

NEWSLETTER

AJAY RATTAN & CO CHARTERED ACCOUNTANTS

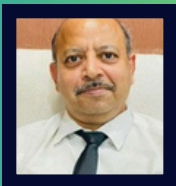
NEWSLETTER FOR DECEMBER 24
VOLUME 14, ISSUE 12

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COMPLIANCE

DECEMBER 2024 DUE DATES

GST

DATE	COMPLIANCE DETAIL	APPLICABLE TO
10th	<ul style="list-style-type: none">a) GSTR-7 (TDS return under GST)b) GSTR-8 (TCS return under GST)	<ul style="list-style-type: none">• Person required to deduct TDS under GST• Person required to collect TCS under GST
11th	GSTR-1 (Outward supply return)	<ul style="list-style-type: none">• Taxpayers having annual turnover > Rs. 5 crore in FY 2023-24• Tax payers having annual turnovers ≤ Rs. 5 crore in FY 2023-24 and not opted for Quarterly Return Monthly Payment(QRMP) Scheme
13th	<ul style="list-style-type: none">• GSTR-6 [Return by input service distributor (ISD)]• GSTR-5 (Return by Non-resident)• Invoice Furnishing Facility - IFF (Details of outward supplies of goods or services)	<ul style="list-style-type: none">• Person registered as ISD• Non-resident taxable person(NRTP)• Taxable persons having annual turnover ≤ Rs.5 crore in FY 2023-24 and opted for QRMP Scheme
20th	<ul style="list-style-type: none">• GSTR-3B (Summary return)• GSTR-5A [Online Information Database Access and Retrieval (OIDAR) services return]	<ul style="list-style-type: none">• a) Taxable persons having annual turnover > Rs. 5 crore in FY 2023-24• b) Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2023-24 and not opted for QRMP scheme• OIDAR services provider

25th	<ul style="list-style-type: none"> Form GST PMT-06 (Payment of tax for QRMP filers) 	<ul style="list-style-type: none"> Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2023-24 and opted for QRMP scheme
31st	<ul style="list-style-type: none"> GSTR-9 (Annual GST Return) GSTR-9C (Annual Reconciliation Statement) 	<ul style="list-style-type: none"> Taxpayers having aggregate annual turnover > Rs. 2 crore in FY 2023-24 Taxpayers having aggregate annual turnover > Rs. 5 crore in FY 2023-24

INCOME TAX

DATE	COMPLIANCE DETAIL	APPLICABLE TO
7th	<ol style="list-style-type: none"> TDS / TCS deposit Equalization Levy deposit 	<ul style="list-style-type: none"> Non-Government Deductors All Deductors
15th	<ol style="list-style-type: none"> Deposit of 75% (3rd Instalment) of Advance Tax 	<ul style="list-style-type: none"> Taxpayers liable to pay advance tax
31st	<ul style="list-style-type: none"> Belated / Revised Income-tax Return 	<ul style="list-style-type: none"> All Taxpayers (provided assessment is not complete before 31st December 2024)

Other

DATE	COMPLIANCE DETAIL	APPLICABLE TO
15th	<ul style="list-style-type: none"> Deposit of PF & ESI contribution 	<ul style="list-style-type: none"> All Deductors



NOTIFICATION NO-26/2024 – CENTRAL TAX, DATED 18.11.2024

The CBIC has issued a notification to extend the due date for furnishing the return in FORM GSTR-3B for the month of October 2024 till the 21st Day of November, 2024, for the registered persons whose principal place of business is in the state of Maharashtra and Jharkhand.

NOTIFICATION NO-27/2024 – CENTRAL TAX, DATED 25.11.2024

The CBIC has issued a notification to give powers to certain Additional Commissioner or Joint Commissioner of Central Tax for passing an order or decision in respect of notices issued by the officers of Directorate General of Goods and Services Tax Intelligence.
For detailed list, please read full notification.

This notification shall come into effect from 1st day of December 2024.

NOTIFICATION NO-28/2024 – CENTRAL TAX, DATED 27.11.2024

The CBIC, hereby appoints Joint Commissioner or Additional Commissioner, Central Goods and Services Tax and Central Excise Thane Commissionrate [holding the charge of Adjudication of DGGI cases] for passing an order or decision in respect of certain notices, issued to the notices mentioned in the notification by the officers of Directorate General of Goods and Services Tax Intelligence under sections 73, 74,122, 125 and 127 of Central Goods and Services Tax Act 2017.

NOTIFICATION NO-29/2024 – CENTRAL TAX, DATED 29.11.2024

The CBIC has issued a notification to extend the due date for furnishing the return in FORM GSTR-3B for the month of October 2024 till the 30th day of November 2024, for the registered persons whose principal place of business is in the State of Manipur.

This notification shall be deemed to have come into force with effect from the 20th day of November 2024

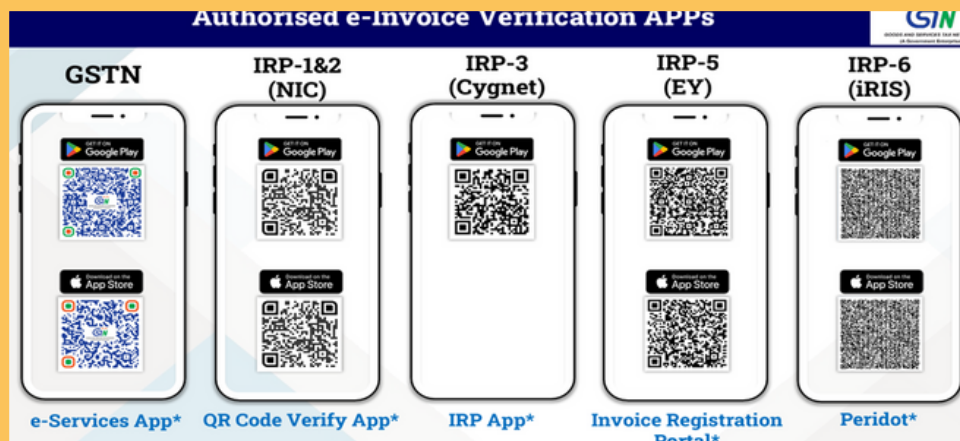
ADVISORY AND UPDATES ON THE GST PORTAL

➔ Time Limit for Reporting e-Invoice on the IRP Portal - Lowering of Threshold to AATO 10 Crores and Above

1. With reference to the earlier advisory dated 13th September 2023 (<https://einvoice.gst.gov.in/einvoice/newsandupdates/read-602>), where a time limit of 30 days for reporting e-Invoices on IRP portals for taxpayers with an AATO of 100 crores and above was implemented, the threshold has now been lowered to cover taxpayers with an AATO of 10 crores and above.
2. Therefore, from 1st April 2025, taxpayers with an AATO of 10 crores and above would not be allowed to report e-Invoices older than 30 days from the date of reporting on IRP portals.
3. This restriction would apply to all document types (Invoices/Credit Notes/Debit Notes) for which an IRN is to be generated.
4. For example, if an invoice is dated 1st April 2025, it cannot be reported after 30th April 2025. The validation built into the invoice registration portals (IRP) would disallow the user from reporting the e-Invoice after the 30-day window. Hence, it is essential for taxpayers to ensure that they report the e-Invoice within the 30-day window provided by the new time limit.
5. It is further clarified that there would be no such reporting restriction on taxpayers with an AATO of less than 10 crores as of now.
6. To provide sufficient time for taxpayers to comply with this requirement, the above limit would come into effect from 1st April 2025 onwards.

➔ Time Limit for Reporting e-Invoice on the IRP Portal - Lowering of Threshold to AATO 10 Crores and Above

1. GSTN has prepared a consolidated document on authorized B2B e-Invoice verification apps available for download. The said document would serve as a reference to ensure that taxpayers have the most up-to-date information regarding approved B2B e-Invoice verification apps.
2. Taxpayers could access and download the PDF document by clicking on the link below:
https://tutorial.gst.gov.in/downloads/news/authosied_e_invoice_verification_apps.pdf



➔ Advisory for Reporting TDS Deducted by scrap Dealers in October 2024

1. As per Notification No. 25/2024-Central Tax, effective from 10.10.2024, any registered person receiving supplies of metal scrap classified under Chapters 72 to 81 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), from another registered person, is required to deduct TDS under Section 51 of CGST Act, 2017.
2. In this regard, various tickets have been received on the issue that taxpayers are unable to report TDS deducted in the month October 2024 as they are not able to file return for the month of October 2024. This issue has occurred because while the taxpayers applied for GST registration in October 2024 pursuant to the above notification, their GST registrations were approved only in November 2024. Hence, in the return dropdown the month October 2024 is not visible to such taxpayers. This is as per the existing GSTN system design where returns for tax period prior to registration month is not enabled for taxpayers.
3. However, to resolve the issue, taxpayers who were granted registration in November 2024, but deducted TDS in October 2024, are hereby advised to report the consolidated amount of TDS deducted for the period from 10.10.2024 to 30.11.2024 in the GSTR-7 return to be filed for the month November 2024.

Important advisory on GSTR 2B and IMS

- It has been reported by few taxpayers that their GSTR-2B for October-2024 period has not been generated on 14th November 2024. In this regard it to be informed that as per the design of IMS, GSTR-2B will not be generated by the system in below scenarios:
 1. In case the taxpayer has opted for QRMP scheme (Quarterly filers), GSTR-2B will not be generated for first and second month of the quarter. Ex. For quarter Oct-Dec, 2024, the quarterly taxpayer will get GSTR-2B for the December-2024 period only and not for October-2024 & November-2024.
 2. In case the taxpayer has not filed their previous period GSTR-3B, GSTR-2B will not be generated by the system. Such taxpayers need to file their pending GSTR-3B to generate GSTR-2B on demand. For example, if the taxpayer has not filed GSTR-3B for September-2024, their GSTR-2B for October-2024 will not be generated. Once the taxpayer files their GSTR-3B for September-2024, they will be able to generate their GSTR-2B for October-2024 by clicking the "Compute GSTR-2B (OCT 2024)" button on the IMS dashboard.
- For details kindly refers to various advisories & FAQs provided on IMS:

S. No	Particulars	Date of Issue	Link
1.	Invoice Management System	Sep 3rd, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/517
2.	Draft Manual on IMS	Sep 17th, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/521
3.	Frequently Asked Questions on IMS	Sep 22nd, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/522
4.	Attention-Advisory on IMS	Oct 14th, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/532
5.	Additional FAQs on IMS	Oct 17th, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/536
6.	Advisory regarding IMS during initial phase of its implementation	Nov 12th, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/547
7.	Advisory on IMS on Supplier View	Nov 13th, 2024	https://services.gst.gov.in/services/advisoryandreleased/read/548

➔ Advisory on IMS on Supplier View

IMS has been made available on the GST Portal from 14 October 2024 onwards, wherein the recipient taxpayer can accept, reject or keep the invoices pending which are saved / filed by their suppliers in their respective Form GSTR-1 (outward supply return) / 1A (amendment to Form GSTR-1) / Invoice Furnishing Facility (IFF). The 1st Form GSTR-2B on the basis of such actions taken in IMS by the recipient taxpayers has been generated on 14 November 2024 for the month of October 2024.

S.NO.		Heading [Expand All ▼]	GSTR-3B table	Integrated Tax (₹)	Central Tax (₹)	State/UT Tax (₹)	Cess (₹)
Part A ITC Available - Credit may be claimed in relevant headings in GSTR-3B							
I	All other ITC - Supplies from registered persons (IMS)		4(A)(5) ①	0.00	4,535.66	4,535.66	10.71
II	Inward Supplies from ISD ▼		4(A)(4) ①	0.00	0.00	0.00	0.00
III	Inward Supplies liable for reverse charge ▼		3.1(d) 4(A)(3) ①	0.00	0.00	0.00	0.00
IV	Import of Goods ▼		4(A)(1) ①	0.00	0.00	0.00	0.00
Part B ITC Available - Credit notes should be net off against relevant ITC available headings in GSTR-3B							
I	Others ▼		4(A) ①	0.00	0.00	0.00	0.00

[BACK TO DASHBOARD](#)
[DOWNLOAD GSTR-2B SUMMARY \(PDF\)](#)
[DOWNLOAD GSTR-2B DETAILS \(EXCEL\)](#)

[OPEN GSTR-3B](#)
[OPEN IMS DASHBOARD](#)

To further facilitate the taxpayers, the Supplier View of IMS has also been made available where the action taken by their recipients on the records / invoices reported in Form GSTR-1 / 1A / IFF, would be visible to the suppliers in 'Supplier View' functionality. This would help a supplier taxpayer to see the action taken on their reported outwards supplies and help avoid any wrong action taken by the recipient taxpayer.

Dashboard | Returns | IMS Dashboard English

Invoice Management System (IMS) Dashboard

Inward Supplies

VIEW

Outward Supplies

VIEW

Note:

Inward Supplies:
Dashboard to view and act on Imports and inward supplies reported by your supplier in IFF/GSTR-1/1A/5/6.

Outward Supplies:
Dashboard to view status of outward supplies reported based on action taken by your recipient.

Dashboard | Returns | IMS Dashboard English

Invoice Management System (IMS) Dashboard

Inward Supplies

VIEW

Outward Supplies

VIEW

Note:

Inward Supplies:
Dashboard to view and act on Imports and inward supplies reported by your supplier in IFF/GSTR-1/1A/5/6.

Outward Supplies:
Dashboard to view status of outward supplies reported based on action taken by your recipient.

The records / invoices below are not available in IMS for taking any kind of actions by the recipient but are visible in supplier's view with the status as 'No Action Taken':

- Documents where ITC is not eligible either due to Place of Supply (POS) rule or section 16(4) of the CGST Act dealing with ITC of previous FY
- Records attracting Reverse Charge Mechanism (RCM) Supplies

Any action taken on records can be changed by the recipient taxpayer till the filing of Form GSTR-3B of the return period. In case the taxpayer changes any action after the generation of Form GSTR-2B, they need to click the Form GSTR-2B recompute button to recompute their GSTR-2B based on the new actions taken.

Advisory regarding IMS during initial phase of its implementation

Invoice Management System (IMS) is an optional facility introduced from October 2024 on GST Portal, on which the invoices/records saved/furnished by the supplier in GSTR-1/1A/IFF, can be accepted, rejected or kept pending by recipients. Based on the action taken by the recipient on the IMS, the system will generate the GSTR 2B of the recipient on 14th of subsequent month.

The Taxpayer can accept/reject/keep pending the invoice/record on IMS after due verification from his accounts. The ITC for the rejected record will not be available to the recipient in the GSTR 2B . Further, the liability and input tax credit are being auto populated in GSTR 3B of the taxpayer on the portal based on his liability declared in GSTR 1/1A and input tax credit made available in his GSTR 2B. However, the taxpayer can presently edit the said auto-populated details in GSTR 3B before filing the same.

IMS, being a new functionality introduced on the portal, there may be cases where in the initial phase of implementation of IMS, the recipient may make error/mistakes while taking action (like acceptance/rejection/keeping pending) on the IMS in respect of an invoice/record. As GSTR-2B of the recipient will be generated on the portal based on the actions taken by the recipient on the IMS, any mistake in the action taken by the recipient on the IMS could result in incorrect details of available/eligible input tax credit to the recipient being shown in his GSTR-2B, which will also be auto-populated in his GSTR-3B on the portal. In such cases, the recipient can change the action on the IMS in respect of an invoice/record (e.g. from rejected to accepted or vice versa) and can recompute his GSTR-2B at any time till the filing of GSTR-3B for the corresponding tax period, so that correct ITC is auto-populated in his GSTR-3B.

Despite this, there may still be some cases where the recipient is not able to correct the action taken on the IMS, resulting in wrong auto-population of ITC in GSTR-3B of the recipient or wrong auto-population of liability in GSTR-3B of the corresponding supplier. Therefore, during this initial phase of implementation of IMS, the taxpayers are advised that in such cases, where due to any inadvertent mistake in the action taken on the IMS, if incorrect details of ITC/ liability are auto-populated in GSTR-3B on the portal, the taxpayer may before filing their GSTR-3B return, edit such wrongly populated ITC/liability in their GSTR-3B, to correctly avail ITC or pay correct tax liability based on the factual position as per the documents/records available with him.

Advisory for Biometric-Based Aadhaar Authentication and Document Verification for GST Registration Applicants of Madhya Pradesh

This is to inform taxpayers about recent developments concerning the application process for GST registration. It is advised to keep the following key points in mind during the registration process.

1. Rule 8 of the CGST Rules, 2017 has been amended to provide that an applicant can be identified on the common portal, based on data analysis and risk parameters for Biometric-based Aadhaar Authentication and taking a photograph of the applicant along with the verification of the original copy of the documents uploaded with the application.
2. The above-said functionality has been developed by GSTN. It rolled out in Madhya Pradesh on 27th November 2024.
3. The said functionality also provides for the document verification and appointment booking process. After the submission of the application in Form GST REG-01, the applicant will receive either of the following links in the e-mail,
 - A Link for OTP-based Aadhaar Authentication OR
 - A link for booking an appointment with a message to visit a GST Suvidha Kendra (GSK) along with the details of the GSK and jurisdiction, for Biometric-based Aadhaar Authentication and document verification (the intimation e-mail)
4. If the applicant receives the link for OTP-based Aadhaar Authentication as mentioned in point 3(a), she/he can proceed with the application as per the existing process.
5. However, if the applicant receives the link as mentioned in point 3(b), she/he will be required to book the appointment to visit the designated GSK, using the link provided in the e-mail.
6. The feature of booking an appointment to visit a designated GSK is now available for the applicants of Madhya Pradesh.
7. After booking the appointment, the applicant gets the confirmation of appointment through e-mail (the appointment confirmation e-mail), she/he will be able to visit the designated GSK as per the chosen schedule.
8. At the time of the visit of GSK, the applicant is required to carry the following details/documents
 - (a) a copy (hard/soft) of the appointment confirmation e-mail
 - (b) the details of jurisdiction as mentioned in the intimation e-mail
 - (c) Aadhaar Card and PAN Card (Original Copies)
 - (d) the original documents that were uploaded with the application, as communicated by the intimation e-mail.
9. The biometric authentication and document verification will be done at the GSK, for all the required individuals as per the GST application Form REG-01.
10. The applicant is required to choose an appointment for the biometric verification during the maximum permissible period for the application as indicated in the intimation e-mail. In such cases, ARNs will be generated once the Biometric-based Aadhaar Authentication process and document verification are completed.
11. The day for operation and hours of GSKs will be as per the guidelines provided by the administration in your state.

Direct tax



Cabinet Committee on Economic Affairs (CCEA) approves the Permanent Account Number (PAN) 2.0 project

The CCEA, chaired by the Prime Minister Shri Narendra Modi, has given its approval for the PAN 2.0 project of the Income-tax department. The PAN 2.0 project is an e-Governance project for re-engineering the business processes of taxpayer registration services through technology driven transformation of PAN / TAN services for enhanced digital experience of taxpayers. This will be an upgrade of the current PAN / TAN 1.0 ecosystem consolidating the core and non-core PAN / TAN activities as well as PAN validation service. The PAN 2.0 project aims to resonate with the vision of the Government of 'Digital India' by enabling the use of PAN as Common Identifier for all digital systems of specified government agencies.

The financial implications for the PAN 2.0 project is expected to be Rs.1435 crore. The PAN 2.0 project enables technology driven transformation of taxpayer registration services and is likely to have benefits including the below:

- Ease of access and speedy service delivery with improved quality
- Single source of truth and data consistency
- Eco-friendly processes and cost optimization; and
- Security and optimization of infrastructure for greater agility

Sections 115BAA / 115BAB of the Income-tax Act, 1961 allowing option to follow concessional tax regime for domestic / manufacturing companies – Central Board of Direct Taxes (CBDT) authorises Income-tax authorities to deal with applications for condonation of delay in filing Forms 10-IC / Form 10-ID

What is Form 10-IC?

Section 115BAA of the Act provides for an optional concessional tax regime for domestic companies @ 22% (plus surcharge and cess) on profits, provided they are willing to give-up / forego on certain specific tax exemptions/ incentives mentioned in the said provision. The option to exercise being governed by the said provision is applicable from AY 2020-21 onwards. The taxpayer is required to submit Form 10-IC with the tax authorities if it wants to follow section 115BAA. The form is required to be submitted on or before the due date of filing Income-tax Return (ITR) u/s 139(1) of the Income-tax Act for the relevant year. The option once exercised is applicable to subsequent Assessment Years as well. Failure to submit Form 10-IC timely results in denial of the concessional tax rate u/s 115BAA.

Considering the difficulties faced by industry in submission of Form 10-IC for Assessment Year 2020-21 (being the 1st year for which section 115BAA was applicable), CBDT vide circular issued in March 2022 had condoned the delay for submission of Form 10-IC in cases where the following conditions were fulfilled:

- ITR for AY 2020-21 was filed on or before the due date u/s 139(1) of the Income-tax Act
- The taxpayer had opted for taxation u/s 115BAA in 'Filing Status' in 'Part A-GEN' of Form ITR-6, and
- Form 10-IC was filed electronically on or before 30 June 2022

In October 2023, CBDT has granted similar extension in timeline for submission of Form 10-IC for Assessment Year 2021-22, till 31 January 2024.

What is Form 10-ID?

Section 115BAB of the Act provides for an optional concessional tax regime for domestic manufacturing companies @ 15% (plus surcharge and cess) on profits, provided they are

- Incorporated on or after 1 October 2019, and
- Commence manufacture / production of an article or thing on or before 31 March 2024, and
- Are willing to give-up / forego on certain specific tax exemptions / incentives mentioned in the said provision.

The option to exercise being governed by the said provision is applicable from Assessment Year 2020-21 onwards. The taxpayer is required to submit Form 10-ID with the tax authorities if it wants to follow section 115BAB. The form is required to be submitted on or before the due date of filing ITR u/s 139(1) of the Income-tax Act for the relevant year. The option once exercised is applicable to subsequent AYs as well. Failure to submit Form 10-ID timely results in denial of the concessional tax rate u/s 115BAB.

Circular no. 17 dated 18 November 2024 issued by CBDT

Reportedly, CBDT has been receiving representations stating that Form 10-IC or Form 10-ID could not be filed for various Assessment Years on or before the due date or extended due date. Accordingly, it was requested by the industry to condone the delay in filing of Form 10-IC / Form 10-ID for those years.

Accordingly, CBDT has now authorised:

- Principal Commissioner of Income-tax / Commissioner of Income-tax to admit and deal with applications for condonation of delay in filing Form 10-IC or Form 10-ID for Assessment Years 2020-21, 2021-22 and 2022-23 where there is a delay of upto 365 days
- Principal Chief Commissioner of Income-tax / Chief Commissioner of Income-tax / Director General of Income-tax to admit and deal with applications for condonation of delay in filing Form 10-IC or Form 10-ID for AYs 2020-21, 2021-22 and 2022-23 where there is a delay of more than 365 days

The above authorities while entertaining applications for condonation of delay, are required to satisfy themselves that the applicant's case is fit for condonation under the existing provisions of Income-tax Act. Further, they are required to ensure that the following conditions are fulfilled:

- ITR was filed on or before the due date u/s 139(1) of the Income-tax Act
- The taxpayer had opted for taxation u/s 115BAA or 115BAB in 'Filing Status' in 'Part A-GEN' of Form ITR-6, and\
- The taxpayer was prevented by reasonable cause from filing such Form before the expiry of the time allowed and the case is of genuine hardship on merits

With effect from 18 November 2024 onwards, no application for condonation of delay in filing Form 10-IC or Form 10-ID can be entertained beyond 3 years from the end of the AY for which such application is made. An application for condonation of delay is required to be disposed of, as far as possible, within 6 months from the end of the month in which such application is received by the concerned authority.

Charitable trusts / institutions – CBDT authorises Income-tax authorities to deal with applications for condonation of delay in filing Forms 9A / 10 / 10B / 10BB for Assessment Year (AY) 2018-19 & subsequent years, in supersession of earlier circulars / instructions

Background

Charitable trusts / institutions are eligible to claim tax exemption under 2 regimes:

- 1st Regime - Fund / Institution / Trust / University / Educational Institution / Hospital / Medical Institution referred u/s 10(23C)(iv) or (v) or (vi) or (via) of Income-tax Act
- 2nd Regime - Trust registered u/s 12AA/ 12AB of Income-tax Act

Charitable trusts/ institutions falling in either regime are required to furnish Form 10B, if:

- It's annual total Income > Rs.5 Crore (before applying exemption provisions under Income-tax Act),or
- Foreign contribution has been received by it, or
- It has applied any part of its income outside India

If none of the above criteria is fulfilled, charitable trusts / institutions are required to furnish Form 10BB.

Form 9A is used by charitable trusts / institutions to exercise the option to apply income in the subsequent year, in cases where 85% of the income could not be applied during the relevant year.

Form 10 is used by charitable trusts / institutions to claim tax exemption on income derived from property held in the name of the trust / institution if it wants to accumulate > 15% of the income derived from such property.

Circular no. 16 dated 18 November 2024 issued by CBDT

CBDT has from time to time issued circulars / instructions to deal with applications for condonation of delay in filing Form 9A / 10 / 10B / 10BB for AY 2018-19 and subsequent years. In supersession of all earlier circulars/ instructions, CBDT has now authorised:

- Principal Commissioner of Income-tax / Commissioner of Income-tax to admit and deal with applications for condonation of delay in filing Form 9A / 10 / 10B / 10BB for AY 2018-19 and subsequent AYs where there is a delay of upto 365 days
- Principal Chief Commissioner of Income-tax / Chief Commissioner of Income-tax / Director General of Income-tax to admit and deal with applications for condonation of delay in filing Form 9A / 10 / 10B / 10BB for AY 2018-19 and subsequent years where there is a delay of more than 365 days

The above Income-tax authorities while entertaining applications for condonation of delay, are required to satisfy themselves that the applicant / taxpayer was prevented by reasonable cause from filing such forms before the expiry of the time allowed and the case is of genuine hardship on merits.

With effect from 18 November 2024 onwards, no application for condonation of delay in filing Form 9A / 10 / 10B / 10BB can be entertained beyond 3 years from the end of the AY for which such application is made. An application for condonation of delay is required to be disposed of, as far as possible, within 6 months from the end of the month in which such application is received by the concerned authority.

CBDT launches campaign to generate awareness amongst taxpayers for correct reporting of income from foreign sources in Income-tax Return (ITR)

CBDT has launched a Compliance-Cum-Awareness Campaign for AY 2024-25 to assist taxpayers in accurately completing Schedule Foreign Assets (FA) and reporting income from foreign sources (Schedule FSI) in their ITR. Compliance with Schedule FA and FSI is mandatory under the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, which requires the full disclosure of foreign assets and income.

Schedule FA		Details of Foreign Assets and Income from any source outside India										
A1 Details of Foreign Depository Accounts held (including any beneficial interest) at any time during the calendar year ending as on 31 st December, 2023												
Sl No	Country name	Country code	Name of financial institution	Address of financial institution	ZIP code	Account number	Status	Account opening date	Peak balance during the period	Closing balance	Gross interest paid/credited to the account during the period	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
(i)												
(ii)												
A2 Details of Foreign Custodial Accounts held (including any beneficial interest) at any time during the calendar year ending as on 31 st December, 2023												
Sl No	Country name	Country code	Name of financial institution	Address of financial institution	ZIP code	Account number	Status	Account opening date	Peak balance during the period	Closing balance	Gross amount paid/credited to the account during the period <i>(drop down to be provided specifying nature of amount viz. interest/dividend/proceeds from sale or redemption of financial assets/ other income)</i>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
(i)												
(ii)												
A3 Details of Foreign Equity and Debt Interest held (including any beneficial interest) in any entity at any time during the calendar year ending as on 31 st December, 2023												
Sl No	Country name	Country code	Name of entity	Address of entity	ZIP code	Nature of entity	Date of acquiring the interest	Initial value of the investment	Peak value of investment during the period	Closing value	Total gross amount paid/credited with respect to the holding during the period	Total gross proceeds from sale or redemption of investment during the period
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
(i)												
(ii)												
A4 Details of Foreign Cash Value Insurance Contract or Annuity Contract held (including any beneficial interest) at any time during the calendar year ending as on 31 st December, 2023												
Sl No	Country name	Country code	Name of financial institution in which insurance contract held	Address of financial institution	ZIP code	Date of contract	The cash value or surrender value of the contract	Total gross amount paid/credited with respect to the contract during the period				

(i)												
(ii)												
E Details of account(s) in which you have signing authority held (including any beneficial interest) at any time during the calendar year ending as on 31 st December, 2023 and which has not been included in A to D above.												
Sl No	Name of the Institution in which the account is held	Address of the Institution	Zip Code	Name of the account holder	Account Number	Peak Balance/ Investment during the year (in rupees)	Whether income accrued is taxable in your hands?	If (7) is yes, Income accrued in the account	If (7) is yes, Income offered in this return			
									Amount	Schedule where offered	Item number of schedule	
(1)	(2)	(3a)	(3b)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	
(i)												
(ii)												
F Details of trusts, created under the laws of a country outside India, in which you are a trustee, beneficiary or settlor												
Sl No	Country Name and code	Zip Code	Name and address of the trust	Name and address of trustees	Name and address of Settlor	Name and address of Beneficiaries	Date since position held	Whether income derived is taxable in your hands?	If (8) is yes, Income derived from the trust	If (8) is yes, Income offered in this return		
										Amount	Schedule where offered	Item number of schedule
(1)	(2a)	(2b)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
(i)												
(ii)												
G Details of any other income derived from any source outside India which is not included in,- (i) items A to F above and, (ii) income under the head business or profession												
Sl No	Country Name and code	Zip Code	Name and address of the person from whom derived	Income derived	Nature of income	Whether taxable in your hands?	If (6) is yes, Income offered in this return					
							Amount	Schedule where offered	Item number of schedule			
(1)	(2a)	(2b)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			
(i)												

NOTE ▶ Please refer to instructions for filling out this schedule

Schedule FSI			Details of Income from outside India and tax relief (available only in case of resident)								
INCOME FROM OUTSIDE INDIA AND TAX RELIEF	Sl.	Country Code (dropdown to be provided in the e-filing utility)	Taxpayer Identification Number	Sl.	Head of income	Income from outside India (included in PART B-TI)	Tax paid outside India	Tax payable on such income under normal provisions in India	Tax relief available in India (e)= (c) or (d) whichever is lower	Relevant article of DTAA if relief claimed u/s 90 or 90A	
											(a)
	1			i	House Property						
				ii	Business or Profession						
				iii	Capital Gains						
				iv	Other sources						
					Total						
	2				i	House Property					
					ii	Business or Profession					
					iii	Capital Gains					
					iv	Other sources					
						Total					
Total											

NOTE ▶ Please refer to the instructions for filling out this schedule.

As part of the campaign, informational messages would be sent via SMS and email to resident taxpayers who have already submitted their ITR for AY 2024-25. These messages are intended for individuals identified through information received under bilateral and multilateral agreements, suggesting that they may hold foreign accounts or assets, or have received income from foreign jurisdictions. The purpose is to remind and guide those who may not have fully completed Schedule Foreign Assets in their submitted ITR for AY 2024-25, especially in cases involving high-value foreign assets. By leveraging data obtained through the Automatic Exchange of Information (AEOI), the Income-tax department attempts to create a more technology driven system.

Interest u/s 220(2) of the Income-tax Act for delay in payment of demand - Fixation of monetary limits for reduction / waiver of interest

Background

As per section 220(2) of the Income-tax Act, if a taxpayer fails to pay the amount as per notice of demand u/s 156 of the Act, it is liable to pay simple interest @ 1% per month for the period of delay in making the payment. Further, section 220(2A) empowers the Principal Chief Commissioner / Chief Commissioner / Principal Commissioner / Commissioner for reduction or waiver of the amount paid / payable u/s 220(2) of the Act in the circumstances specified therein.

Circular no. 15 dated 4 November 2024 issued by CBDT

CBDT has prescribed the following monetary limits for reduction / waiver of interest u/s 220(2):

Income-tax authority	Monetary limit for reduction /waiver of interest
Principal Commissioner of Income-tax / Commissioner of Income-tax	Upto Rs.50 Lakh
Chief Commissioner of Income-tax /Director General of Income-tax	Rs. 50 Lakh to Rs. 1.5 Crore
Principal Chief Commissioner of Income-tax	Above Rs. 1.5 Crore

The power for reduction / waiver of interest u/s 220(2) in respect of any Income-tax authority is subject to satisfaction of all the following conditions specified u/s 220(2A)of the Income-tax Act:

- Payment of such amount has caused or would cause genuine hardship to the taxpayer
- Default in payment of interest u/s 220(2) was due to circumstances beyond the control of the taxpayer; and
- Taxpayer has co-operated in any inquiry relating to assessment or any proceeding for recovery of demand from it

Certain Income-tax forms to be furnished & verified electronically by taxpayers

- Vide Notification no. 5 dated 30 October 2024, the CBDT has specified that the following Income-tax forms shall be furnished and verified electronically.
- Form 3CEDA – Application for rollback of an Advance Pricing Agreement
- Form 3CO – Application for approval u/s 35CCC(1) of the Income-tax Act, 1961 in relation to expenditure on an agricultural extension project notified by CBDT

Corporate Law & Regulatory



Food Safety & Standards Authority of India (FSSAI) mandates linking of PAN with licenses for streamlined compliance & transparency

Based on the recommendation made by Department for Promotion of Industry and Internal Trade (DPIIT) regarding PAN as Business Identity, the Food Authority has decided to link PAN with FSSAI licenses and registrations. Accordingly, capturing of PAN has been made mandatory for applying new license / registration or its renewal or modification, with effect from 22 October 2024 onwards, in Food Safety Compliance System (FoSCoS) portal.

Existing licensed / registered Food Business Operators (FBOs) whose renewal or modification is not due in near future, are required to update the PAN details under FoSCoS 'User Profile' section at the earliest. In case of FBOs applying for Registrations who do not possess PAN, a declaration is required to be given for non-possession of PAN.

The screenshot shows the 'Pay Penalty' section of the FoSCoS user profile page. The left sidebar contains a menu with the following items: Head Office License, Tax Invoice, Relabeller NOC Application, File your response, e-Payment Register, and Search Console - Master Reports. The main content area displays the 'User Profile' section with the following fields: Mobile No., Belongs To (Relative), Secondary Contact Detail, Email, Mobile No., Belongs To (Self), Pan Card Number (highlighted in red), and Login Id (10822005000506). A 'Submit' button is located at the bottom right of the form.

Food businesses have been advised to keep their contact details (email id and mobile number) updated under FoSCoS user profile section for receiving regular communications from FSSAI.

For further details read the order dated 13 November 2024 issued by FSSAI.



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