interest rate
1. Default in making payment of tax.	The amount of penalty leviable will be as determined by the Assessing Officer. However, the amount will not exceed the amount of tax in arrears	Penalty determined by the assessing officer
2. Under-reporting of income.	1. If the income assessed/ re-assessed exceeds the income declared by the assessee, or in cases where return has not been filed and income exceeds the basic exemption limit, penalty at 50% of tax payable on such under reported income shall be levied.	50% of tax payable Under reported Income OR 200% of tax payable from misreporting of income
	2. 200% of the tax is payable if under-reporting results from misreporting of income	
3. Failure to maintain books of accounts and other documents	1. Normally, the amount of penalty leviable is INR25,000	INR 25000 OR 2% of value of International transaction
	2. In case, the assessee is a person who has entered into international transaction, the penalty will be 2% of the value of such international transactions or specified domestic transactions	
4. Penalty for false entry such as fake invoices	1. The assessee might have to pay a penalty of the amount equal to sum of such false or omitted entries.	Amount equal to such false or omitted entries
5. Undisclosed income	1. If undisclosed income is admitted during the course of Search and assessee pays tax and interest and files return, a penalty @ 30% of such undisclosed income is payable.	30% OR 60%
	2. In all other cases, penalty is leviable @ 60%	
6. Audit and Audit Report	1. If the assessee fails to get his accounts audited, obtain audit report, or furnish report of such auditor, a penalty will be leviable at the INR 1,50,000 or 0.5% of the total sale/ Turnover/ gross receipts whichever is lesser.	INR 150000/- OR 0.5% of total sale, turnover/gross receipt
	2. Failure of assessee to furnish Audit report related to foreign transaction, a penalty @ INR 1,00,000 will be payable	

7. TDS/TCS	1. Where a person fails to deduct tax at source, he will be liable to pay a penalty equal to the amount of tax which he has failed to deduct/ pay.	Penalty equal to amount of Tax,
	2. Where a person fails to collect tax at source, he will be liable to pay a penalty equal to the amount of tax which he has failed to collect.	
	3. Failure to furnish TDS/TCS statement or furnishing incorrect statements, shall attract a penalty ranging from 10,000 to 1,00,000	INR 10000/-to INR 100000/-
	4. Non-Deduction of TDS, either in whole or part	1% Per month
	5. Non-payment of TDS (after deduction), either in whole or part	1.5% per month
	6. Failure to furnish information/ furnishing inaccurate information related to TDS deduction related regarding Non-residents shall attract a penalty of 100,000	INR 100000/-
8. Penalty for using modes other than Account payee cheque/ draft/ ECS	1. If a person takes/ accepts loan/ deposit except by way of Account payee cheque/ account payee draft/ ECS, and if the aggregate amount exceeds INR20,000, he shall be liable to pay a penalty of an amount equal to such loan/ deposit.	Penalty amount equals to such loan / deposit
	2. If, an amount of INR2,00,000 or more is received in aggregate from a person in a day/ single transaction/ relating to one event, a penalty equal to such amount will be payable.	
	3. If a person repays loan/ deposit and such amount so repaid exceeds INR20,000 and such amount has been repaid except by way of Account payee cheque/ account payee draft/ ECS, an amount equal to such loan/ deposit shall be payable.	
9. Others	1. Failure to apply/quote/ intimate PAN/ quoting false PAN shall attract a penalty of INR10,000	INR 10000/-
	2. Failure to apply/quote TAN/ quoting false TAN shall attract a penalty of INR10,000	
	In case of the following defaults, INR10,000 will be the penalty leviable,	
	1. Refusal to answer questions put by the department	

	2. Refusal to sign statements made in income tax proceedings	
	3. Noncompliance with summons to give evidence/ produce books of accounts	
	4. Failure to comply with a notice	
10. late Filing ITR	1. If the ITR is filed after the due date but by 31st December of the succeeding year.	INR 5000/-
	2. If the ITR is filed after 31st December of the succeeding year.	INR 10000/-
	3. for small taxpayers having total income of up to INR 5 lakh.	INR 1000/-

Read next: Amendment Summary

Amendment Summary

DEC-2022						
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
			1 Central Excise	2	3	4
5	6	7 Direct Tax	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Sr. No.	Date	Area of Knowledge (AOK)	Notification/ Circular/ Press Release	Short Description
1	1/12/2022	Central excise	Notification No 40.2022	To reduce the Special Additional Excise Duty on Diesel, Seeks to further amend No. 04/2022-Central Excise, dated the 30th June, 2022
2	1/12/2022	Central excise	Notification No 41.2022	To reduce the Special Additional Excise Duty on production of Petroleum Crude, Seeks to amend No. 18/2022-Central Excise, dated the 19th July, 2022
3	7/12/2022	Direct Tax	Circular No 24.2022	Deduction Of Tax At Source income-Tax Deduction From Salaries Under Section 192 Of The Income-Tax Act, 1961 During The Financial Year 2022-23

Rectifications in the previous Newsletter:

No Rectifications pertaining to the previous Newsletter(s).

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