

MONTHLY NEWSLETTER

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Getting Started

By Partners

Greetings to All!

We extend our gratitude for your responses about our monthly newsletter and here it is for the month of June'22!

There are multiple Statutory Due Dates falling in the month of June 2022 that includes the Due Dates for ROC Filing, GST Return Filing, and Income Tax Return Filing.

Here is our newsletter for June 2022, that might be helpful for every registered business and professional to keep a track and be ready for the compliance well in advance.

Why worry around due dates now! Check our newsletter, make a **well-planned First Quarter of F.Y.2022-23** and enjoy this month with **100% Compliance!**



WHO NEED TO MANDATORILY FILE THEIR INCOME TAX RETURN?

By CA. C. Suriya (Partner)

Income Tax return filing season is in the pipeline and surprisingly filing of ITR forms 1, 2, 3 & 4 have been enabled in the portal in the mid of May 2022 itself.

It's not a surprise that every time, there will be set of assesseees who are confused and tend to ask the following question...

“Whether I am liable to file my Income tax return?”

If you have the above question, then welcome to the club! Because you're not alone and even regular income tax return filers tend to raise this question to understand the filing process.

The answer is simple, and Section 139 provides the same...

People tend to get nervous when a chartered accountant speaks about section. In this article I tried to simplify, who must mandatorily file their Income Tax Return for A.Y.2022-23 as there is an important notification by way of which **new rule 12AB** has been added, which prescribes additional conditions which mandates the filing of income tax returns despite the income is below the basic exemption limit.

Section 139 lists certain situations wherein ITR filing by an individual is mandatory even if no tax has been deducted from his income or even if he does not earn any income or even if income is below basic exemption limit.

It contains the guidelines for filing delayed returns if any tax assessee has failed to do the Income Tax Return filing within the given deadline.

Here is the list of situations which require an individual to furnish his return of income for the Financial Year 2021-22 (Assessment Year 2022-23).

1) IF YOUR TOTAL INCOME EXCEEDS THE BASIC EXEMPTION LIMIT

An individual shall file the return if his income exceeds the maximum exemption limit. The maximum exemption limit for individuals is:

- Rs. 2.5 lakh for an individual;
- Rs. 3 lakhs for resident senior citizen (age 60 years or more but less than 80 years); and
- Rs. 5 lakhs for resident super senior Citizen (age 80 years or more).

The following deductions and exemptions available to an individual shall not be taken into consideration to calculate such maximum exemption limit:

- Exemption from capital gains under section 54, 54B, 54D, 54EC, 54F, 54G, 54GA or 54GB. Deduction under Section 80C to 80U.

For example, Mr. Balasubramaniam (aged 50) has Gross total income to Rs. 7.8 lakhs.

He took a housing loan for which he paid principal of Rs.1.2 lakhs which is eligible for deduction u/s 80C. In this case, the total income of Mr. A before claiming exemption is Rs 7.8 lakhs which exceeds the maximum exemption limit. Thus, filing of return is mandatory.

This provision shall apply to both resident and non-resident individuals.

2) IF YOU HAVE ASSETS OUTSIDE INDIA

It is mandatory for an individual to furnish a return of income if he:

- holds any asset (including any financial interest in any entity) located outside India (as a beneficiary or otherwise);
- has signing authority in any account located outside India;
- or is a beneficiary of any asset (including any financial interest in any entity) located outside India?

This provision shall apply to resident and ordinary resident individuals in India.

3) IF YOU DEPOSIT MORE THAN RS 1 CRORE IN A BANK ACCOUNT

An individual shall file his return if he has deposited Rs 1 crore or more in one or more current accounts maintained with a bank during the previous year.

No reference has been made for the deposit made in the current account maintained with a Post Office. Thus, if an individual is depositing more than Rs 1 crore in a current account with a post office and his income is less than the maximum exemption limit, he may not be required to furnish his return.

4) IF YOU INCUR RS 2 LAKH ON FOREIGN TRAVEL

An individual will file his return if he has incurred more than Rs 2 lakh on travel to a foreign country, either for himself or for any other person during the previous year.

5) IF YOUR ELECTRICITY CONSUMPTION IS RS 1 LAKH

An individual shall file his return if he has incurred more than Rs 1 lakh on electricity consumption during the previous year.

6) IF TURNOVER OF YOUR BUSINESS IS MORE THAN RS 60 LAKH

An individual must file his return if total sales, turnover, or gross receipt of the business exceeds Rs 60 lakh during the previous year.

7) IF GROSS RECEIPT FROM PROFESSION IS MORE THAN RS 10 LAKH

An individual shall file his return if the total gross receipt of the profession exceeds Rs 10 lakh during the previous year.

8) IF TDS AND TCS IS RS 25,000 OR MORE

An Individual (age less than 60 years) is required to file his return if the aggregate amount of tax deducted at source (TDS) and tax collected at source (TCS) in his case during the previous year is Rs 25,000 or more.

9) IF TDS AND TCS IS RS 50,000 OR MORE

The threshold limit of Rs 25,000 shall be considered as Rs. 50,000 in the case of resident senior citizen, i.e., whose age is 60 years or more at any time during the relevant previous year.

10 IF DEPOSIT IN A SAVING BANK ACCOUNT IS RS 50 LAKH OR MORE

An individual shall file his return if the aggregate deposit in one or more savings bank accounts is Rs 50 lakh or more during the previous year.

11 IF YOU HAVE LOSS FROM INCOME FROM HOUSE PROPERTY, CAPITAL GAINS, INCOME FROM BUSINESS AND PROFESSIONALS

A tax return for loss is mandatory for a company or a firm. The provisions for the same are:

- If the loss comes under the head, 'Profits and Gains of Business and Profession' or under 'Capital Gains', ITR filing is mandatory. This is in case a firm wants to carry forward this loss and offset it with the future income.
- This option is available only if the Income Tax Return filing is done within the prescribed due date.
- The loss can be carried forward even though the ITR is filed after the due date, if the loss has occurred under the head 'House or Residential Property'.
- If the loss is filed for returns under Section 142(1), with an exception for the loss under 'House Property', other losses cannot be carried forward. However, in such cases, non-offset depreciation may be carried forward.
- If you offset the loss against another category of income in the same year, the offset is allowed even if the return is submitted after the due date.
- Loss incurred in earlier years can also be carried forward if the returns of such losses for those years were filed with due dates and those losses were assessed. You should always file the return of loss as it allows you to carry the loss forward, thus reducing the tax liability in future

CONCLUSION:

Thus, applicability of return filing is mandatory in above cases which need to be looked after since some of the above points are recent notifications. In case not filing returns there are possibilities of receiving love letter (notice) from the Income tax department. So it's time for us to serve our duty by filing our income tax return on time, pay taxes if applicable and be part of **Atmanirbar Bharat!**

DUE DATES FOR GST RETURNS - JUNE' 22

DUE DATE	FORM TO BE FILED	PERIOD	WHO SHOULD FILE?
10.06.2022	GSTR 7	May 2022	GSTR 7 is a return to be filed by the persons who is required to deduct TDS (Tax deducted at source) under GST
	GSTR 8	May 2022	GSTR-8 is a return to be filed by the e-commerce operators who are required to deduct TCS (Tax collected at source) under GST
11.06.2022	GSTR 1	May 2022	Taxpayers have an aggregate turnover of more than Rs. 1.50 Crores or opted to file a Monthly Return
13.06.2022	GSTR 1 (QRMP)	May 2022	GST return for the taxpayers who opted for the QRMP scheme (Optional)
	GSTR 6	May 2022	Input Service Distributors
20.06.2022	GSTR 5 C& 5A	May 2022	Non-Resident Taxpayers and ODIAR services provider
	GSTR 3B	May 2022	The due date for GSTR-3B has an Annual Turnover of more than 5 Crores
25.06.2022	GST Challan	For all Quarterly filers	GST Challan Payment if no sufficient ITC for Mar (for all Quarterly Filers)

DUE DATES FOR COMPANY & LLP ANNUAL FILING - JUNE'22

NATURE OF ENTITY	DUE DATE	FORM TO BE FILED	PERIOD	WHO SHOULD FILE?
COMPANY	30.06.2022	Form DPT 3	FY 2021-22	For the companies who have taken outstanding loans
LLP	30.06.2022 (extended from 30.05.2022)	Form 11	FY 2021-22	An annual statement for submitting details of the business of the LLP and its partners for the FY 2021-22

DUE DATES FOR INCOME TAX COMPLIANCE / PF / ESI - JUNE 2022

07.06.2022	Challan No. ITNS-281	May 2022	Payment of TDS/TCS deducted /collected in May 2022.
14.06.2022	TDS Certificate	April 2022	The due date for issue of TDS Certificate for tax deducted under Section 194IA in the month of April, 2022
14.06.2022	TDS Certificate	April 2022	The due date for issue of TDS Certificate for tax deducted under Section 194IB in the month of April 2022
14.06.2022	TDS Certificate	April 2022	The due date for issue of TDS Certificate for tax deducted under Section 194M in the month of April 2022
15.06.2022	First Installment of Advance Tax	FY 2022-23	First installment of advance tax for the assessment year 2022-23
15.06.2022	Filing of TDS Certificate	Quarterly	Quarterly TDS certificates (in respect of tax deducted for payments other than salary) for the quarter ending March 31, 2022
15.06.2022	Certificate of TDS	FY 2021-22	Certificate of tax deducted at source to employees in respect of salary paid and tax deducted during Financial Year 2021-22
15.06.2022	Form 24G by Government officer	May 2022	Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of May, 2022 has been paid without the production of a challan
15.06.2022	Form No. 3BB	May 2022	Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of May, 2022
15.06.2022	Statement of Income in Form 64D	FY 2021-22	Furnishing of statement (in Form No. 64D) of income paid or credited by an investment fund to its unit holder for the Previous year 2021-22

15.06.2022	Electronic Challan cum Return (ECR) (PF)	May 2022	E-payment of Provident Fund
15.06.2022	ESI Challan	May 2022	ESI payment
29.06.2022	Statement by Eligible Investment Fund	FY 2021-22	Due date for e-filing of a statement (in Form No. 3CEK) by an eligible investment fund under section 9A in respect of its activities in financial year 2021-22
30.06.2022	TDS Challan-cum-statement	May 2022	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194 IB, 194M
30.06.2022	Return for Securities transaction tax	FY 2021-22	Return in respect of securities transaction tax for the financial year 2021-22
30.06.2022	Non-TDS Return by banking company	Quarter ending March 2022	Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending March 31, 2022
30.06.2022	Form No. 64C	FY 2021-22	Statement to be furnished (in Form No. 64C) by Alternative Investment Fund (AIF) to units holders in respect of income distributed during the previous year 2021-22
30.06.2022	Report by public sector company	FY 2021-22	Report by an approved institution/public sector company under Section 35AC(4)/(5) for the year ending March 31, 2022
30.06.2022	Form 64B	FY 2021-22	Due date for furnishing of statement of income distributed by business trust to its unit holders during the financial year 2020-21. This statement is required to be furnished to the unit holders in form No. 64B