

Bill No. 116, 2020 - Overview of “Taxation and other Laws (relaxation and Amendment of certain provisions)”

To extend various due dates under Income tax laws, an Ordinance is promulgated in March, 2020. Under said ordinance, few notifications were also issued to extend said due dates. To validate “said ordinance and various notifications issued therein”, a bill is required to be passed by both houses of parliament. Due to which, bill no.116 of 2020 having name “Taxation and other laws (relaxation and amendment of certain provisions) Act, 2020” is presented in parliament.

An easy analysis of said bill from perspective of “extension of due dates under Income tax law” is as under:-

Details of extension for completion of different income tax compliance or proceedings:-			
Sr. No.	Particulars	Extended time limit	Refer Note
1.	Filling of belated Income tax return for AY2019-20	30 th Sept 2020	N1
2.	Filling of Income tax return for AY2020-21	30 th Nov 2020	N1
3.	Filling of TDS return or TCS return for the month of Feb and March 2020 or for quarter ending on 31 st March 2020	15 th July 2020	N1
4.	Furnishing TDS certificate u/s.192 or u/s.203 of Income tax act	15 th Aug 2020	N1
5.	Furnishing any audit report for AY2020-21 under Income Tax law	31 st Oct 2020	N1
6.	Filling of Application for Vivad se Vishwas Scheme	31 st Dec 2020	N1
7.	“Completion of any proceedings” or “passing of any order” or “issuance of any notice, intimation, sanction or approval”, by any authority, commission or tribunal (other than mentioned elsewhere) For example, i.) Issuance of any notice u/s.147 of the act ii.) Passing an assessment order u/s.143(3), 144, 147 or 153A or 153C iii.) Issuing intimation u/s.143(1) iv.) Granting registration u/s.12AA or 80G of the act v.) Passing an order u/s.154 of the act	31 st March 2021	N1
8.	“Filling of any appeal, reply or application” or “Furnishing any report, document, return, statement” (other than mentioned elsewhere) For example, i.) Filing an appeal to CIT(A), Tribunal, High Court or Tribunal ii.) Filling of any reply to notice issued under Income tax act	31 st March 2021	N1
Conditions:-			
N1:- Above due dates are extended only for those compliances for which due dates were falling between 20 th march 2020 to 31 st December 2020.			
Other observations:-			
Above date can be extended further by central government through notification			

Details of date extended for claiming any deduction or exemption under Income tax law:-

Sr. No.	Particulars	Extended time limit	Refer Note
1.	For deduction u/s.80C to 80GGC (i.e. Deduction under Heading B of chapter VIA)	31 st Jul 2020	N1
2.	For deduction u/s.80H to 80RRB (i.e. Deduction under Heading C of chapter VIA)	No Extension	-
3.	For deduction u/s.80TTA to 80TTB (i.e. Deduction under Heading CA of chapter VIA)	No Extension	-
4.	For deduction u/s.80U (i.e. Deduction under Heading D of chapter VIA)	No Extension	-
5.	For Deduction/exemption u/s.54 to 54GB by making investment, deposit, payment, acquisition, purchase or construction	30 th Sept 2020	N2
6.	Such other provisions of Income tax act, subject to fulfilment of such conditions as may be notified by Central government	30 th Sept 2020	N2
7.	For beginning of manufacture or production of articles or things or providing any services referred to in section 10AA (only for those cases where the letter of approval required to be issued in accordance with the provisions of the special economic Zones Act, 2005 has been issued on or before 31 st July 2020	31 st March 2021	N1

Conditions:-

N1:- Above due dates are extended only for those deductions or exemptions for which due dates were falling between 20th march 2020 to 30th July 2020.

N2:- Above due dates are extended only for those deductions or exemptions for which due dates were falling between 20th march 2020 to 29th Sept 2020.

Other observations:-

- i.) Except above, dates are not extended for claiming any deduction or exemptions under Income tax Act.
- ii.) Above date can be extended further by central government through notification

Details of extension for payment of advance tax, TDS, TCS or any other tax or levy

Sr. No.	Particulars	Extended time limit	Interest need to be paid
1.	Payment of TDS	30 th June 2020	Maximum 9% per annum for month or part of month
2.	Payment of Advance tax under Income tax act (Refer N1 & N2)	30 th June 2020	
3.	Payment of equalisation levy under chapter VIII of Finance act 2016		
4.	Payment of tax under “Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act 2015”	30 th June 2020	
5.	Payment of tax under “Prohibition of benami property transaction Act, 1988”	30 th June 2020	
6.	Payment of Security transaction tax under chapter VII of Finance (No.2) Act, 2004	30 th June 2020	

Conditions for claiming extensions:-

Above extension shall be available only if following conditions are complied:-

- i.) Due date for above stated tax or levy was due to be paid between 20th March, 2020 to 29th June, 2020
- ii.) And such tax or levy is paid before 30th June, 2020

Benefits of extension:-

If tax or levy (as stated above) is paid before given date then no penalty or prosecution shall be sanctioned for payment of such amount.

Notes:-

N1:- For calculation of interest u/s.234A, if interest is leviable on “amount which is more than Rs.1 Lac” then benefit of this extension shall be not available and interest u/s.234A shall be levied as per Income tax law.

N2:- Any Tax paid before “due date of Income tax return (before any extension)” shall be considered to be advance tax (and thus, interest u/s.234A shall not be levied) if

- i.) Assesse is resident Individual who is of the age of 60 years or more at any time of previous year and
- ii.) Does not have any income from business or profession.