

DAHOTRE & DAHOTRE
Chartered Accountants



Knowledge and Development Committee

Newsletter

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Contents

01. [Short Updates](#)
02. [Appointment and Qualification of Auditor](#)
03. [Taxation of Anonymous Donations.](#)
04. [Buyback of Shares](#)
05. [Statutory Due Dates Calendar](#)
06. [Amendment Summary](#)

Editor-in-Chief's Message

Hello readers!

Welcome to the **31**st Newsletter Edition of 2024.

In this issue, we will discuss Appointment and Qualification of Auditor and A brief overview on Taxation of Anonymous Donations. Also, we will Know about Buyback of Shares.

Vinod Jangid
Editor-in-chief

Team's Message

“The Personal development is major time saver. The better you become, the less time it takes to achieve your goals.”

Tejashree Gorakshnath Darawade
Senior Associates

Short Updates:

Direct Tax

- Compute tax either at 12.5% without indexation or 20% with indexation on realty transactions: Govt proposes amendment.
- In a big relief to the real estate industry, Finance Minister Nirmala Sitharaman will move an amendment in the Finance Bill to let taxpayers select either a 12.5 percent LTCG rate without indexation or a 20 percent rate with indexation for property acquired before July 23, 2024.
- As per the amendments to Finance Bill, 2024, circulated to the Lok Sabha members on Tuesday, individuals or HuF who bought houses before July 23, 2024, can compute his/her taxes under the new scheme [**@12.5 percent without indexation**]

and old scheme [**@20 percent with indexation**] and pay such tax which is lower of the two.

- The development of Prime Minister Narendra Modi-led government comes after facing backlash from the real estate sector. The stakeholders cautioned the Centre on the indexation proposal introduced in Budget 2024 will hurt the growth of the sector.

Direct Tax

- The government is not open to reviewing the long-term capital gains regime for sale of property, which has ignited a debate, Sanjay Malhotra, secretary, the Department of Revenue said in an interview. “For most sellers, the new regime will result in reduced tax incidence. Only for some, it will lead to an increase, he told Priyansh Verma. The secretary also said reduction in TDS rates may be taken up as part of the scheduled re-drafting of the Income Tax Act.

01 General Appointment and Qualification of Auditor



Tanaya Yeske

Requirement of Directors – In terms of Section 149 (1) of the Companies Act, 2013 each company will have at least three directors in the case of a Public Company, two directors in the case of a Private Company, and one Director in the case of a One-Person Company (OPC). A company may appoint fifteen directors, however, a company may exceed the number of directors' more than fifteen directors after a Special Resolution passed at a general company meeting. According to Section 152(2) of the Companies Act, 2013 every director shall be appointed at the general meeting of the company, unless otherwise is not expressed in this act.

Terms of Appointment-

The following are the conditions for the appointment of the Directors-

1. Only a natural person may be appointed as a Director.
2. A person may not be appointed as a director unless he or she has a Director ID number (DIN).
3. The person will receive a Digital Signature Certificate (DSC) from the accrediting authority for appointment as director.
4. Every person nominated for appointment as a director must submit his or her DIN and declaration that he or she is eligible for appointment as a director under the Companies Act, 2013.

5. Everyone will give their consent to serve as a director on Form DIR-2 before or after his or her appointment.
6. A person may not be eligible for appointment as a director, if he or she does not qualify under subsection (1) of Section 164 of the Companies Act, 2013.
7. One cannot hold directorship of more than twenty companies at one time including any other directorate position.

Qualifications of Directors

The Companies Act of 2013 does not prescribe specific educational or professional qualifications of directors. Additionally, the Act does not enforce any mandatory qualifications to directors. In the absence of relevant provisions within a company's articles of association, there is no obligatory requirement for a director to hold shares in the company, unless they choose to do so willingly. However, articles generally support a minor percentage of eligibility.

Share qualification-

The company's articles provide that each director must hold a specific quantity of shares, referred to as "qualification shares." It is mandatory for a director to acquire the required number of these shares within two months of their appointment. If an individual is not appointed as a director, there is no obligation for them to acquire these qualifying shares. Additionally, the director cannot be compelled to obtain share qualification within a period shorter than two months after their appointment. The cost of the eligible shares cannot exceed five thousand rupees, unless the nominal value of the name exceeds the share value. Directors are allowed to possess shares only and are not required to provide any warranties.

Failure to acquire the required qualification shares as directed can have consequences for the director. He can suffer in two ways:

- The director post may become vacant.

- He could get in trouble and have to pay a fine if he continues to serve as a director. It's mandatory for the director to hold the shares himself

Disqualifications-

The rules for becoming a director are explained in Section 274. There are certain situations where someone cannot become a director:

1. If a person is not mentally well and a court acknowledges this.
2. When a director is declared financially unstable.
3. If a director doesn't pay for the required shares within 6 months of becoming a director.
4. If a director is sentenced to at least 6 months in prison for misbehaviour, and this sentence doesn't go beyond 5 years from the end of their sentence.
5. If a director is proven to be involved in fraudulent activities under Section 203.
6. If a person is unable to repay their debts that are more than what they own. Or if a company has taken legal action against the director.
7. If a private company isn't an assistant of a public company, it can be more lenient with certain disqualifications. In simpler words, a public company and its leaders don't have the same freedom to be lenient with other disqualifications.

Independent Directors-

Every listed public company shall have at least one-third of the total number of directors as independent directors (fraction is to be rounded off to one). Central Government has prescribed under Rule 4, public companies with specified limits as on the last date of latest audited financial statements mentioned below shall also have at least 2 directors as independent directors:-

- Paid up share capital of INR 10 crore or
- More; or turnover of INR 100 crore or more or
- In aggregate, outstanding loans/borrowings/debentures/ deposits/ exceeding INR 50 crore or more.

Qualification of Independent Director-

1. Individual shall not be a promoter or related to promoter of the company or its holding, subsidiary or associate company;
2. Such individuals must not have any material or pecuniary relationship during the two immediately preceding financial years or during the current financial year with the company or its promoters/directors/holding/subsidiary/ associate company;
3. The relatives of such person should not have had any pecuniary relationship with the company or its subsidiaries, amounting to 2% or more of its gross turnover or total income or INR 50 lacs or such higher amount as may be prescribed, whichever is less, during the two immediately preceding financial years or in the current financial year;
4. He must not be the Relative of Key Person.

Appointment-

- Appointment of independent director- Subject to the provisions of Section 152, an independent director can be appointed for a term of up to five consecutive years on the Board. However, in case of his reappointment for further five year then special resolution passed in general meeting and disclosure of such appointment is made in the Board's report shall be required.
- First Director appointment- First director shall be mentioned in the AOA, If not provided then Manner of Appointment shall appoint the director.
- Right of other person other than retiring director to stand for Directorship-
 1. Person should apply at least 14days before AGM for the Directorship.
 2. Refundable deposit shall be given of INR 100000.
 3. Company shall send the notice to the member before 7days from date of AGM through website or newspaper.
 4. Ordinary resolution is passed in the AGM and maximum voting is taken for appointment.

- Appointment of Additional Director- Board of director can appoint the additional director if the power is given in the AGM
- Casual Vacancy- Within 3months the casual vacancy shall be filled by director in the Board Meeting and mention that in board report

As per Companies Act-

The company must pass a resolution for appointing a new director. The company should file the resolution for the appointment of the director in Form MGT-14 with the Registrar of Companies (ROC) within 30 days of passing the resolution.

Questions-

- 1) State Minimum/Maximum Number of Directors in a Company- Section 149(1) in case of Public and Private Company?
- 2) Is it mandatory to have the woman director in the Company?

Read next: Taxation of Anonymous Donations.

02 Direct Tax

Taxation of Anonymous Donations.



Vedika Pawale

Finance Act, 2006 has inserted a new section 115BBC with regard to treatment of anonymous donation. Earlier all voluntary donation received by charitable institution, including anonymous donation (except voluntary donation with a specific direction that they shall form a part of corpus of the trust) shall be included in the income and charitable trust or institution is a part of income of that trust or institution and this income is subject to application for charitable purpose.

To curtail the inflow of unaccounted money in the form of anonymous donation, Finance Act, 2006 has inserted a new section 115BBC in which anonymous donation is taxable at the rate of 30%. This thirty percent tax rate is applicable without any deduction or set-off of in any other head.

Later in Finance Act, 2009, Section 115BBC amended to provide some relief to the genuine voluntary organization receiving anonymous donation.

As per sub-section (1) of Section 115BBC anonymous donation shall be taxable at the rate of thirty percent on anonymous donation received in excess of the higher of the following two amount:

- Five percent of the total donation received; or
- One-lakh rupees.

How anonymous donation will be treated while filing Form 10BD?

Finance Act, 2020 inserted a new rule, Rule 18AB with regard to furnishing of 'Statement of Donations and Certificate of Donations' in Form 10BD.

The objective of the introduction of Form 10BD i.e., Statement of Donation is to ensure accountability, transparency, curtailing of the incorrect claim of donations, putting an end to misreporting of donations by the entities which have obtained approval u/s 80G (5) of the Income Tax Act, 1961 and entities which have obtained approval u/s 35(1) of the Income Tax Act, 1961.

The primary requirement for filing Form 10BD is details of the Donor, i.e. Name, PAN, Address etc. However, as per Section 115BBC, anonymous donation means any voluntary contribution, referred in sub-clause (iia) of clause (24) of section 2, where a person who is receiving such contribution does not maintain any record towards the identity having name, address etc.

Therefore, with the above data and explanation we can interpret that anonymous donations cannot be included while filing Form 10BD because of the unavailability of the donor's details. Moreover, these donations will be taxable if they exceed the criteria specified as above.

What is the due date for filing the statement in Form 10BD?

The last date to submit the statement in Form 10BD is 31st May immediately following the end of the financial year in which the donation was received.

What is Form 10BE?

After filing the statement of donations in Form 10BD, the above-mentioned institutions have to download the certificate in Form 10BE and provide the same to donors.

What is the due date for issuing a certificate in Form 10BE?

The last date to issue a certificate to the donor in Form 10BE is 31st May immediately following the end of the financial year in which the donation was received.

What are the Consequences of Non-filing of Form 10BD?

Non-filing of Form 10BD will attract a fee of Rs.200/- per day of delay as per newly inserted section 234G. Apart from the fee for delay in furnishing statement of donations in Form 10BD, failure to file such statement

will also attract penalty u/s 271K, which shall not be less than Rs.10,000/- and which may extend up to Rs.1,00,000.

Read next: Buyback of Shares

03 General Buyback of Shares



Trupti Narawade

Buyback of shares is buying back of own shares by a company that was issued earlier. It is a corporate action event wherein a company makes a public announcement for the buyback offer to acquire the shares from existing shareholders within a given period. The company announces an offer price for the buyback that is generally higher than the current market price.

Sections relating to buyback of shares:

- Section 68 of the Companies Act, 2013 empowers a company to purchase its own shares or other securities in certain cases
- Section 69 of the Companies Act, 2013 Accounting treatment of the proceed of Buyback
- Sections 70 of the Companies Act, 2013 imposes restriction on buy back of shares in certain circumstances

Sources of Buy-back:

A company may purchase its own shares or other "specified securities"

- its free reserves;
- the securities premium account;

Methods of buyback of shares:

Buyback may be done in following manner:

- Buyback of shares from existing shareholders on the proportionate basis
- Buyback of shares from an open market
- Buy-back of securities issued to employees under ESOP or sweat equity.

Condition of Buy back:

- Authorization for buyback- AOA should authorize for buyback of shares.
- If a company buy-back 10% of paid-up capital and reserve by passing a resolution in the board meeting
But company needs to pass Special Resolution in general meeting to buy back up to 25% of paid-up capital and reserve
- Maximum number of Shares that can be brought back in a financial year is 25% of its paid-up share capital.
- Post buy-back, the debt equity share should not exceed 2:1
- Only fully paid shares can be brought back by the company
- Time limit: - The buyback should be completed within period of one year from the date of passing the special resolution.
- Once the offer is announced, it cannot be withdrawn.
- Co. shall not make further issue of same kind of share or other specified securities within a period of 6 months except by way of bonus issue or in the discharge of subsisting obligations such as conversion of warrants, stock option schemes, sweat equity or conversion of preference shares or debentures into equity shares
- Gap between 2 Buy-backs / Cooling Period: no offer of buy-back, shall be made within a period of one year from the date of the closure of the preceding offer of buy-back.
- Declaration of Solvency: After passing resolution but before making buy-back, Co. to file ROC & SEBI (if Listed) a declaration of solvency verified by an affidavit to the effect that the Board has made a full inquiry into the affairs of the company as a result of which they have formed an opinion that it is capable of meeting its liabilities and will not be rendered insolvent within a period of one year of the date of declaration adopted by the Board, and signed by at least two directors of the company, one of whom shall be the managing director, if any

- xi. Extinguishment of Securities: After buy-back, Co. shall extinguish and physically destroy the shares or securities so bought-back within seven days of the last date of completion of buy-back.

Reasons of Buy-back:

- To improve Earning per Share;
- To use ideal cash;
- To give confidence to the Shareholders at the time of falling price;
- To increase promoter's shareholding to reduce the chances of takeover;
- To improve return on capital, return on net-worth;
- To return surplus cash to the Shareholder.

Transfer of certain sum to Capital Redemption Reserve Account (CRR):

According to Section 69 of the Companies Act, 2013, where a Company

brought back shares out of free reserves or out of the securities premium account, then an amount equal to the nominal value of the shares need to be transferred to the Capital Redemption Reserve Account.

Such transfer detailed to be disclosed in the Balance sheet.

The Capital Redemption Reserve account may be utilized for paying unissued shares of the company to the members as fully paid bonus shares.

Restrictions on Buy-back of Securities in certain circumstances:

According to Section 70 of the Companies Act, 2013, A Company should not buy-back its securities or other specified securities, directly or indirectly -

- Through any subsidiary including its own subsidiaries; or
- Through investment or group of investment Companies; or
- When Company has defaulted in repayment of deposits or interest payable thereon, or in redemption of debentures or preference shares or repayment of any term loan.

- When Company has defaulted in filing of Annual Return, declaration of dividend & financial statement.

The prohibition is lifted if the default has been remedied and a period of 3 years has elapsed after such default ceased to subsist.

Filing of Buy-back Return:

File with the Registrar and SEBI (if listed), a return in Form SH 11 containing such particulars relating to the buy-back within 30 days of such completion.

Penalty for non-compliance:

Company - fine Min INR 1 lac Max INR 3 lacs and every officer in default fine min INR 1 lac Max INR 3 lacs

Conclusion:

Thus, it can be concluded that Indian companies announce buyback in response to undervaluation position of their stocks in capital markets and they are well supported by availability of sufficient cash balance available for the same.

Read next: Wall of Wisdom

WALL OF WISDOM (WOW):

- "The time is always right to do what is right."
- "It is never too late to be what you might have been."

Read next: Do you know?

DO YOU KNOW?

1. No number before 1,000 contains the letter A.
2. Wearing a tie can reduce blood flow to the brain by 7.5%.

What else do You Know? Let us know.

Read next: Motivational Quote

MOTIVATIONAL QUOTE:

"The greatest asset is a strong mind. If I know someone is training harder than I am I have no excuses."

— P.V. Sindhu

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 Date

Statutory Due Dates Calendar

INCOME TAX

Due Dates in the Month of	Particulars	For the Period	Due Date
April-2024	1 TDS/TCS Payment	March 2024	TDS 30/04/2024 and TCS 07/04/2024
May-2024	1 TDS/TCS Payment	April 2024	07/05/2024
	2 TDS Statement for Form 24Q, 26Q and 27Q	Q4 FY 2023-24	31/05/2024
	3 TCS Statement– for Form 26QB, 26QC, 26QD	Q4 FY 2023-24	15/05/2024
	4 Statement of Financial Transactions (SFT) Compliance	FY 2023-24	31/05/2024
June-2024	1 TDS/TCS Payment	May 2024	07/06/2024
	2 Advance Tax	1 st Installment of FY 2024-25	15/06/2024
	3 Form 16/ 16A	Q4 FY 2023-24	15/06/2024
July-2024	1 TDS/TCS Payment	June 2024	07/07/2024
	2 TDS Statement for Form 24Q	Q1 FY 2024-25	31/07/2024
	3 TCS Statement– for Form 26QB, 26QC, 26QD	Q1 FY 2024-25	15/07/2024
	4 Income tax Return for A.Y. 2024-25 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 2023-24	31/07/2024
August-2024	1 TDS/TCS Payment	July 2024	07/08/2024
September-2024	1 TDS/TCS Payment	August 2024	07/09/2024
	2 Advance Tax	2 nd Instalment FY 2024-25	15/09/2024
	3 Due date for filing of audit report under Section 44AB for AY 2024-25 in the case of a corporate- assessee or non-corporate assessee (who is	FY 2023-24	30/09/2024

required to submit his/its return of income on
October 31, 2024)

Q1 FY 2024-25

TDS Statement for Form 26Q and 27Q

30/09/2024

October-2024	1	TDS/TCS Payment	September 2024	07/10/2024
	2	Due date for filing of return of income for AY 2024-25 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 2023-24	31/10/2024
	3	TDS Statement for Form 24Q, 26Q and 27Q	Q2 FY 2024-25	31/10/2024
	4	TCS Statement– for Form 26QB, 26QC, 26QD	Q2 FY 2024-25	15/10/2024
November-2024	1	TDS/TCS Payment	October 2024	07/11/2024
December-2024	1	TDS/TCS Payment	November 2024	07/12/2024
	2	Advance Tax	3 rd Installment FY 2024-25	15/12/2024
	3	Filing of belated/revised return of income for the assessment year 2024-25 for all assessee.	FY 2023-24	31/12/2024
January-2025	1	TDS/TCS Payment	December 2024	07/01/2025
	2	TDS Statement for Form 24Q, 26Q and 27Q	Q3 FY 2024-25	31/01/2025
	3	TCS Statement– for Form 26QB, 26QC, 26QD	Q3 FY 2024-25	15/01/2025
February-2025	1	TDS/TCS Payment	January 2025	07/02/2025
March-2025	1	Advance Tax	4 th Installment of FY 2024-25	15/03/2025
	2	TDS/TCS Payment	February 2025	07/03/2025

GOODS AND SERVICES TAX ACT

Due Dates in the Month of	Particulars	For the Period	Due Date	
April-2024	1	GSTR 1 (Regular Taxpayers)	March 2024	11/04/2024
	2	GSTR 1 (Quarterly Taxpayers)	March 2024	13/04/2024
	3	GSTR 3B (Monthly Return)	March 2024	20/04/2024
	3	GSTR 3B (Quarterly Return)	Jan to Mar 2024	22/04/2024
	4	CMP 08	Jan to Mar 2024	18/04/2024
	5	GSTR 4(Annual Return under Composition scheme)	Apr 2023 to Mar 2024	30/04/2024
May-2024	1	GSTR 1 (Regular Taxpayers)	April 2024	11/05/2024
	2	GSTR 3B (Monthly Return)	April 2024	20/05/2024
	3	Monthly Tax Payment under QRMP Scheme(PMT 06)	April 2024	25/05/2024
June-2024	1	GSTR 1 (Regular Taxpayers)	May 2024	11/06/2024
	2	GSTR 3B (Monthly Return)	May 2024	20/06/2024
	3	Monthly Tax Payment under QRMP Scheme(PMT 06)	May 2024	25/06/2024
July-2024	1	GSTR 1 (Regular Taxpayers)	June 2024	11/07/2024
	2	GSTR 1 (Quarterly Taxpayers)	Apr to June 2024	13/07/2024
	3	GSTR 3B (Monthly Return)	June 2024	20/07/2024
	4	GSTR 3B Quarterly Return)	June 2024	22/07/2024
	5	CMP-08	Apr to June 2024	18/07/2024
	1	GSTR 1 (Regular Taxpayers)	July 2024	11/08/2024
	2	GSTR 3B (Monthly Return)	July 2024	20/08/2024

August-2024	3	Monthly Tax Payment under QRMP Scheme(PMT 06)	July 2024	25/08/2024
	1	GSTR 1 (Regular Taxpayers)	August 2024	11/09/2024
September-2024	2	GSTR 3B (Monthly Return)	August 2024	20/09/2024
	3	Monthly Tax Payment under QRMP Scheme(PMT 06)	August 2024	25/09/2024
	1	GSTR 1 (Regular Taxpayers)	September 2024	11/10/2024
October-2024	2	GSTR 1 (Quarterly Taxpayers)	July to Sept 2024	13/10/2024
	3	GSTR 3B (Monthly Return)	September 2024	20/10/2024
	4	GSTR 3B (Quarterly Return)	July to Sept 2024	22/10/2024
	5	CMP-08	July to Sept 2024	18/10/2024
	1	GSTR 1 (Regular Taxpayers)	October 2024	11/11/2024
November-2024	2	GSTR 3B (Monthly Return)	October 2024	20/11/2024
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	October 2024	25/11/2024
	1	GSTR 1 (Regular Taxpayers)	November 2024	11/12/2024
December-2024	2	GSTR 3B (Monthly Return)	November 2024	20/12/2024
	3	Monthly Tax Payment under ORMP Scheme(PMT 06)	November 2024	25/12/2024
	4	GSTR-9(Annual Return)	FY 2023-24	31/12/2024
	1	GSTR 1 (Regular Taxpayers)	December 2024	11/01/2025
January-2025	2	GSTR 1 (Quarterly Return)	Oct to Dec 2024	13/01/2025
	3	GSTR 3B (Monthly Return)	December 2024	20/01/2025
	4	GSTR 3B Quarterly Return)	Oct to Dec 2024	22/01/2025
	5	CMP-08	Oct to Dec 2024	18/01/2025
	1	GSTR 1 (Regular Taxpayers)	January 2025	11/02/2025
February-2025	2	GSTR 3B (Monthly Return)	January 2025	20/02/2025
	3	Monthly Tax Payment under QRMP	January 2025	25/02/2025

	Scheme(PMT 06)		
March-2025	1	GSTR 1 (Regular Taxpayers)	February 2025 11/03/2025
	2	GSTR 3B (Monthly Return)	February 2025 20/03/2025
	3	Monthly Tax Payment under QRMP Scheme(PMT 06)	February 2025 25/03/2025
April-2025	1	GSTR 1 (Regular Taxpayers)	March 2025 11/04/2025
	2	GSTR 1 (Quarterly Return)	Jan to Mar 2025 13/04/2025
	3	GSTR 3B (Monthly Return)	March 2025 20/04/2025
	4	GSTR 3B Quarterly Return)	Jan to Mar 2025 22/04/2025
	5	CMP-08	Jan to Mar 2025 18/04/2025
	6	GSTR 4(Annual Return under Composition scheme)	Apr 2024 to Mar 2025 30-04-2025

COMPANIES ACT

Due Dates in the Month of	Particulars	Description	Due Date
April-2024	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 2024 (For the period of October'23 – March'24)
May-2024	LLP FORM-11	Annual Return (to be filed by all LLP's irrespective of turnover)	30 th May 2024
June-2024	DPT-3	To be filed in case company has deposit or exempted deposit.	30th June 2024
September-2024	DIR-3 KYC	Form for Director KYC. Need to be filed mandatorily for every director on Board	30 th September 2024
October-2024	ADT-1	Form for Auditor Appointment	15 th October 2024
	AOC-4	Form for filing Financials, Auditors Report, Directors Report, etc.	30 th October 2024
	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.	31 st October 2024 (For the period of April'24 – September'24)
November-2024	MGT-7	ROC Annual Return (Details of Shareholding etc.)	29 th November 2024
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-2024	PTEC	Person who stands enrolled before the commencement of a year or is enrolled on or before 31st May of a year (F.Y. 2023-24)	30/06/2024
		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-2025	PTRC	Yearly - Tax Liability is less than INR 1,00,000/-	31/03/2024
		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 2024	1 Monthly Return (VAT payment)	March 2024	21/04/2024
	2 Quarterly Return (VAT payment)	January 2024 to March 2024	21/04/2024
May 2024	1 Monthly Return (VAT payment)	April 2024	21/05/2024
June 2024	1 Monthly Return (VAT payment)	May 2024	21/06/2024
July 2024	1 Monthly Return (VAT payment)	June 2024	21/07/2024
	2 Quarterly Return (VAT payment)	April 2024 to June 2024	21/07/2024
August 2024	1 Monthly Return (VAT payment)	July 2024	21/08/2024
September 2024	1 Monthly Return (VAT payment)	August 2024	21/09/2024
	1 Monthly Return (VAT payment)	September 2024	21/10/2024
October 2024	2 Quarterly Return (VAT payment)	July 2024 to September 2024	21/10/2024
	1 Monthly Return (VAT payment)	October 2024	21/11/2024
November 2024	1 Monthly Return (VAT payment)	November 2024	21/12/2024
	1 Monthly Return (VAT payment)	December 2024	21/01/2025
January 2025	2 VAT Audit (Form 704)	F.Y. 2023-2024	15/01/2025
	3 Quarterly Return (VAT payment)	October 2024 to December 2024	21/01/2025
February 2025	1 Monthly Return (VAT payment)	January 2025	21/02/2025
March 2025	1 Monthly Return (VAT payment)	February 2025	21/03/2025

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 2023	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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