

# e- filing of Income Tax Returns- An Overview

Presented  
by

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# Notification No. 34/2013 dated 1<sup>st</sup> May , 2013

- Rule 12 of the Income Tax Rules, 1962 amended w.e.f 1<sup>st</sup> April'13 through Income Tax (3<sup>rd</sup> Amendment) Rules, 2013 notified on 1<sup>st</sup> May'13 vide Notification No. 34/2013.
- New Income Tax Return Forms SAHAJ (ITR-1), ITR-2, ITR-3, SUGAM (ITR-4S), ITR-4 and ITR-V also got notified through these amendment Rules.



# New Forms for A/y 2013-14 notified.

- ITR 1 - (SAHAJ)
- **Who can use this Return Form ?**
- An Individual whose total Income includes:
  - (a) Income from Salary/Family Pension; and/or
  - (b) Income from One House Property (excluding cases where loss is brought forward from previous years); and/or
  - (c) Income from Other Sources (excluding Winning from Lottery and Income from Race Horses)
- **NOTE 1 :** In case where the income of another person like spouse, minor child, etc. is to be clubbed with the income of the assessee, this Return Form can be used only if the income being clubbed falls into the above income categories.
- **NOTE 2 :** In case loss under any head is required to be carried forward, then SAHAJ cannot be used. In that case, Form -2 is to be used..

## New Forms for A/y 2013-14 notified.

- ITR 1 - (SAHAJ) contd.

- **Who cannot use this Return Form ?**

- **An Individual whose total Income includes:**

- (a) Income from more than one house property; or
- (b) Income from Winnings from lottery or from Race horses; or
- (c) Income under the head "Capital Gains"; or
- (d) Income from agriculture/exempt income in excess of Rs. 5,000; or
- (e) Income from Business or Profession; or
- (f) Loss under the head 'Income from other sources'; or
- (g) Person claiming relief of foreign tax paid under section 90, 90A or 91; or
- (h) Any resident (other than not ordinarily Resident) having any asset (including financial interest in any entity) located outside India or signing authority in any account located outside India.



# New Forms for A/y 2013-14 notified.

- ITR 2

- **Who can use this Return Form ?**

- An Individual or a Hindu Undivided Family whose total income includes:

- (a) Income from Salary / Pension; or

- (b) Income from House Property; or

- (c) Income from Capital Gains; or

- (d) Income from Other Sources (including Winning from Lottery and Income from Race Horses).

Further, in a case where the income of another person like spouse, minor child, etc. is to be clubbed with the income of the assessee, this Return Form can be used where such income falls in any of the above categories.

## New Forms for A/y 2013-14 notified.

- ITR 2 contd.
- **Who cannot use this Return Form ?**
- This Return Form cannot be used by an Individual or an HUF whose total income for the assessment year 2013-14 includes Income from Business or Profession.



## New Forms for A/y 2013-14 notified.

- ITR 3

- **Who can use this Return Form ?**

- An individual or an Hindu Undivided Family who is a partner in a firm and,
- where income chargeable to income-tax under the head “Profits or gains of business or profession” does not include any income except the income by way of any interest, salary, bonus, commission or remuneration.
- Even in case, a partner in the firm does not have any income from the firm by way of interest, salary, etc. and has only exempt income by way of share in the profit of the firm, he shall use this form only and not Form ITR-2.

## New Forms for A/y 2013-14 notified.

- ITR 3 contd.
- **Who cannot use this Return Form ?**
- This Return form cannot be used by an individual or an HUF whose total income for assessment year 2013-14 includes Income from Business or Profession under any proprietorship.



## New Forms for A/y 2013-14 notified.

- ITR 4S - SUGAM

- **Who can use this Return Form ?**

- An individual or Hindu undivided family whose total income includes:-
  - a) Business Income computed in accordance with special provisions referred to in section 44AD and 44AE of the Act; and/or
  - b) Income from salary/pension ; and/or
  - c) Income from one House Property (excluding cases where loss is brought forward from pervious year); or
  - d) Income from Other Sources (excluding winning from Lottery and income from Race Horses).

# New Forms for A/y 2013-14 notified.

## ITR 4S - SUGAM contd.

**Note 1** : The income computed shall be presumed to have been computed after giving full effect to every loss, allowance, depreciation or deduction under the Income Tax Act.

**Note 2** : Further, in a case where income of another person like spouse, minor child, etc. is to be clubbed with the income of the assessee, this return form can be used only if the income being clubbed falls into the above income categories.

**NOTE 3** : In case loss under any head is required to be carried forward, then 'SUGAM' cannot be used. For that the assessee has to use Form -4.



# New Forms for A/y 2013-14 notified.

- ITR 4S contd.
- **Who cannot use this Return Form ?**
- **An Individual whose total Income includes:**
  - a) Income from more than one House Property; or
  - b) Income from winnings from Lottery or income from Race Horses; or
  - c) Income under the head "Capital Gains"; or
  - d) Income from agriculture or exempt income in excess of Rs 5,000/-; or
  - e) Income from Speculative Business and other special incomes; or
  - f) Person claiming relief of foreign tax paid under section 90,90A or 91; or
  - g) Income from a profession as referred to in sub section (1) of section 44AA or income from an agency business or income in the nature of commission for brokerage; or

# New Forms for A/y 2013-14 notified.

## ITR 4s contd.

- h) Any resident having any asset (including financial interest in any entity) located outside India or signing authority in any account located outside India.

## SUGAM Form is not mandatory

- Assessee has got option of not filing SUGAM form, if –
    - a) the assessee keeps and maintains all the books of account and other documents referred to in section 44AA in respect of the business.
    - b) The assessee gets his accounts audited and obtain a report of such audit as required under section 44AB in respect of the business.
- In the above scenario, Regular ITR-4 should be filed and not SUGAM.



## New Forms for A/y 2013-14 notified.

- ITR – 4
- **Who can use this Return Form ?**
- This Return Form is to be used by an individual or a Hindu Undivided Family who is carrying out a proprietary business or profession.

# Manner of Furnishing Return of income.

- (i) Furnishing the Return in paper Form.
- (ii) Furnishing the return electronically under DSC.
- (iii) Transmitting the data in the Return electronically and thereafter submitting the verification of the Return in Form ITR V.
- (iv) Furnishing the Bar Coded Return in a Paper Form.



## Manner of Furnishing Return of income.

### Mandatory E-filing of Income Tax Return- with or without Digital signatures

- ❖ A person other than a company and a person required to furnish the return in Form ITR - 7, whose total income in the previous year exceeds **Rs. 5 lacs**.
- ❖ An Individual or HUF being a resident, having assets (including financial interest in any entity) located outside India or signing authority in any account located outside India and required to furnish the return in Form ITR-2/ITR-3/ITR-4, as the case may be.
- ❖ A person claiming any relief of tax under section 90 or 90A or deduction of tax under section 91 of the Act

## Manner of Furnishing Return of income.

### ❖ Compulsory E-filing of income tax return with Digital Signatures

- An Individual & HUF who are required to get their books of accounts audited u/s 44AB.
  - A firm who is required to get its books of accounts audited u/s 44AB.
  - A company who is required to file its Return of Income in Form ITR -6.
- ❖ All other tax payers ----- have the option to furnish Return of Income in any of the manner mentioned above.



# NO DOCUMENTS TO BE ATTACHED WITH THE RETURN ON INCOME

- *Tax payers are not required to attach any document such as Audit Report, Computation ,Balance Sheet, Profit & loss account, TDS Certificates , Challans of Advance Tax & Self Assessment Tax along with the Return of Income or with ITR V. These documents are to be produced only when demanded by the Assessing Officer.*

# E-FILING OF AUDIT REPORT IS NOW MANDATORY

- Proviso inserted in sub rule (2) of Rule 12:
  - Tax Audit Report u/s 44AB, Transfer Pricing Report u/s 92E & MAT Report u/s 115 JB shall henceforth be required to be **furnished electronically.**
  - Procedures, format & standard of furnishing of these reports shall be specified by The Director General of Income Tax (Systems) in due course.



# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- I. Name of the Country
- II. Whether person governed by Portuguese Civil Code u/s 5A
- III. Provision made for **two email ids**. One for assessee & other of Professional / Intermediary .
- IV. In 'SAHAJ' & 'SUGAM' Forms, 'Sec 139(9)Defective' included under the options "Section under which return is filed".
- V. Under the Schedule '**Deductions**':
  - a) Sec. 80CCD bifurcated into two Parts namely Sec 80CCD (1) & 80CCD(2).
  - b) Sec 80CCG inserted. (Rajiv Gandhi Equity Savings Scheme.)
  - c) Sec 80TTA inserted. (Deduction in respect of Interest on Deposit in savings Account).
- VI. **IFSC code** to be mentioned under the head 'Bank account detail'. Now MICR code is not required.

# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- VII. A separate 'Schedule FSI' inserted in ITR 2,3 & 4 in which assessee is required to give 'Country wise' & 'Head wise' detail of Income Accruing or arising outside India. This income is to be further bifurcated into Income from countries where DTAA is applicable & Income from countries where DTAA is not applicable.
- VIII. Schedule of 'Detail of Foreign Assets' modified.
- a) Now account number is also to be given under the 'details of Foreign Bank account' & under 'details of account in which assessee has signing authority'.
  - b) Now, Details of Trusts created under the laws of a country outside India, in which the assessee is Trustee, is also to be given.



# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

## IX. Rich Assessee's to disclose their Assets & Liabilities

A new 'Schedule AL' inserted in ITR 2,3 & 4, in which all assessee's having Taxable Income in excess of Rs. 25 Lakhs are required to disclose their assets & liabilities, such as :

# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- a) Land, Building
- b) Deposit in Banks (including balance in any account)
- c) Shares & Securities
- d) Insurance Policies
- e) Loans & Advances given
- f) Cash in Hand
- g) Jewellery, Bullion etc
- h) Archaeological collections, Drawings, paintings, sculpture, work of art etc.
- i) Vehicles Yachts, Boats & aircrafts.
- j) Liability in relation to above assets.**



# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- X. In "SAHAJ & SUGAM" forms, now the assessee has to specify, whether Income from House Property is from **Self Occupied House** or from **Let Out House**. This option was not there in earlier forms.
- XI. 'Date of Furnishing of Audit report' is now inserted under the head 'Audit Information' in ITR - 4.
- XII. Another new addition in ITR-4 is " Whether Tax Payer is liable to furnish a report u/s 92E ?
- XIII. Now 'Income from wining from Lotteries, crossword puzzles, races, games, gambling, betting etc'. is to be shown separately under the sub head 'Income from other Sources' in Schedule TI (Total Income).
- XIV. Now 'Income Chargeable to Tax at Special Rates' is also to be shown separately under the Schedule TI (Total Income)

# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- XV. 'Tax Payable on Deemed Total Income u/s 115JC & Tax Credit available u/s 115JD' is now to be shown separately under the Schedule 'Computation of Tax Liability' & its detailed calculation is to be given in 'Schedule AMT & AMTC' respectively.
- XVI. 'Rebate on Agricultural Income' is now to be shown separately in the Schedule 'Computation of Tax Liability' by reducing it from the Taxes computed at Normal & Special Rates, to arrive at Tax Payable on Total Income.
- XVII. Deduction u/s 16 inserted in Schedule S "Detail of Income from Salary".
- XVIII. Additions & Deductions in accordance with sec 28 to 44DA are now to be shown separately while computing Income from Specified Business in Schedule BP of ITR-4.



# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

## XIX. In Schedule CG-Capital Gains:

a) Detailed working of Short Term Capital Gain from Shares/Units where sec. 111A is applicable (STT Paid) & Short Term Capital Gain on other Assets, is to be given separately for both Resident as well as Non Resident Assesseees.

Earlier, combined working was required to be given for both types of Gains & only final figure was to be bifurcated separately.

b) Long Term Capital Gain from sale of Unlisted Securities (Sec 112(1)©(iii), in respect of non residents is to be shown separately.

c) Assesseees claiming deduction u/s 54GB are required to furnish PAN of the company in which investment is made by them.

# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- XX.** In Schedule OS- Income from Other Sources:  
Assessee are now required to mention source of each & every Income declared under this Head.
- XXI.** In Schedule 80-IB , Deduction in relation to operating & maintaining a hospital in any area other than excluded area (clause 11C), has been inserted.
- XXII.** A new Schedule 5A has been inserted , wherein assessee is required to give Information regarding apportionment of Income (Head Wise) between spouses governed by Portuguese Civil Code.



# IMPORTANT INCLUSIONS IN NEW RETURN FORMS

- XXIII. In ITR-3, in Schedule IF (Information regarding partnership firm)- Assessee is now required to state, whether the firm is liable for audit or not?.
- XXIV. In Schedule EI- Detail of Exempt Income, Agricultural Income is to be Shown at Gross Value from which Expenses & Brought forward Losses are to be reduced to arrive at the Net Agricultural Income. Till last year , only net agricultural Income was required to be shown.

However, it is very strange to note that this change has been brought in form ITR 2 & 3 only. **ITR 4 remains unchanged.**

## MANNER OF FILING RETURN ELECTRONICALLY

- The e-return is to be furnished at :  
<http://incometaxindiaefiling.gov.in>
- No need to furnish Form ITR V, if the Return is furnished electronically under a digital signature.
- Similarly any return which is digitally signed by the assessee and filed with an e return intermediary, who in turn , submit the return to the income Tax Department under his digital signature, there is no need to file Form ITR V as it will be deemed to have been filed under the digital signature of the assessee.
- For returns furnished electronically without using digital signatures, a follow up is required in the form of **Form ITR V**, which is to be furnished **within 120 days** after the date of transmitting the data electronically. In case, Form ITR V is furnished after the above mentioned period, it will be deemed that the Return in respect of which ITR V has been filed, was never furnished.



# WHERE TO SUBMIT FORM ITR V

- Form ITR V is to be furnished to the Income Tax department by mailing it at :

**“Income Tax Department – CPC, Post Box No 1, Electronic City Post Office, Bangalore – 560100, Karnataka”**

- The post Box shall deliver all the Form ITR V to the Central Processing Centre (CPC) of the Income tax Department in Bangalore. The CPC shall send an e-mail acknowledging the receipt of Form ITR V. The e-mail shall be sent in due course to the e-mail address furnished in the Return of Income.
- **No form ITR V shall be received in any other office of the Income Tax Department or in any other manner.**
- *Since Form ITR V is Bar Coded, assessee is advised not to fold the same & post it in A4 size envelope.*

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