

Tax Audit under Income Tax Act, 1961

CA Chintan Gandhi

Audit– Basic Principles

True and Fair Value of Financial Statements

Generally Accepted Auditing Principles / Standards of Auditing

Audit Programme, Audit Sampling , Test check method for Audit Evidence

Reliance of work done by other auditors / professionals

Documentation

Concept of Materiality, Prudence , Substance over Form - Accounting

Guidance Note & Implementation Note issued by ICAI

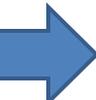
Section 44AA - Books of Accounts

- **Notified Professionals (Eg. Legal, medical, engineering etc] – As prescribed**
- **Any other person carrying on business / profession (other than above)**
 - **PGBP > one lakh twenty thousand rupees or**
 - **Total sales, turnover or gross receipts, > 10 lakh rupees**

in any of 3 immediately preceding PYs or in current PY in case of new business / profession
- **For Individual / HUF – PGBP > 2.5 lacs or Sales / TO / GR > 25 lacs**
- **Lower Profits than what is deemed u/s 44AE, 44BB, 44BBB**
- **Applicability of 44AD(4) and income exceeds basic exemption limit**

Keep and Maintain such Books of account & other documents as may enable the AO to compute his total income

Section 44AB



Business - Total sales/turnover /gross receipts > 1 cr



Profession - Gross receipts > 50 lacs



Lower Profits than what is deemed u/s 44AE, 44BB, 44BBB



Lower Profits than what is deemed u/s 44ADA and income exceeds basic exemption limit



Applicability of 44AD(4) and income exceeds basic exemption limit

Section 44AB – Penalty

- **Section 271B - 0.5% of Turnover – Maximum Rs. 1,50,000/-**
- **Section 273B – Penalty not to be imposed if there is a reasonable cause**
- **Reasonable Cause can be**
 - **Bona Fide interpretation of turnover based on expert advice**
 - **Death or physical disability of partner in charge of accounts**
 - **Labour Problems**
 - **Fire, Theft, etc.**
 - **Non availability of accounts due to seizure**
 - **Natural Calamity**
 - **Non completion of audit of earlier years**

Section 44AD / 44ADA / 44AE

44AD

- **Eligible Business / Non Eligible Business**
- **Eligible Assessee**
- **PGBP – 6/8% of Turnover or higher amount**
- **Audit in case of discontinuance within 5 years from the year first adopted (excluding the first year) and income exceeds basic exemption limit**

44ADA

- **Any profession where gross receipts < 50 lacs**
- **PGBP – 50% of Gross Receipts or higher**
- **Audit in case where income claimed to be lower 50% and and income exceeds basic exemption limit**

44AE, 44BB and 44BBB – Deal with Specific Businesses

Business or Profession

"Business" includes any trade, commerce, or manufacture or any adventure or concern in the nature of trade, commerce or manufacture.

- **Profession** includes vocation
- **CIT Vs. Manmohan Das (Deceased) [1966] 59 ITR 699 (SC)**
 - Purely intellectual skill or
 - Manual skill controlled by the intellectual skill
 - Different from an operation which is substantially the production or sale or arrangement for the production or sale of commodities

Notified Professionals – Rule 6F

- | | |
|------------------------------------|--------------------------------|
| • <u>Accountancy</u> | • <u>Film Artists/Actors,</u> |
| • <u>Architectural</u> | • <u>Interior Decoration</u> |
| • <u>Authorised Representative</u> | • <u>Legal</u> |
| • <u>Company Secretary</u> | • <u>Medical</u> |
| • <u>Engineering</u> | • <u>Technical Consultancy</u> |

Sales / Gross Receipts / Turnover

TURNOVER

- Aggregate of sales effected or services rendered
- Trade discounts, Sales Returns - to be deducted from sales
- Sales of scrap to be included in turnover.

Indirect Tax
– include or
not ?

GROSS RECEIPTS

- All receipts whether in cash or in kind arising from carrying on of business or profession (as the case may be) assessable as PGBP [Except amounts received in the nature of pure reimbursements]

44AD,
44ADA etc.

Non-
Operating
Income ?

Business +
Profession ?

Specific Businesses
– Eg. Speculation,
Agency ,
Derivatives etc

Documentation for Appointment

- Letter of Appointment
- NOC from previous Auditor

Form No. 3CA/3CB- Rule 6G

Form 3CA

- In case of a person carrying business or profession whose accounts are required to be audited under any other law.
- Name of the statutory auditor, if not same as tax auditor

Form 3CB

- Person other than those referred in Form 3CA.
- Person whose accounts are required to be audited under other law but accounting year is different from PY .
[Circular : No. 561, dated 22-5-1990]
- Separate place for discrepancies, comments, observations on the financial statements
- True and Fair view of B/s and P/L
- No of branches to be mentioned

Particulars furnished are TRUE and CORRECT

Form 3CA / 3CB Qualifications

Select

Proper books of account, to unable reporting reporting in form 3CD, have not been maintained by the assessee.

All the information and explanations which to the best of my/our knowledge and belief were necessary for the purpose of my/our audit has not been provided by the assessee.

Documents necessary to verify the reportable transaction were not made available.

Proper Stock records are not maintained by the assessee.

Valuation of closing stock is not possible.

Yield/percentage of wastage is not ascertainable.

Records necessary to verify personal nature of expenses not maintained by assessee.

TDS returns could not be verified with the books of account.

Records produced for verification of payments through account payee check were not sufficient.

Form 3CA / 3CB Qualifications

Select

Amount of expenses related to exempt income u/s 14A of Income-tax Act, 1961 could not be ascertained.

Creditors under Micro, Small and Medium Enterprises Development Act, 2006 are not ascertainable.

Prior period expenses are not ascertainable from books of account.

Fair market value of shares u/s 56 (2) (viiia)/(viiib) is ascertainable.

Reports of audit carried by Excise/Service tax Department were not made available.

GP Ratio is not ascertainable from the financial statements prepared by the assessee.

Information regarding demand raised or refund issued during the previous year under any tax laws other than Income-tax Act, 1961 and Wealth tax Act, 1957 was not made available.

Others

Form 3CA / 3CB – Standard Observations

Qualification Type	Observation/Qualification
Records produced for verification of payments through account payee cheque were not sufficient	Clause 21(d)- Section 40A(3) & 40A(3A):- It is not possible for us to verify whether payments exceeding Rs.10,000/- have been made otherwise than by account payee cheque or bank draft, as necessary evidence is not in possession of assessee.
Proper Stock Records are not maintained by the assessee .	Day to day stock records are not maintained and in absence of the same it is not possible to reconcile quantitatively the opening stock, purchases, sales and closing stock.
Creditors under Micro, Small and Medium Enterprises Development Act, 2006 are not ascertainable	Clause 22:- Assessee is not aware of any Interest payable to concern which are registered under Micro, Small and Medium enterprises.

Form 3CA / 3CB – Standard Observations

Qualification Type	Observation/Qualification
Recorded necessary to verify personal nature of expenses are not maintained by assessee	Clause 21(a)- Personal expenditure:-In the absence of specific details 10% of Telephone Expenses and 10% of Motar Car Expenses are treated as personal expenses.
Others	Clause 34(b): TDS We have verified compliance with provisions of Chapter XVII-B regarding the TDS regarding the payment thereof to credit of Central Govt in accordance with generally accepted Auditing Standards which include test check and concept of materiality. We have verified compliance with the provisions of Chapter XVII - B related to proprietary concern only.
	Physical copy of Form No. 3CB and 3CD contains certain explanatory and other notes to various clauses which do not find place in electronic form. In view of this, electronic Form no. 3CD should be read together with all notes appearing in the physical form and in case of any conflict, details provided in physical copy shall prevail.

Form 3CA / 3CB – Standard Observations

Qualification Type	Observation/Qualification
Others	Clause 31(b), (bb), (bd), (c), & (e)- Section 269SS, 269T and 269ST:- It is not possible to verify taking or accepting loan or deposit or specified sum, or repayment of same as specified in section 269SS / 269T or receipt/payment in excess of limit specified in section 269ST, were made by account payee cheque / bank draft as necessary evidence are not possession of assessee.
	We have verified compliance to provisions of s. 139A(5)(c) in accordance with generally accepted Auditing Standards which include test check / concept of materiality.
	GST on closing stock is not included in valuation. Since same is factored in valuation prescribed u/s 145A, it is not mentioned under clause No. 13 of 3CD.
	Section 145 A - Assessee is following exclusive method of accounting for purchase, sales and inventories. However, as per the Guidance Note on Tax Audit issued by the ICAI there is no impact on the profit of the assessee.

Form 3CD – Clause 1 - 8

Particulars are True and Correct

Rely upon the judicial pronouncements while taking any particular view

Suitable cross reference in case of particular item of income / expenditure is covered in more than one of the specified clauses

In case of difference of opinion between auditor & assessee, both view points & relevant information to be stated

Date of Audit Report and Date of Return Filing

Form 3CD – Clause 1 - 8

Clause No.	Name
1	Name of the assessee
2	Address
3	PAN
4	Whether the assessee is liable to pay indirect tax. If yes, furnish the registration no./ identification no. allotted for the same
5	Status
6	Previous year
7	Assessment year
8	Relevant clause of the section 44AB under which audit has been conducted

In case of tax audit of any branch, name of the branch to be mentioned

Form 3CD – Clause 1 - 8

Indirect Taxes

- If the assessee has not obtained Registration number even though he is liable to pay indirect taxes, reporting to be done.
- Obtain a MRL for the list of indirect taxes applicable to the assessee alongwith registration numbers case of multiple registrations, a copy of all registration certificates is to be obtained.

Status of the Assessee

• <u>Individual</u>	• <u>Trust</u>
• <u>HUF</u>	• <u>AOP / BOI</u>
• <u>Firm / LLP</u>	• <u>Local Authority</u>
• <u>Company</u>	• <u>Co-operative Society</u>
• <u>Artificial Juridical Person</u>	• <u>Co-operative Bank</u>

Form 3CD – Clause 1 - 8

Relevant Clause of Section 44AB

- Clause (a)- If total sales, turnover or gross receipt in business exceeds Rs. 1 Crore
- Clause (b)- If his gross receipts in profession exceed Rs. 50 lakh
- Clause (c)- If Profits u/s 44AE, 44BB or 44BBB claimed to be lower than the presumptive profits and gains
- Clause(d)- If Profits u/s 44ADA claimed to be lower than the presumptive profits and gains
- Clause(e)- If Profits u/s 44AD claimed to be lower than the presumptive profits and gains

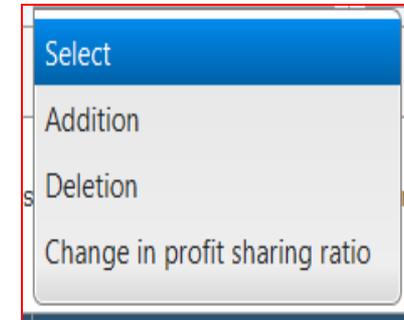
Form 3CD - Clause No. 9

Clause 9(a)

If firm or Association of Persons, indicate names of partners/members and their profit sharing ratios.

Format in e-utility

Name	Profit sharing ratio (%)



A dropdown menu with a blue header 'Select' and four options: 'Addition', 'Deletion', and 'Change in profit sharing ratio'. A red arrow points from this menu to the 'Type of change' dropdown in the table below.

Clause 9(b)

Only in case of AOP

If there is any change in the partners or members or in their profit sharing ratio since the

S.No.		Date of change	Name of Partner /Member	Type of change	Old profit sharing ratio	New profit Sharing Ratio	Remarks
1	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	Select 	<input type="text"/>	<input type="text"/>	<input type="text"/>

Form 3CD - Clause No. 9

- This applies to Firm, Association of Persons (AOPs) and LLPs
- “Profit Sharing Ratio” would include Loss sharing ratio also as “Loss” is nothing but negative profit.
- All the changes occurring during the entire previous year must be stated.
- Change in remuneration not to be reported- The Clause would not cover any change in relation to payment of remuneration or interest to partners or members without change in Profit/ Loss Sharing ratio .

Documentation

- Supplementary / Admission / Retirement deeds
- Filings with ROF / ROC (wherever applicable)
- Minutes of meetings recording such changes

Form 3CD - Clause No .10

- a) Nature of business or profession. (if more than 1 business/ profession is carried on during the P.Y, nature of every business/ profession)

Sector	Subsector	code

- b) If there is any change in the nature of business or profession, the particulars of such change.

Business	Sector	Subsector	code
<div data-bbox="255 996 531 1172"><p>Select Added Discontinued</p></div>			

Permanent Discontinuance to be reported
Documentation – Change in object clause, directors report, etc.

Form 3CD - Clause No. 11

Clause 11(a)

Whether books of account are prescribed under Section 44AA, **if yes**, list of books so prescribed.

Clause 11 (b)

- List of books of account maintained and
- Address at which the books of accounts are kept.

*(If maintained in a computer system, mention the books of account generated by such computer system. **If the books of accounts are not kept at one location, please furnish the addresses of locations along with the details of books of accounts maintained at each location.**)*

Clause 11 (c)

List of books of account and nature of relevant documents examined.

Obtain a list of places where books are kept

Relevant Documents to be mentioned

S.No.		Books maintained	Address Line 1	Address Line 2	City or Town or District	State	PinCode
1	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select <input type="text"/>	<input type="text"/>

State outside India also covered

Form 3CD - Clause No. 11

Prescribed Books - RULE 6F

- Cash book
- Journal (if the accounts are kept on mercantile basis)
- Ledger
- Serial numbered carbon copies of the bills and receipts issued
- Original purchase bills/ payment vouchers.
- Daily case register in Form No. 3C (Medical Professional)
- Stock of drugs, medicines & other consumable accessories (Medical Professional)

Prescribed books of account are to be kept at the place of profession or principal place of profession, if carried at more than one place

To be maintained for a period of 6 years from end of relevant AY

Form 3CD - Clause No. 12

Clause 12 . Whether **the profit and loss account includes** any profits and gains assessable on presumptive basis, if yes, indicate the amount and the relevant sections

S. No.	Section/ Chapter/ Schedule	Business Covered
1.	44AD	Presumptive basis – Business
2	44ADA	Presumptive basis – Profession
3.	44AE	Transport business
4.	44B	Shipping business of a non-resident
5.	44BB	Business of exploration, etc., of mineral oils.
6.	44BBA	Operation of aircraft by non-resident.
7.	44BBB	Civil construction etc. in certain turnkey power project by NR
8.	Chapter XII-G	Special provisions relating to income of shipping companies
9.	First Schedule	Rules for Section 44- Insurance Business
10.	Any other Section	Eg Section 44D and 115A(1)(b)

Form 3CD - Clause No. 12

- What needs to be reported is whether profit and loss account includes any profits and gains assessable on presumptive basis, and if yes, the quantum
- In case of composite business, if the books of accounts are commonly maintained, apportionment of the common expenses is on reasonable estimate.
- Turnover basis is mostly accepted by I-Tax Dept.

Form 3CD - Clause No. 13

- a) Method of accounting employed in the previous year.
- b) Whether there has been any change in the method of accounting employed vis-a-vis the method employed in the immediately preceding previous year.
- c) If answer to (b) above is affirmative, give details of such change, and the effect thereof on the profit or loss.

Serial number	Particulars	Increase in profit (Rs.)	Decrease in profit (Rs.)

Form 3CD - Clause No. 13

d) Whether any adjustment is required to be made to the profits or loss for complying with the provisions of income computation and disclosure standards notified under section 145(2).

e) If answer to (d) above is in the affirmative, give details of such adjustments

Sr. No	Particulars	Increase in profit (Rs.)	Decrease in profit (Rs.)	Net effect

f) Disclosure as per ICDS

ICDS	Disclosure

Form 3CD - Clause No. 13

- **U/s 145** - The income chargeable under the head “PGBP” or “Income from other source” must be computed in accordance with either cash or mercantile system of accounting **regularly employed** by the assessee.
- The hybrid system of accounting (i.e. mixture of cash and mercantile) is not permitted.
- **U/s 145(2)- ICDS** to be followed by all assessees following mercantile system of accounting

Points to be taken care off –

- Change in accounting policy does not amount to change in method of accounting and thus need not be reported.
- Change in method of valuation of stock is not a matter of change in method of accounting but only a change in accounting policy.
- If there has been any change in method of accounting employed, the effect i.e. Increase or decrease in profits has to be stated.

Form 3CD - Clause No. 14

a) Method of valuation of Closing stock employed in the previous year.

b) In case of deviation from the method of valuation prescribed under Section 145A, and the effect thereof on the profit or loss, please furnish:

Serial number	Particulars	Increase in profit (Rs.)	Decrease in profit (Rs.)

Form 3CD - Clause No. 15

145A – Valuation of Inventory -

- i. Shall be made at lower of actual cost or NRV computed in accordance ICDS ;
- ii. the valuation of purchase and sale of goods or services and of inventory shall be adjusted to include the amount of any tax, duty, cess or fee (by whatever name called) actually paid or incurred by the assessee to bring the goods or services to the place of its location and condition as on the date of valuation;
- iii. the inventory being securities not listed shall be valued at actual cost initially recognised in accordance with the ICDS notified under sub-section (2) of section 145;
- iv. the inventory being securities other than those referred to in clause (iii), shall be valued at lower of actual cost or NRV as per ICDS

Provided further that the comparison of actual cost and net realisable value of securities shall be made category-wise.

Explanation 1.—For the purposes of this section, any tax, duty, cess or fee (by whatever name called) under any law for the time being in force, shall include all such payment notwithstanding any right arising as a consequence to such payment.

Form 3CD - Clause No. 15

Give the following particulars of the capital asset converted into stock-in-trade

Description of capital asset	Date of acquisition	Cost of acquisition	Amount at which asset is converted to stock-in-trade

Section 55(2)

As per books –
may or may not
be at FMV

Section 45(2)

- Chargeable to tax as income of PY in which such stock-in-trade is sold
- Fair market value of the asset on the date of such conversion - be deemed to be the full value of the consideration

**Cost of Acquisition as per section 55(2)
Section 47(iv)/(v) and Section 47A to be kept in mind**

Form 3CD - Clause No. 16

Amounts not credited to the Profit and Loss Account, being,—

- a) The items falling within the scope of Section 28.
- b) The Performa credits, drawbacks, refund of duty of customs or excise or service tax or refund of sales tax, or Value Added Tax where such credits, drawbacks or refunds are admitted as due by the authorities concerned.
- c) Escalation claims accepted during the Previous Year;
- d) Any other item of income;
- e) Capital receipt, if any.

Only accepted
and not under
negotiations

In the following format:

Description	Amount

Form 3CD - Clause No. 16

Section 28

- FMV of inventory on date of conversion into capital asset
- Value of any benefit or perquisite, whether convertible into money or not
 - Company / Firm eligible to Free Vacation due to achieving target sales – utilised by Director / Partner – Section 28
- Compensations / Non Compete Fees / Maturity of Keyman Insurance Policy
- Sum received on transfer of capital asset u/s 35AD on which 100% deduction claimed

Capital receipt, if any.

- Whether LIC Maturity etc. to be reported as Capital Receipts
- Incomes credited directly to capital account of proprietor
- Insurance Claims received
- Profit on sale of assets not credited to P/L
- Items directly credited to capital / other reserves
- Capital Subsidy directly paid to the vendor to buy a fixed asset
- Items directly reducing the cost of fixed assets – eg. Govt. grant

Documentation – Assessment / Claim / insurance / Contract / Indirect tax law files etc

Form 3CD - Clause No. 17

Where any **land or building or both is transferred** during the previous year for a consideration less than the value adopted or assessed or assessable by any authority of a State Government referred to in **Section 43CA or 50C**, please furnish:

Details of property	Consideration received or accrued	Value adopted or assessed or assessable
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S. No.	Details of Property	Address of Property					Consideration received or accrued	Value adopted or assessed or assessable
		Line 1	Line 2	City/Town	State	Pin code		



State outside India also covered

Form 3CD - Clause No. 17

- **Stamp Duty Value adopted < 105% of the consideration, no implications u/s 43CA and 50C – Whether to report or not ?**
- **In case agreement fixing the value of consideration is before the date of registration, stamp duty value as on date of agreement, provided consideration in full or part received by way of on or before the date of agreement for transfer of the asset**
- **Distressed Sale ?**
- **Stamp Duty value > Fair Market Value ?**
- **Check whether assets fall under relevant section – eg. Leasehold rights, TDR sale, Tenancy Rights, Transfer of right in property etc**
- **Documentation – Sale deeds, Valuation certificate, Ready reckoner rates, tax opinion etc.**

Form 3CD - Clause No. 18

Particulars **of depreciation allowable** as per the Income-tax Act, 1961 in respect of **each asset or block of assets**, as the case may be, in the following forms:-

- a) Description of asset/ block of assets.
- b) Rate of Depreciation (in percentage)
- c) actual cost or written down value, as the case may be.
- d) Additions/deductions during the year with dates; in the case of any addition of an asset, date to put to use;

Date of addition/deductions, Particulars, Amount, In case of addition- date put to use. In case of deduction- NA

Adjustments on account of

- i. **Central Value Added Tax** credit claimed & allowed under the Excise Rules
- ii. Change in the rate of exchange of currency, and
- iii. Subsidy or grant or reimbursement, by whatever name called.

d) Depreciation allowable

e) Written down value at the end of the year.

Form 3CD - Clause No. 18

S.No.	Description of the block of Assets/class of assets	Rate of depreciation	Opening WDV/ actual (A)

Date of purchase and date put to use

Additions

Details	Purchase Value (1)	Adjustments on account of			Total value of purchase (B) (1+2+3+4)
Import CSV		CENVAT (2)	Change in rate of exchange (3)	Subsidy / grant (4)	
Fill Data					
View Data					
Additions CSV Template Deductions CSV Template Help					

Details	Deductions (C)	Depreciation allowable	WDV at the end of the year (A+B+C-D)
Import CSV			
Fill Data			
View Data			

Form 3CD - Clause No. 18

- Claim of Depreciation – Mandatory [Explanation 5]
- NEW APPENDIX I or APPENDIX IA (in case of generation /distribution of power]
- Impact of provision of section 43A, if any
- Disregard cash payments of more than 10,000 for acquiring the asset
- Discontinuance of Asset for the purposes of business
- Personal Use (proportionate disallowance)
- Regd. Owner vs Beneficial Owner (Asset Regd. In the name of partner / director)
- In case of conversion from Stock to Fixed Asset, FMV as on the date of conversion
- Additional Depreciation – 20% (35% in case of backward area)
 - New machinery or plant (other than ships and aircraft)
 - Not being office appliances or road transport vehicles;
 - Other than installed in any office premises or any residential accommodation
 - Business of manufacture or generation, transmission or distribution of power

Documentation – Invoices, Forex Loan statements, Expert valuation (conversion), Physical verification, Cenvat credit set-off, details, Govt. grant papers etc.

Form 3CD - Clause No. 19

Amounts admissible under sections :

32AC, 32AD, 33AB, 33ABA, 35(1)(i), 35(1)(ii), 35(1)(iia), 35(1)(iii), 35(1)(iv), 35(2AA), 35(2AB) 35ABB, 35AC, 35AD, 35CCA, 35CCB, 35CCC, 35CCD, 35D, 35DD, 35DDA, 35E.

Section	Amount debited to profit and loss account	Amounts admissible as per the provisions of the Income Tax Act, 1961 and also fulfils the conditions, if any specified under the relevant provisions of Income Tax Act, 1961 or Income Tax Rules, 1962 or any other guidelines, circular, etc., issued in this behalf

Form 3CD - Clause No. 19

- Amount debited to the P&L Account
- Amount admissible under the provisions needs to be reported.
- The tax auditor needs to specify the capital expense incurred and allowed as deduction for Computation of Profit & Gain as per the provisions of Income Tax Act/Rules/other guidelines/circular, etc. under this Clause.
- **The tax auditor is also required to report whether the conditions specified in these Sections have been fulfilled by the assessee or not.**
 - What if separate auditor is appointed to conduct the audit under relevant section ?

Form 3CD - Clause No. 20

Clause 20(a)

Any sum paid to an employee as bonus or commission for services rendered, where such sum was otherwise payable to him as profits or dividend. **[Section 36(1)(ii)].**

Description	Amount

“Sec. 36(1)(ii)- any sum paid to an employee as bonus or commission for services rendered, where such sum would not have been payable to him as profits or dividend if it had not been paid as bonus or commission”

Clause 20(b)

Details of contributions received from employees for various funds as referred to in Section 36(1)(va)

Serial number	Nature of fund	Sum received from employees	Due date for payment	The actual amount paid	The actual date of payment to the concerned authorities

Form 3CD - Clause No. 20

- **“Due date”** means the date by which the assessee is required as an employer to credit an employee’s contribution to the employee’s account in the relevant fund under any Act [*Explanation to Section 36(1)(va)*].
 - For determining due date of payment, **period of grace** (If any provided) for making payment may be considered [*Para 29.5 of Guidance Note*].
- **Only disclosure of amount is required but the Auditor’s opinion about its allow-ability or otherwise is not required.**
- **Documents**
 - List of applicable labour laws
 - Challans of payment
 - Extracts of other laws for due dates
 - Employment Agreements etc.

Form 3CD - Clause No. 21

Clause 21(a)

Please furnish the details of amounts debited to the profit and loss account, being in the nature of capital, personal, advertisement expenditure etc.

Nature	Particulars	Amount in Rs.
1. Capital expenditure		
2. Personal Expenditure		
3. Advertisement expenditure in any souvenir, brochure, tract, pamphlet or the like, published by a political party		
4. At Clubs being entrance fees and subscriptions		
5. Cost for club services and facilities used.		
6. Penalty or fine for violation of any law		
7. Any other penalty or fine <u>not covered above</u>		
8. Any purpose which is offence or prohibited by law		

Form 3CD - Clause No. 21

Capital Expenditure

- Capital vs. Revenue – Principles and Judgments
 - Existence an asset or advantage of enduring benefit.
 - Whether it is referable to fixed capital or fixed assets in contrast to circulating capital or current assets.
 - Whether it relates to the basic framework of the assessee's business.
 - Whether it is an expenditure to acquire an intangible asset.

Personal Expenditure

- Company cannot have personal expenses because it is an artificial entity, which does not have personal needs and thus use of vehicles for directors cannot be treated as personal use by the company. [Sayaji Iron and Engg. Co. v. CIT [2002] 253 ITR 749 (Guj.)]

Form 3CD - Clause No. 21

Advertisement in any souvenir, brochure etc. published by a political party

- Keep in mind section 80GGB & 80GGC which allow deduction in respect of contribution made by corporate and non-corporate assesseees respectively to political parties

Expenditure incurred at clubs being cost for club services and facilities used, entrance fees and subscriptions:

- To ascertain whether such expenses are for business or personal. If personal, they are to reported under Clause 21(a)
- Check credit card expenses

Ransom, Compounding
Fees, Bribe etc.

Penalty or fine, Expenditure incurred for offence

- Tax auditor is not required to express any opinion as to the allowability or otherwise of the amount of penalty or fine for violation of law.
- Does not include payment for contractual breach or liquidator damages
- Payment comprising both compensation and penalty, deduction of component which is compensatory in nature Swadeshi Cotton Mills (1998) 233 ITR 199

Form 3CD - Clause No. 21

Clause 21(b)

Amounts inadmissible under Section 40(a):-

(i) as payment to **non-resident** referred to in sub-Clause (i)

(A) Details of payment on which tax is not deducted:

Date of payment	Amount of payment	Nature of payment	PAN if available	Name and address of the payee

(B) Details of payment on which tax has been deducted but has not been paid during the previous year or in the subsequent year before the expiry of time prescribed under Section 200(1)

Date of payment	Amount of payment	Nature of payment	PAN if available	Name & address of payee	Amount of tax deducted

Form 3CD - Clause No. 21

- Check for actual remittances made overseas by the assessee during the relevant previous year
- Check whether tax deducted or not
- Reliance upon the legal opinion and/or certificates from CAs based upon which remittances have been made without deduction of tax at source.
- Refer the applicable Double Taxation Avoidance Agreement (DTAA)
- In case of no remittance, check whether any amount has been provided in the books and
- In case of disagreement on tax withholding, the same may be specified in the report
- **Section specifies that payment to be done before due date of filing the ROI, where as the form specified due date as per Section 200(1)**

If payment of tax after the due date u/s 139(1), expense allowed in the said PY

If assessee not deemed to be in default section 201(1), then, it shall be deemed that assessee has deducted and paid the tax on date of furnishing of ROI by the payee

Form 3CD - Clause No. 21

21(b) (ii) as payment referred to in sub-Clause (ia) • • •

Payment to Resident

(A) Details of payment on which tax is not deducted:

date of payment	amount of payment	nature of payment	PAN if available	name and address of the payee

(B) Details of payment on which tax has been deducted but has not been paid on or before the due date specified in Sec. 139(1)

date of payment	amount of payment	nature of payment	name and address of the payer	amount of tax deducted	PAN if available	amount out of (VI) deposited, if any

Form 3CD - Clause No. 21

- 30% disallowance of expenses - However reporting to be done for full amount
- Paid vs Payable – **Palam Gas Service Vs. CIT (2017) 394 ITR 300 (SC)**

Word 'payable' occurring in section 40(a)(ia) not only covers cases where amount is yet to be paid but also those cases where amount has actually been paid

If payment of tax after the due date u/s 139(1), 30% expense allowed in the said PY

If assessee not deemed to be in default section 201(1), then, it shall be deemed that assessee has deducted and paid the tax on date of furnishing of ROI by the payee

Form 3CD - Clause No. 21

Clause 21 (b)

(iii) As payment referred to in sub clause (ib) [As per e-filing utility but not in form 3CD]

Section 40(a)(ib)- Equivilisation Levy

Disclosure similar to TDS – ‘not deducted’ or ‘deducted by not paid’

(iv) Under Sub-Clause (ic) [Wherever applicable]

Section 40(a)(ic)- Any sum paid on account of **fringe benefit tax** under Chapter - XIIH.

v) Under Sub-Clause (iia)

Section 40(a)(iia)- Any sum paid on account of **wealth-tax**.

Form 3CD - Clause No. 21

(vi) Under Sub-Clause (iib)

Section 40(a)(iib)-

(A) Royalty, licence fee, service fee, privilege fee, service charge or any other fee or charge, by whatever name called, which is levied exclusively on; or

(B) which is appropriated, directly or indirectly, from,
a State Government undertaking by the State Government.

(vii) Under Sub-Clause (iii) - Salary payable outside India/to a non resident without TDS etc. under clause 21(b)(vii)

date of payment	amount of payment	PAN if available	name and address of the payee

**Permanent Disallowance in case of default in TDS on salary paid to NR -
No exceptions like in case of 40(a)(i)**

Form 3CD - Clause No. 21

(viii) Under Sub-Clause (iv)

Section 40(a)(iv)- Payment to a PFs or other fund established for the benefit of employees, unless the effective arrangements to secure TDS from any payments made from the fund chargeable to tax as "Salaries"

(ix) Under Sub-Clause (v)

Section 40(a)(v)- Any tax actually paid by an employer referred to in Clause (10CC) of Section 10.

Section 10(10CC)- Tax on Non monetary perquisites borne by employer exempt in the hands of employee

Form 3CD - Clause No. 21

Clause 21(c)

Amounts debited to profit and loss account being, interest, salary, bonus, commission or remuneration inadmissible under Section 40(b)/40(ba) and computation thereof;

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S.No.	Particulars	Section	Amount debited to P/L A/C	Amount admissible	Amount inadmissible	Remarks
1	Select	Select				

+ Add X Delete

- Select
- Interest
- Salary
- Bonus
- Commission
- Remuneration

- Select
- 40(b)
- 40(ba)

Form 3CD - Clause No. 21

- Payment of salary / bonus / commission / remuneration to any partner who is not a working partner
- Remuneration to any working partner not in terms of deed
- Interest to any partner not authorized or not in accordance with the terms of partnership deed
- Remuneration or interest, though authorized, relating to period prior to the partnership deed
- Interest in excess of 12%
- Remuneration in excess of
 - (a) Upto book profit of Rs. 3 lacs – Higher of Rs. 1.5 lacs or 90 %;
 - (b) On the balance the book-profit - 60%Book profit – as per the provisions of the Chapter IV-D before remuneration
- Interest (net) , salary, bonus, commission or remuneration paid by **AOP / BOI to member**

Documentation – Partnership Deed, Capital Partners Capital / Current A/c

Form 3CD - Clause No. 21

Clause 21(d)

(d) Disallowance/deemed income under Section 40A(3):

- A. On the basis of the examination of books of account and other relevant documents/evidence, whether the expenditure covered under Section 40A(3) read with rule 6DD were made by account payee cheque drawn on a bank or account payee bank draft. If not, please furnish the details:
- B. On the basis of the examination of books of account and other relevant documents/evidence, whether the payment referred to in Section 40A(3A) read with rule 6DD were made by account payee cheque drawn on a bank or account payee bank draft. If not, please furnish the details of amount deemed to be the profits and gains of business or profession u/s 40A(3A):

Serial number	Date of payment	Nature of payment	Amount	Name and Permanent Account Number of the payee, if available

Form 3CD - Clause No. 21

Clause 21(e)

e) Provision for payment of gratuity not allowable under Section 40A(7);

Section 40A(7)- Provision for the payment of gratuity except

- a) Payment of any contribution to an approved gratuity fund
- b) Payment of any gratuity crystallized during the previous year

f) any sum paid by the assessee as an employer not allowable under Section 40A(9);

Section 40A(9)-

No deduction for any sum paid for setting up / formation of / contribution for any purpose, except provided u/s 36(1)(iv)/(iva)/(v), or as required by or **under any other law for the time being in force.**

- Recognized provident fund or Approved superannuation fund
- National pension scheme referred in section 80CCD
- Approved gratuity fund

Documentation - Approvals for relevant fund – PF, Superannuation or Gratuity , salary slip / gratuity calculation slip etc.

Form 3CD - Clause No. 21

Clause 21(g-i)

g) Particulars of any liability of a contingent nature.

Only if debited to P/L

S.No.		Nature Of Liability	Amount
1	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

h) Amount of deduction inadmissible in terms of Section 14A in respect of the expenditure incurred in relation to income which does not form part of the total income.

S.No.		Particulars	Amount
1	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

i) Amount inadmissible under the proviso to Section 36(1)(iii).

Interest in respect of capital borrowed for acquisition of asset (whether capitalized in books or not); for any period beginning from date on which the capital was borrowed till the date on which such asset was first put to use

Form 3CD - Clause No. 21

14A disallowance – Rule 8D

- (i) Expenditure directly relating to exempt income and**
- (ii) 1 % of annual average of the monthly averages of the opening and closing balances of the value of investment earning exempt income**

Provided that the amount referred to in clause (i) and clause (ii) shall not exceed the total expenditure claimed by the assessee

Various Judicial Pronouncements

- In absence of exempt income, Section 14A disallowance cannot be added to Section 115JB book profits
- No Disallowance U/s. 14A if Interest Free Fund exceeds fund Invested in Exempted Income Investments
- S. 14A No disallowance towards exempt income earned on strategic investments
- SLP filed against High Court upholding Tribunal's order holding that in absence of any exempt income, disallowance could not be made under section 14A was dismissed (SC) **[2019] 264 Taxman 76 (SC)**

Form 3CD - Clause No. 22

Amount of interest inadmissible under Section 23 of Micro Small and Medium Enterprises Development Act, 2006.

Section 23 of MSME Act, provides that:

“Notwithstanding anything contained in the Income-Tax Act, 1961, the amount of interest payable or paid by any buyer, under or in accordance with the provisions of this Act, shall not, for the purposes of computation of income under the Income-tax Act, 1961, be allowed as deduction.”

Note: The inadmissible interest has to be determined on the basis of the provisions of the MSMED Act, 2006. Delay in payment to buyer as per the said Act

Form 3CD - Clause No. 23

Particulars of any payment made to persons specified under Section 40A(2)(b).

S.No.		Name of Related Person	PAN of Related Person	Relation	Nature of trasaction	Payment Made(Amount)
1	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Form 3CD - Clause No. 23

Assessee	Related Parties – Person specified u/s 40A
Individual	<ul style="list-style-type: none">• Relative• Any assessee in which individual or his relative as SI
Company	<ul style="list-style-type: none">• Director or any relative of his• Any assessee in which Company or Director or his relative as SI
Firm	<ul style="list-style-type: none">• Partner or any relative of his• Any assessee in which Firm or Partner or his relative as SI
AOP	<ul style="list-style-type: none">• Member or any relative of his• Any assessee in which AOP or Member or his relative as SI
HUF	<ul style="list-style-type: none">• Member or any relative of his• Any assessee in which HUF or Member or his relative as SI
All assessee	<ul style="list-style-type: none">• Individual having SI in business the assessee, or his relative
All assessee	<ul style="list-style-type: none">• Company, Firm, AOP or HUF having a substantial interest• Director, partner or member or any of their relative• Any other company in which first mentioned company has SI
All assessee	<ul style="list-style-type: none">• Company, firm, AOP or HUF of which director, partner or member, has SI• Any director, partner or member of such entity or their relative

Substantial Interest - 20% or more beneficial interest held

Form 3CD - Clause No. 23

- Tax auditor should obtain, from assessee, the list of 'specified persons' and expenditure/payment made to them and then scrutinize the items with reference to Sec. 40A(2).
- Amounts to be reported whether or not debited to Profit and Loss Account.
- The item does not require report of the auditor as to his own inference, whether the payment is excessive or unreasonable. He is required to specify the amounts paid to such related persons.
- In case of a large Assessee, it may not be possible to verify the list of all persons covered by this Section. Therefore, the information supplied by the assessee can be relied upon and **make an appropriate disclosure.**

Form 3CD - Clause No. 24

Amounts deemed to be profits and gains under Section 32AC or 32AD or 33AB or 33ABA or 33AC

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S.No.		Section	Description	Amount
1	<input type="checkbox"/>	Select ▼	<input type="text"/>	<input type="text"/>

Form 3CD - Clause No. 24

Section	Particulars
32AC - Investment in new plant or machinery	New asset on which additional depreciation has been claimed is sold or transferred within a 5 years from the date of its installation
32AD - Investment in new plant or machinery in notified backward areas in certain States.	New asset on which additional depreciation has been claimed is sold or transferred within a 5 years from the date of its installation
33AB - Tea / coffee / rubber development account	Amount deposited not utilized for purposes specified in the scheme or as stated in the section
33ABA - Site Restoration Fund	
33AC - Reserves for shipping business	Reserves not utilized for specified purposes

Form 3CD - Clause No. 25

Any amount of profit chargeable to tax under Section 41 and computation thereof.

S. No.	Name of person	Amount of income	Section	Description of transaction	Computation if any

Computation
working to
be stated

Form 3CD - Clause No. 25

Section	Particulars
41(1)(a)	Recovery of any loss or expenditure or remission or cessation of trading liability, earlier claimed as deduction (including remission or cessation by way of unilateral act)
41(1)(b)	Same as (a) but realized by successor of the business
41(2)	Balancing charge in case of sale of assets by power companies claiming depreciation under Appendix IA
41(3)	Capital asset on scientific research sold without having been used for other purposes
41(4)	Bad Debts Recovery
41(4A)	Withdrawal of any special reserve under 36(1) (<i>viii</i>)
41(5)	Set off loss in case of discontinuance of business – (1) (3) (4) (4A)

Form 3CD - Clause No. 26

In respect of any sum referred to in Clause (a), (b), (c), (d), (e) or (f) of Section 43B, the liability for which :-

- A. Pre-existed on the first day of the Previous Year but was not allowed in the assessment of any preceding Previous Year and was
 - (a) Paid during the Previous Year;
 - (b) Not paid during the Previous Year
- B. Was incurred in the previous year and was
 - (a) paid on or before the due date for furnishing the return of income of the previous year under Section 139(1);
 - (b) not paid on or before the aforesaid date

S.No.	Section	Nature of Liability	Amount

Even if not routed through P/L , the amount of GST collected but not paid to be reported

Form 3CD - Clause No. 26

- a. Tax, duty, cess or fee, by whatever name called, under any law for the time being in force,
- b. Employer Contribution to provident / superannuation / gratuity or any other welfare fund
- c. Employee bonus / commission
- d. Interest on any loan / borrowing from any specified institutions
- da Interest on any loan / borrowing from a deposit taking NBFC or NDSI NBFC [AY 2020-21]
- e. Interest on any loan or advances from a scheduled bank or a co-operative bank other than a primary agricultural credit society or a primary co-operative agricultural and rural development bank in accordance with the terms and conditions of the agreement governing such loan or advances,
- f. Leave Salary / Encashment
- g. Sum payable to Indian Railways for the use of railway assets,

Conversion of interest into loan doesn't amount to payment

Documents – Interest certificates from bank/ challans etc.

Form 3CD - Clause No. 27

Clause no. 27(a)

Amount of Central Value Added Tax / Input Tax Credit credits availed of or utilized during the previous year and its treatment in the profit and loss account and treatment of outstanding Central Value Added Tax credits / ITC in the accounts.

CENVAT	Amount	Treatment in Profit & Loss/Accounts
Opening Balance	<input type="text"/>	<input type="text"/>
CENVAT Availed	<input type="text"/>	<input type="text"/>
CENVAT Utilized	<input type="text"/>	<input type="text"/>
Closing /outstanding Balance	<input type="text"/>	<input type="text"/>

Documentation – Audit Reports, Returns etc.

Form 3CD - Clause No. 27

Clause 27(b)

Particulars of income or expenditure of prior period credited or debited to the profit and loss account.

S.No.	Type	Particulars	Amount	Prior period to which it relates (Year in yyyy-yy format)
1	Select			Select
<div style="display: flex; align-items: center;">+ Add x Delete <div style="border: 1px solid gray; padding: 5px; margin-left: 10px;">Select Income Credited Expenditure Debited</div></div>				
28	Whether in which	the assessee has received any property, being share of a company not being a company fully interested, without consideration or for inadequate consideration as referred to in		Select

Not Relevant where assessee follows cash system of accounting

Form 3CD - Clause No. 27

- Difference between expenditure/income of earlier year vis-à-vis expenditure/income relating to earlier year which is crystallized during year.
- Material adjustments necessitated by circumstances which though related to previous periods but determined in the current period, will not be considered as prior period items.
- U/s 145 - Material Charges (expense) or credit (income) which arise in the current year as a result of **error or omission** in the account of earlier years will be considered as prior period items. **AS-5 issued by ICAI need to be considered for the purposes of this Clause.**
- Assessee sustained loss due to theft in one year, but became finally irrecoverable in subsequent year. Held it was allowable in the year in which loss became irrecoverable. **CIT vs Durga Jewelers 172 ITR 134 (M.P)**
- Expenditure of the earlier years means expenditure which arose or which accrued in any earlier year and excludes any expenditure of an earlier year for which the liability to pay has crystallized during the year. **3i Infotech Limited, Vs. Assistant CIT [2010] 329 ITR 257 [Bom.]**

Form 3CD - Clause No. 29

Whether during the previous year the assessee received any **consideration for issue of shares** which exceeds the fair market value of the shares as referred to in **Section 56(2)(viib)**, if yes, please furnish the details of the same.

Pvt. Ltd. Company/
Closely held public
Ltd. company

← Consideration for
issue of shares exceeding FV

Resident

Recipient

S.No.	Name of the person from whom consideration received for issue of shares	PAN of the person, if available	No. of Shares issued	Amount of consideration received	Fair Market value of the shares
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Form 3CD - Clause No. 29

- FMV shall be value as prescribed u/r 11UA or as may be substantiated by the company to the satisfaction of the AO, based on value, on date of issue of shares, of its assets, including intangible assets whichever is higher.
- **Rule 11UA – Sub- Rule 2**
 - NAV Method or DCF Method (certificate to be issued only by Merchant Banker after w.e.f. 24-5-2018)
 - Difference in Rule 11UA(1)(c)(b) and 11UA(2) in relation to equity shares
- Section 56(2)(viib) not applicable to
 - VCU from a VCC or VCF
 - Start-Ups – Notification dated 5th March, 2019
 - i. Recognised by DPIIT as start-up
 - ii. Aggregate paid up share capital share premium < 25 cr (exclgd NRI and VC)
 - iii. Not invested in shares, residential house, jewellery etc.

Documentation – Valuation Reports, Board Resolutions, Filings with Registrar etc

Form 3CD - Clause No. 29A

Clause 29A (a): Whether any amount is to be included as income chargeable under the head 'income from other sources' as referred to in clause (ix) of sub-section (2) of section 56? (Yes/No);

Clause 29A (b): If yes, please furnish the following details:

S.No.	Nature of Income	Amount

Advance forfeited in the course of negotiations for transfer of a capital asset that not result in transfer – in the year of forfeiture

Documentation - Contracts between the parties, if any

Form 3CD - Clause No. 29B

Clause 29A (a): Whether any amount is to be included as income chargeable under the head 'income from other sources' as referred to in clause (x) of sub-section (2) of section 56? (Yes/No);

Clause 29B(b): If yes, please furnish the following details:

S.No.	Nature of Income	Amount

- i.** Sum of money, received without consideration, if it exceeds Rs.50,000
- ii.** IP received without consideration - stamp duty value exceeds Rs. 50,000
- iii.** IP received for inadequate consideration - Stamp duty value
 - i.** Rs. 50,000 (compared to consideration) and
 - ii.** 105% of consideration
- iv.** Property received without consideration - Aggregate FMV exceeds Rs. 50,000
- v.** Property received for inadequate consideration - Aggregate FMV exceeds consideration by Rs. 50,000

Form 3CD - Clause No. 29B

- In case of immovable property, provisions of section 50C regarding date of agreement and registration are different and stamp duty value disputed by the assessee are applicable
- Exemption for certain receipts
- Definition of Relative, Property
- In case of other assets, rule 11UA(1) read with rule 11U are to be followed for determination of the fair market value.
- What needs to be reported is income – Hence computation needs to be done

Property	
• IP being land or building or both	• Paintings
• Shares and Securities	• Sculptures
• Archaeological Collections	• Any Work Of Art
• Drawings	• Bullion;

Form 3CD - Clause No. 29B

56(2)(x) not applicable to sum of money or any property received—

- **from any relative;**
- **on the occasion of the marriage of the individual;**
- **under a will or by way of inheritance;**
- **in contemplation of death of the payer or donor, as the case may be;**
- **from any local authority as defined in the Explanation to clause (20) of section 10;**
- **from any institution referred to in 10(23C)**
- **from or by any trust or institution registered under section 12A or section 12AA; or**
- **by any institution referred to in 10(23C)(iv) (v) (vi) (via)**
- **Certain transaction not regarded as transfer specified clauses of section 47**
- **from an individual by a trust created solely for the benefit of relative of the individual.**

Documentation – Valuation certificates, agreements, list of relatives, demat accounts, etc.

Form 3CD - Clause No. 30A

Clause 30A

(a) Whether primary adjustment to transfer price, as referred to in sub-section (1) of section 92CE, has been made during the previous year? (Yes/No)

(b) If yes, please furnish the following details:-

- i. Under which clause of section 92CE (1) primary adjustment is made?**
- ii. (ii) Amount (in Rs.) of primary adjustment:**
- iii. Whether the excess money available with the associated enterprise is required to be repatriated to India as per the provisions of sub-section (2) of section 92CE? (Yes/No)**
- iv. If yes, whether excess money has been repatriated within the prescribed time (Yes/No)**
- v. If no, the amount (in Rs.) of imputed interest income on such excess money which has not been repatriated within the prescribed time:**

Form 3CD - Clause No. 30B

Clause 30B – Limitation on Interest Deduction

(a) Whether the assessee has incurred expenditure during the previous year by way of interest or of similar nature exceeding one crore rupees as referred to in sub-section (1) of section 94B? (Yes/No)

(b) If yes, please furnish the following details:-

- i. Amount (in Rs.) of expenditure by way of interest or of similar nature incurred:**
- ii. EBITDA during the previous year (in Rs.):**
- iii. Amount of expenditure by way of interest or of similar nature as per (i) above which exceeds 30% of EBITDA as per (ii) above:**
- iv. Details of interest expenditure b/f as per subsection (4) of section 94B:**
- v. Details of interest expenditure carried forward as per subsection (4) of section 94B:**

Form 3CD - Clause No. 31

Clause 31(a) Particulars of **each loan or deposit** in an amount exceeding the limit specified in Section 269SS taken or accepted during the previous year:-

S. no.	Name of the lender / depositor	Address of the lender/ depositor	PAN of lender / deposit or	Amount of loan/ deposit taken / accepted	Whether squared up during the year	Maximum amount O/S at anytime during the year	Whether accepted cheque or bank draft	If yes, whether a/c payee cheque or account payee bank draft

(Need not be given in the case of a Government company, a banking company or a corporation established by a Central, State or Provincial Act.)

Form 3CD - Clause No. 31

Clause 31(b) –

Particulars of each specified sum in an amount exceeding the limit specified in section 269SS taken or accepted during the previous year;

S. No.	Name of the person from, whom specified sum recd.	Address	PAN (if available)	Amount of specified sum taken / accepted	Whether accepted cheque or bank draft	If yes, whether a/c payee cheque or account payee bank draft

Specified sum means any sum of money receivable, whether as advance or otherwise, in relation to transfer of an immovable property, whether or not the transfer takes place.

Need not be given in the case of a Government company, a banking company or a corporation established by a Central, State or Provincial Act.)

Form 3CD - Clause No. 31

Section 269SS - Prohibits any person from taking / accepting from any other person, any loan or deposit or any specified sum, otherwise than by account payee cheque / bank draft or ECS or other electronic mode (prescribed) where

- a) Amount / aggregate amount of such loan, deposit and specified sum; or
 - b) Existing unpaid balance of loan or deposit or specified sum
 - c) Amount or the aggregate of above (a) & (b)
- is INR 20,000 or more

Non Compliance – Penalty u/s 271D

“Loan or deposit” means loan or deposit of money;

“Specified sum” means any sum of money receivable, whether as advance or otherwise, in relation to transfer of an immovable property, whether or not the transfer takes place.

Above provisions not applicable to sum taken / accepted from or by

- Government;
- Any banking company, post office savings bank or co-operative bank;
- Any corporation established by a Central, State or Provincial Act;
- Any Government company
- Other notified institution, association or body or class of institutions

Form 3CD - Clause No. 31

Clause 31(ba), (bb), (bc) and (bd) – Particulars of each receipt / payment made in an amount exceeding the limit specified in section 269ST, in aggregate from a person in a day or in respect of a single transaction or in respect of transactions relating to one event or occasion from a person,

- (ba) Each Receipt during the previous year, where such receipt is **otherwise than by a cheque or bank draft or use of ECS** through a bank account;
- (bb) Each Receipt during the previous year; received by a cheque or bank draft, **not being an account payee cheque / bank draft**,
- (bc) Each payment, **otherwise than by a cheque or bank draft or ECS** through a bank account during the previous year;
- (bd) Each payment, made by a cheque or bank draft, **not being an account payee cheque / bank draft**, during the previous year;

Form 3CD - Clause No. 31

Sr No.	Name of the Payer	Address of the payer	PAN, if available of the payer	Nature of Transaction	Amount of Receipt	Date of Receipt
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Sr No.	Name of the Payee	Address of the payee	PAN, if available of the payee	Nature of Transaction	Amount of Payment	Date of Payment
(1)	(2)	(3)	(4)	(5)	(6)	(7)

(Particulars at (ba), (bb), (bc) and (bd) need not be given in the case of receipt by or payment to a Government company, a banking Company, a post office savings bank, a cooperative bank or in the case of transactions referred to in section 269SS or in the case of persons referred to in Notification No. S.O. 2065(E) dated 3rd July, 2017)” 31

Form 3CD - Clause No. 31

- **Section 269ST - No person shall receive sum of Rs. 2 lakh or more**
 - a) in aggregate from a person in a day; or**
 - b) in respect of a single transaction; or**
 - c) in respect of transactions relating to one event or occasion from a person otherwise than by an account payee cheque / demand draft or by ECS**
- **Contravention of section 269ST attracts penalty under section 271DA.**
- **Provisions of section 269ST are not applicable to receipt by Government, any banking company, post office savings bank or co-operative bank**
- **Section 269ST deals only with receipts exceeding Rs. 2 lakh or more otherwise than by the specified modes, sub-clauses 31(ba), (bb), (bc) and (bd) require details to be furnished of both of receipts and payments also.**

Form 3CD - Clause No. 31

Clause 31(c): Particulars of each repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in section 269T made during the previous year;

S.n o.	Name Address and PAN of PAYEE	Amount of repayment	Maximum amount O/S at anytime during the year	Whether repayment by cheque or bank draft or ECS	If yes, whether a/c payee cheque or account payee bank draft

FROM PAYER PERSPECTIVE

Form 3CD - Clause No. 31

Clause 31(d): Particulars of repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in 269T **received otherwise than by a cheque or bank draft or use of electronic clearing system through a bank account** during PY ;

S.no.	Name Address and PAN of PAYER	Amount of repayment	Amount of Repayment otherwise than by a cheque or bank draft or use of electronic clearing system

Clause 31(e): Particulars of repayment of loan or deposit or any specified advance in an amount exceeding the limit specified in 269T **received by a cheque or bank draft which is not an account payee cheque or account payee bank draft** during PY ;

S.no.	Name Address and PAN of PAYER	Amount of repayment	Amount of Repayment by cheque or bank draft not being account payee cheque / bank draft

Form 3CD - Clause No. 31

Section 269T Prohibit repayment of loan / deposit / specified advance by any bank branch (limit is qua branch) or other person otherwise than by account payee cheque / bank draft drawn in name of borrower or by ECS or other electronic mode prescribed, where

- a) Amount of loan / deposit / specified advance together with interest or
 - b) Existing balance on date of repayment together with the interest
 - c) Aggregate of specified advances received by such person either in own name or jointly on the date of such repayment together with interest
- is INR 20,000 or more

Loan repayable on demand in case of Co not incl.

“Loan or deposit” means any loan / deposit repayable after notice or repayable after period and, in case of person other than company, includes loan or deposit of any nature;

Non Compliance – Penalty u/s 271D

Provisions not apply to repayment of loan/deposit/specified advance taken or accepted from

- Government;
- any banking company, post office savings bank or co-operative bank;
- any corporation established by a Central, State or Provincial Act;
- any Government company
- Notified institution, association or body or class of institutions

Form 3CD - Clause No. 32

Clause 32 (a)

(a) Details of brought forward loss or depreciation allowance, in the following manner, to the extent available

S. No	Assessment Year	Nature of loss/ allowance	Amount as returned	Amount as assessed		Remarks
				Amount	Order u/s & date (according to E- utility)	

Check section 78, 79 and 80 for eligibility of losses to be c/fd and set-off

Documentation –ROI filed, assessment / appeal orders / appeal filed etc.

Form 3CD - Clause No. 32

Clause 32(b)

Whether a change in shareholding of the company has taken place in the previous year due to which the losses accrued prior to the previous year cannot be allowed to be carried forward in terms of section 79. (YES / NO)

Note:

- Section 79 Carry forward and set off of losses in the case of certain companies
- Sec.79 do not affect the set off of unabsorbed depreciation (section 32(2)). [CIT v Concord Industries Ltd. (1979) 119 ITR 458 (Mad)], CIT v. Shri Subbulaxmi Mills Ltd. 249 ITR 795 (SC)].

Form 3CD - Clause No. 32

Issues/ Points to be considered:

- Loss to be c/fd and set-off only if at-least 51% of voting power as on last date of P.Y. & last day of P.Y. in which was incurred, held by same persons (in case of closely held companies).
- In case of **start-ups**, the conditions have been relaxed,
 - i. All the shareholders as on the last day of PY in which loss incurred should continue to hold those shares on the last day of such previous year and
 - ii. Loss incurred during the period of first seven years
- Not applicable to a change in the voting power on :
 - i. Death of a shareholder, or
 - ii. Transfer by way of gifts to relative
 - iii. Change in shareholding of Indian company being subsidiary of a foreign co arising on amalgamation / demerger subject to the condition that 51 % of shareholders of amalgamating / demerged Foreign Co continue in amalgamated / resulting Foreign Co
 - iv. Change in the shareholding pursuant to resolution plan approved under IBC

Section 79
amended w.e.f.
1.4.2020 suitably

Documentation – Separate Calculation for each PY in which loss claimed.

Check Register of members to compare the shareholdings, ROC filings etc.

Form 3CD - Clause No. 32

- c) Whether the assessee has incurred any **speculation loss referred to in Section 73** during the previous year, if yes, please furnish the details of the same.
- d) Whether the assessee has incurred any **loss referred to in Section 73A** in respect of any specified business during the previous year, if yes, please furnish details of the same.
- Business referred to in section 35AD
- e) In case of a company, please state that whether the company is deemed to be carrying on a speculation business as referred in explanation to Section 73, if yes, please furnish the details of speculation loss if any incurred during the previous year.

Form 3CD - Clause No. 32

Speculative transaction 43(5) - Contract for purchase/ sale of commodity, including stocks & shares, is periodically or ultimately settled otherwise than by the actual delivery or transfer except

- Contract of raw materials or merchandise entered in course of manufacturing or merchanting business to guard against loss
- Contract of stocks /shares entered into by dealer/ investor to guard against loss
- Jobbing or arbitrage to guard against loss in ordinary course of his business
- Eligible derivatives transaction carried out in a Recognised stock exchange / Commodities Exchange

One / Few stray transactions - speculative business ?

Explanation 2 to section 28

Where speculative transactions carried on by an assessee are of such a nature as to constitute a business, the business (hereinafter referred to as "speculation business") shall be deemed to be distinct and separate from any other business.

Explanation to section 73 – Deemed Speculation Business

Any part of business of company (other than whose GTI consists mainly of IFHP, Capital gains and IFOS, or company, whose principal is trading in shares or banking or the granting of loans and advances) consists in purchase and sale of shares of other companies, such company shall, for the purposes of this section, be deemed to be carrying on a speculation business to the extent of purchase and sale of such shares.

Form 3CD - Clause No. 33

Section-wise details of deductions, if any, admissible under Chapter VIA or **Chapter III (Section 10A, Section 10AA)**.

Section under which deduction is claimed	Amounts admissible as per the provision of the Income Tax Act, 1961 and fulfils the conditions, if any, specified under the relevant provisions of Income Tax Act, 1961 or Income Tax Rules, 1962 or any other guidelines, circular, etc, issued in this behalf.

Brief: Deduction u/s 10A (*Special provision in respect of newly established undertakings in free trade zone, etc.*) and Section 10AA (*Special provisions in respect of newly established Units in Special Economic Zones*) also included and specified format provided .

**Check audit reports where separate audit mandated by section
In case of sole proprietor, only details of deduction in relation to business accounts**

Form 3CD - Clause No. 34

(a) Whether the assessee is required to deduct or collect tax as per the provisions of Chapter XVII-B or Chapter XVII-BB, if yes please furnish:

Tax deduction and collection Account Number (TAN)	(1)
Section	(2)
Nature of payment	(3)
Total amount of payment or receipt of the nature specified in column (3)	(4)
Total amount on which tax was required to be deducted or collected out of (4)	(5)
Total amount on which tax was deducted or collected at specified rate out of (5)	(6)
Amount of tax deducted or collected out of (6)	(7)
Total amount on which tax deducted or collected at less than specified rate out of 5	(8)
Amount of tax deducted or collected on (8)	(9)
Amount of tax deducted or collected not deposited to the credit of the Central Government out of (7) and (9)	(10)

Form 3CD - Clause No. 34

As per Guidance note issued by the ICAI

- Rates of deduction is to be consider as per the law relevant to the P. Y.
- Rely upon the judicial pronouncements while taking any particular view
- Refer relevant provisions, rules, circulars, notifications and such certificates obtained from the auditee to verify the cases where tax has been short deducted at source.
- **In case payer deducts/recipient collects tax at source at rate lower than specified rate on basis of certificate u/s 195 or 197, the said rate to be considered as specified rate**
- As per the provisions of Sections 195/ 197, certificate can be issued for no deduction or lower deduction of tax at source.
- In case of payment to non-residents, the applicable rate of TDS is to be read along with the Double Taxation Avoidance Agreement.
- The tax auditor is required to provide the detail irrespective of any default on the part of assessee in complying with the provisions of Chapter-XVII-b or XVII-BB.

In case of difference of opinion, suitable note / observation / qualification

Form 3CD - Clause No. 34

b) Whether the assessee has furnished the statement of tax deducted or tax collected within the prescribed time. If not, please furnish the details:

Tax deduction and collection Account Number (TAN)0	Type of Form	Due date for Furnishing	Date of furnishing, if furnished	Whether the statement of tax deducted or collected contains information about all transactions which are required to be reported

Select

Form 24

Form 24G

Form 24Q

Form 26

Form 26A

Form 26B

Form 26Q

Form 26QAA

Form 26QB

Form 27

Form 27A

Form 27B

Form 27BA

Form 27C

Form 27D

Form 27E

Form 27Q

Form 27EQ

Form 26 QC

Form 3CD - Clause No. 34

- Whether such detail is required to be provided only in case of default on the part of assessee in filing statement of tax deducted or collected?
- The Tax Auditor cannot merely rely on information provided by the client but have to examine books of account to determine the transaction on which provisions of Chapter-XVII B and Chapter XIIBB apply.
- Whether it is practically possible for the tax auditor to verify all the transactions to report compliance with provisions of Chapter XVII-B or XVII-BB, where the tax audit is time bound like in Banks.

Option provided in Form 3CA and Form 3CB under Qualification Type - **“TDS returns could not be verified with the books of account”**

- A disclaimer may be provided by the tax auditor

Disclaimer: During the year, it is not possible for us to verify whether all the transactions of the assessee due to voluminous entries in the books of account and the transactions have been verified on test-check basis and explanation provided by the assessee.

Form 3CD - Clause No. 34

c) whether the assessee is liable to pay interest under Section 201(1A) or Section 206C(7). If yes, please furnish:

Tax deduction and collection Account Number (TAN)	Amount of interest u/s 201(1A)/ 206C(7) is payable	Amount paid out of column (2) along with date of payment.

Brief: Detail in respect of interest u/s 201(1A) & 206C(7), if any to be provided.

Sec. 201(1A)- Levy of simple interest on **failure to deduct** tax or payment thereof to the credit of Central Government

Sec. 206C(7)- Levy of simple interest on **failure to collect** tax or payment thereof to the credit of Central Government

Form 3CD - Clause No. 34

- If the assessee is liable to pay interest u/s 201(1A) or 206C(7), the auditor should verify such amount from the books of account & also from part G of the statement generated by the department in form no. 26AS.
- In case the assessee had disputed the levy or calculation of interest under TRACES, in form no. 26AS, the auditor may re-calculate the amount of interest u/s 201(1A) or Section 206C(7) up to the date of audit report for reporting under this Clause & also mention the fact in his observations provided in form no. 3CA & form no. 3CB.

Form 3CD - Clause No. 35

35(a) In the case of a trading concern, give quantitative details **of principal items** of goods traded:

Item name	Unit	opening stock	purchases during the previous year	sales during the previous year	Closing Stock	Shortage/excess, if any

“Principal Items” :- Items which constitute more than 10% of the aggregate value of purchase, consumption or turnover.

Form 3CD - Clause No. 35

Clause 35(b) In the case of a manufacturing concern, give quantitative details of the **principal items** of raw material, finished products and by-products:

(A) Raw materials:

Item name	Unit name	Opening stock	Purchases during the previous year	Consumption during the previous year					

Sales during the previous year	Closing Stock	Yield of finished products	Percentage of yield	Shortage/ excess, if any

“Principal Items” :- Items which constitute more than 10% of the aggregate value of purchase, consumption or turnover.

Form 3CD - Clause No. 35

(B) Finished Products:

Item name	Unit name	opening stock	purchases during the previous year	Quantity manufactured during the previous year	
					←

sales during the previous year	Closing Stock	Shortage/ excess, if any

The diagram shows a blue arrow pointing from the 'Quantity manufactured during the previous year' column of the first table to the 'sales during the previous year' column of the second table. Another blue arrow points from the 'Quantity manufactured during the previous year' column to the 'Closing Stock' column of the second table.

(C) By- Products:

Item name	Unit name	Opening stock	Purchases during the previous year	Consumption during the previous year	
					←

Sales during the previous year	Closing Stock	Shortage/ excess, if any

The diagram shows a blue arrow pointing from the 'Consumption during the previous year' column of the first table to the 'Sales during the previous year' column of the second table. Another blue arrow points from the 'Consumption during the previous year' column to the 'Closing Stock' column of the second table. A red oval highlights the 'Consumption during the previous year' column, and a red arrow points from it to a red-bordered box containing the text: 'Should be Quantity manufactured during the year'.

Form 3CD - Clause No. 36

In the case of a domestic company, details of tax on distributed profits under Section 115-O in the following form:-

Total amount of distributed profits	Amount of reduction as referred to in sec. 115-O(1A)(i)	Amount of reduction as referred to in sec. 115-O(1A)(ii)	Total tax paid thereon	Date of payment with amounts	
				Amount	Date of payment

- Rate of DDT – 15% + surcharge + cess [[to be computed after grossing up]
- Eligible deductions while computing
 - Dividend from domestic subsidiary, on which DDT already paid
 - Dividend from foreign subsidiary on which tax payable by the u/s 115BBD
 - Dividend paid to any person for, or on behalf of, the New Pension System Trust
- DDT on **Dividend u/s 2(22)(e)** – 30%+ surcharge+ cess (No grossing up) (w.e.f 01.04.2018)

Form 3CD - Clause No. 36

Clause 36A: Whether the assessee has received any amount in the nature of dividend as referred to in sub-clause (e) of clause (22) of section 2? (Yes/No); If yes, please furnish the following details;

Section 2(22)(e) deems certain payments to be dividend - Main conditions attracting the provision are as under:

- Payment by a company in which the public are not substantially interested by way of
 - Advance or loan to a equity shareholder holding atleast 10% of the voting power
 - Advance or loan to any concern in which such shareholder is a member or a partner and in which he has substantial interest (20% or more beneficial interest)
 - Any payment on behalf, or for the individual benefit, of any such shareholder
- To the extent to which the company in either case possesses accumulated profits

Payments made on or after 1.4.2018 subject to DDT u/s 115O

Form 3CD - Clause No. 37

Clause 37: Whether any cost audit was carried out, if yes, give the details, if any, of disqualification or disagreement on any matter/item/value/quantity as may be reported/identified by the cost auditor;

- Only detail of disqualification and disagreement to be provided.
- Need not express any opinion if such Audit is ordered and not conducted.
- State the fact if such Audit which has been ordered is not completed by the time he issues his Audit Report.
- Make note of any material observation made in such Report.
- Give information only for that Cost Audit Report which falls within relevant PY

Clause 38 and 39 – Redundant

Form 3CD - Clause No. 40

Details regarding turnover, gross profit, etc., for the previous year and preceding previous year:

Serial number	Particulars	Previous year	Preceding previous year
1	<u>Total turnover of the assessee</u>		
2	Gross profit/turnover		
3	Net profit/turnover		
4	Stock-in-trade/turnover		
5	Material consumed/ finished goods produced		

(The details required to be furnished **for principal items of goods** traded or manufactured or services rendered)

Form 3CD - Clause No. 40

- Ratios have to be given for the business as a whole and need not be given product wise.
- Ratio mentioned in (5) not for trading concern/service provider and in (4) not for service provider
- All the ratios mentioned in this clause are to be calculated in terms of value only.
- Net profit in (3) is net profit before tax.
- For (4), only stock-in-trade is to be considered, which does not include stores and spares, packing materials, loose tools. Also, stock of raw materials and work-in-progress should not be included as the objective here is to compute the stock turnover ratio.
- Preceding previous year figures to be taken from last year's audit report. In case, preceding previous year was not subject to audit then to calculate the figures or make appropriate disclosure

Form 3CD - Clause No. 41

Clause 41 - Please furnish the details of demand raised or refund issued during the previous year under any tax laws other than Income Tax Act, 1961 and Wealth tax Act, 1957 along with details of relevant proceedings

S.No		Financial year to which demand/refund relates to	Name of other Tax law	Type (Demand raised/Refund received)	Date of demand raised/refund received	Amount	Remarks
1	<input type="checkbox"/>	Select ▼	Select ▼	Select ▼	<input type="text"/>	<input type="text"/>	<input type="text"/>

- Generally applicable to Indirect tax laws such as GST, Central Excise Duty, Service Tax, Customs Duty, Value Added Tax, CST, Professional Tax
- Entry tax, Octroi duty Marketing Cess, Cess on Royalty, etc. would not be covered as other tax laws.

Form 3CD - Clause No. 41

42. (a) Whether the assessee is required to furnish statement in Form No.61 or Form No. 61A or Form No. 61B? (Yes/No) (b) If yes, please furnish:

Form 61 – Specified persons who has received any declaration in Form No. furnish a statement in Form No. 61

Form 61B – Reportable Financial Institution

Form 61A – To be filed in respect of transactions prescribed (Rule 114E) – Relevant Eg.

Nature and value of transaction	Reporting person
Receipt from any person of 10 lakh or more in a FY for acquiring bonds or debentures	Company institution issuing bonds or debentures
Receipt from any person of 10 lacs or more in FY for acquiring shares (including share application money)	Company issuing shares
Buy back of shares from any person (other than shares bought in open market) for amount of 10 lacs or more in a FY	Listed company buying back u/s 68
Receipt of cash exceeding 2 lacs for sale -	Person liable for tax audit u/s 44AB

Form 3CD - Clause No. 43

43. (a) Whether the assessee or its parent entity or alternate reporting entity is liable to furnish the report as referred to in subsection (2) of section 286 (Yes/No)

(b) if yes, please furnish the following details:

- i. Whether report has been furnished by assessee or its parent entity or ARE
- ii. Name of parent entity
- iii. Name of alternate reporting entity (if applicable)
- iv. Date of furnishing of report

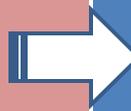
Country by Country Reporting (CbCR) – by International Group

- 1. Assessee** - If the assessee itself is parent entity and is resident in India; or if resident in India & designated as alternate reporting entity (ARE)
- 2. Parent Company** – If assessee is a constituent of international group with its parent entity resident in India and no designated ARE
- 3. Designated ARE** – If assessee is neither parent entity nor designated ARE , other constituent entity resident India designated as ARE

Procedure for e-filing

Procedure for e-filing

CA to register as Tax Professional

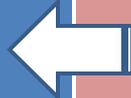


Assessee will Add CA to his profile

Procedure



Assessee will Approve the Form filed by CA



CA will upload Tax Audit Report

Procedure for e-filing

- 1) Visit <https://www.incometaxindiaefiling.gov.in/home> and download the form 3CA - 3CD under download section of “other forms preparation software”
- 2) Fill the form, save it and generate XML file
- 3) Register on Income Tax India E-filing portal (incometaxindiaefiling.gov.in) as CA
- 4) In case already registered, ask client to add CA
- 5) LOGIN to e-Filing application and GO TO --> e-File --> Upload Form
- 6) Enter the Tax payer’s PAN, CA’s PAN; select the Form Name (other than ITR) and AY
- 7) Browse and Select the XML file
- 8) Attach Balance Sheet, Profit & Loss A/c, Cost Audit Report, Excise Audit report, etc as applicable to assessee
- 9) Upload Digital Signature Certificate.
- 10) Click 'SUBMIT'.

Procedure for e-filing

portal.incometaxindiaefiling.gov.in/e-Filing/OnlineForms/CommonFormsHomeLinkCA.html?ID=61256727

Goods & Service Ta... e-Filing Home Page...



e-Filing *Anywhere Anytime*
Income Tax Department, Government of India

Dashboard My Account e-File Worklist

- Select
- FORM NO.3AC - Audit report u/s 33AB(2)
 - FORM NO.3AD - Audit report u/s 33ABA(2)
 - FORM NO.3AE - Audit report u/s 35D(4)/35E(6)
 - FORM NO.3CA-3CD - Audit report u/s 44AB [Audited under any other law]**
 - FORM NO.3CB-3CD - Audit report u/s 44AB [Audited under Income Tax Act]
 - FORM NO.3CE - Audit report u/s 44DA(2)
 - FORM NO.3CEA - Audit Report u/s 50B(3) [Slump sale]
 - FORM NO.3CEB - Report from an accountant u/s 92E (Transfer Pricing)
 - FORM NO.3CEJ - Report u/s 9A (Arm's Length Price for remuneration paid to Fund Manager)
 - FORM NO. 3CLA - Report to be submitted by the Prescribed Authority u/s 35(2AB)
 - FORM NO.6B - Audit report u/s 142(2A) [Special Audit]
 - FORM NO.10B - Audit report u/s 12A(b) [charitable or religious trusts or institutions]
 - FORM NO.10BB - Audit report u/s 10 (23C)
 - FORM NO.10CCB - Audit report u/s 80-I(7)/80-IA(7)/80-IB
 - FORM NO.10CCBBA - Audit report u/s 80-IB(14)
 - FORM NO.10CCBC - Audit report u/s 80-IA(11B)
 - FORM NO.10CCBD - Audit report u/s 80-IB(11C)
 - FORM NO.10CCC - Audit report u/s 80-IA(6)
 - FORM NO.10CCF - Audit report u/s 80LA(3)

User ID

PAN/TAN of the Assessee *

PAN of the CA *

Form Name *

FORM NO.3CA-3CD - ▼

Submission Mode *

Upload XML ▼

Filing Type *

Original ▼

Assessment Year *

2019-20 ▼

Continue

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andatory

Procedure for e-filing

How Assessee would add CA

- Assessee will go to “My Account” and then select “Add CA” option and fill Membership Number of CA and if the CA has registered himself as CHARTERED ACCOUNTANT
- Name of CA will automatically appear and select the form name 3CB/CD or 3CA/CD and submit it
- Success message will appear with transaction ID. E-mail will be sent to selected CA about the adding his as CA of a particular assessee. E-mail will be sent to assessee also regarding the addition/change in Chartered Accountant.

al.incometaxindiaefiling.gov.in/e-Filing/MyAccount/completeCaList.html?panNo=BPSPM9988M&ID=2112558335

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Income Tax Department, Government of India

Downloads Feedback Accessibility Options Contact Us Help
Welcome SURAJ HARISHCHANDRA MAURYA (Individual) Logout
Last Login: 02/08/2019 15:31:56

My Chartered Accountant

PAN	BPSPM9988M
Please enter the CA Membership Number.	
Membership Number *	<input type="text"/>
Name of the CA *	<input type="text"/>
Form Name *	FORM NO.3AC - Audit report u/s 33AB(2) FORM NO.3AD - Audit report u/s 33ABA(2) FORM NO.3AE - Audit report u/s 35D(4)/35E(6) FORM NO.3CA-3CD - Audit report u/s 44AB [Audited under an FORM NO.3CB-3CD - Audit report u/s 44AB [Audited under In
Assessment Year *	2019-20

Submit Cancel

Procedure for e-filing

Approval by Assessee

- **Step 1 - Visit ITD Website. Assessee has to login through his Login Credentials Dashboard will appear on the screen**
- **Step 2 - Go to Work list of Reports uploaded by CA “Pending for Approval” will appear.**
- **Step 3 - Click on “View Form” to view the Form and Attachment. Acceptance / Rejection of Report by Assessee**
- **Step 4 - Click on “View Form” to view the Form and Attachment. Assessee can download the Attachment and Report uploaded by CA. To submit, Assessee need to select “Approve” and affix his “Digital Signature”.**
- **Step 5 - Assessee can also reject the Return. However, reasons for rejections must be mentioned at the time of Rejection.**
- **Step 6 - Acknowledgement can be generated from “My Account” -> “My Returns / Forms”. Click on the Return Ack. No.**
- **Step 7 - Assessee can download Audit Report, Receipt and Attachments and also Acknowledgement**

Thank You

Caviren Gandhi & Co

Chartered Accountants

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Caviren Gandhi & Co.
Chartered Accountants