

CHANGES IN ITR FOR AY 2021-22

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Date - 31st August, 2021

Scope/Coverage

- Benefits and Criteria of filing ITR
- Consequences of filing of wrong / No information in ITR
- Key amendments to ITR Forms
- Precautions to be taken while filing ITR



BENEFITS AND CRITERIA OF FILING ITR

Benefits of filing ITR on a timely basis

It allows you to claim Tax refunds

Claim of certain
Deductions
(Eg: 80JJAA, 80M etc)

Prevention from penalties and prosecution

Carry
forward of
losses in
subsequent
Assessment
years

ITR filing is Mandatory for whom?

Income based criteria

 A person other than a Company or a Firm whose total income (before giving effect to deductions / exemptions) exceeds the following basic exemption limit

Particulars	Basic exemption limit						
Super Senior Citizen	Rs. 5 Lakhs						
Senior Citizen	Rs. 3 Lakhs						
Other Individuals	Rs. 2.5 Lakhs						

ITR filing is Mandatory for whom?

Non income based criteria

- Every person being a Company or a Firm (incl. LLP)
- Resident and Ordinarily Resident(ROR)
 - He has a beneficial interest / beneficiary of any asset outside India or
 - has a signing authority in respect of any account outside India
- A person other than being a Company or a Firm has -
 - Deposited Rs. 1 Crore or more in Current A/c
 - Incurred expenditure on foreign travel exceeding Rs. 2 Lakhs
 - Incurred expenditure on electricity exceeding Rs. 1 Lakhs

Case Study

- An Individual assessee aged 69 years has total Income (after claiming deductions of Chapter VI-A) of Rs. 2.40 Lakhs and he has visited Maldives in January 2020 whereby he had incurred a total expenditure of Rs. 2.25 Lakhs
- ☐ An Individual assessee aged 75 years is not having any income except for Income from Pension amounting to Rs. 7 Lakhs p.a.
- ☐ An Individual assessee aged 57 years is having gross total income of Rs. 3.5 Lakhs, deductions of Rs 1.75 lakhs and net total income of 1.75 lakhs



Due Dates of ITR

Category	Original Due Date	Extended Due Date
Individual/HUF/AOP/BOI (books of accounts not required to be audited)	30 th July 2021	30 th September 2021
Partner of Firm (incl. LLP) liable to Audit	31st October 2021	30 th November 2021
Company / Person (other than any Company) liable to any Audit	31 st October 2021	30 th November 2021
Any Assessee to whom transfer pricing is applicable	30 th November 2021	31st December 2021

How to File ITR?

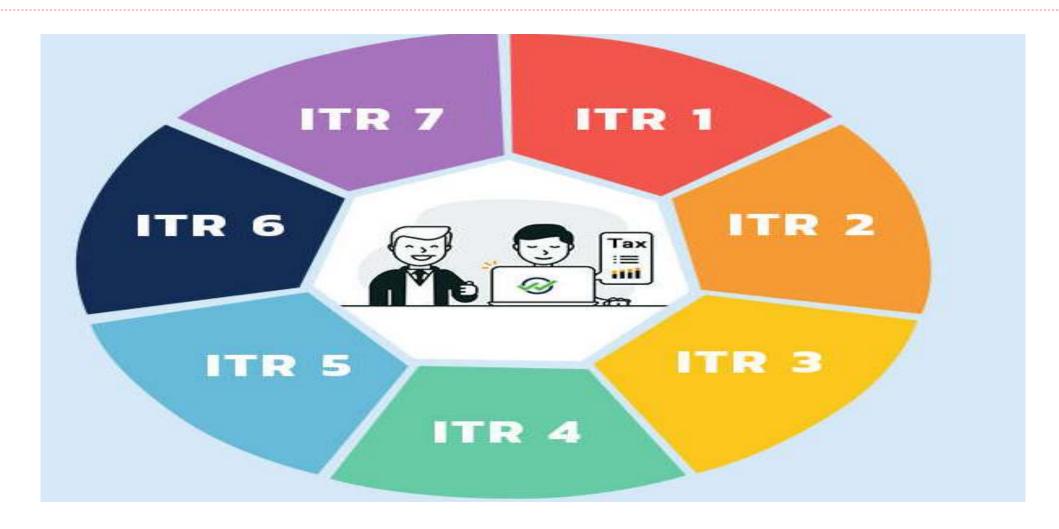
Efiling Income Tax Process



How to File ITR?

- ITR can be filed in two ways:
 - Offline
 - Download the applicable ITR, fill the form offline, save the generated XML file and then upload it on www.incometax.gov.in
 - Online
 - Enter the relevant data directly online at e-filing portal and submit it.
- Verification of ITR:
 - DSC
 - Aadhar OTP
 - EVC (Electronic verification code)

ITR Forms available for AY 2021-22



ITR Forms available for - AY 2021-22

FORM	Description
ITR - 1	For individuals being a resident (other than not ordinarily resident) having total income upto Rs.50 Lakhs, having Income from Salaries, one house property, other sources (Interest etc.), and agricultural income upto Rs.5,000
ITR - 2	For Individuals and HUFs not having income from profits and gains of business or profession
ITR - 3	For Individuals and HUFs having income from profits and gains of business or profession
ITR - 4	For Individuals, HUFs and Firms (other than LLP) being a resident having total income upto Rs.50 lakh and having income from business and profession which is computed under sections 44AD, 44ADA or 44AE
ITR - 5	For persons other than - (i) individual, (ii) HUF, (iii) company and (iv) person filing Form ITR-7
ITR - 6	For Companies other than companies claiming exemption under section 11
ITR - 7	For persons including companies required to furnish return under sections 139(4A) or 139(4B) or 139(4C) or 139(4D) only

CONSEQUENCES OF FILING OF WRONG / NO INFORMATION IN ITR



Consequences of filing of Wrong/No information in ITR

- Defective notice can be issued u/s 139(9)
- No allowance of deduction under Part C of Chapter VI-A (Section 80H to 80TT)
- Intimation u/s 143(1)(a) –Communication proposing adjustment in the computation of income
- May lead to levy of Interest u/s 234A Eg: Non filing of Partnership details in a partner's return of Income
- Might cause issues in scrutiny assessment and at appellate proceedings
- Penalty may be levied for misrepresentation or suppression of facts
- Penalty u/s 270A
- Penalty u/s 271F
 - Penalty of Rs. 5,000 if return is filed after due date but before 31st December of Relevant AY or else Rs.
 10,000/ if filled after 31st December
 - Penalty of Max. Rs. 1,000 if Total Income does not exceed Rs. 5 Lakhs

AUDIT INFORMATION

Particulars	Amendments in ITR	ITR Form
Tax Audit	The threshold limit for business has been increased from Rs. 5 Cr to Rs. 10 Cr w.e.f AY 2021-22	ITR - 3 & 6

(a1)	Are you liable to maintain accounts as per section 44AA? (Tick) ☑ ☐ Yes ☐ No
(a2)	Whether assessee is declaring income only under section 44AE/44B/44BB/44AD/44ADA/44BBA/44BBB ☐ Yes ☐ No
a2i	If No, whether during the year Total sales/turnover/gross receipts of business exceeds Rs. 1 crore but does not exceed Rs. 10crores? No
a2ii	If Yes is selected at a2i, whether aggregate of all amounts received including amount received for sales, turnover or gross receipt s or on capital account like capital contributions, loans etc. during the previous year, in cash, does not exceed five per cent of said amount? No
a2iii	If Yes is selected at a2i, whether aggregate of all payments made including amount incurred for expenditure or on capital account such as asset acquisition, repayment of loans etc., in cash, during the previous year does not exceed five per cent of the said payment? No
(b)	Are you liable for audit under section 44AB? (Tick) ☑ ☐ Yes ☐ No
(c)	If (b) is Yes, whether the accounts have been audited by an accountant? (Tick) \(\omega \) Yes \(\omega \) No If Yes, furnish the following information below
	(1) Date of furnishing of the audit report (DD/MM/YYYY) / /
	(2) Name of the auditor signing the tax audit report
	(3) Membership No. of the auditor
	(4) Name of the auditor (proprietorship/ firm)
	(5) Proprietorship/firm registration number
	(6) Permanent Account Number (PAN)/Aadhaar No. of the proprietorship/ firm
	(7) Date of report of the audit

Particulars	Amendments in ITR	ITR Form
Effect of Marginal Relief	The ITR forms have been amended to specifically require the assessee to show "surcharge computed before Marginal relief" and "surcharge computed after Marginal relief"	ITR - 2,3 & 5

G	Sur	charge	Surcharge computed before marginal relief	7	Surcharge after marginal relief			
	i	@ 25% of 17(ii) of Schedule SI	2gi		ia			
	1	@10% or 15%, as applicable of 2(ii),3(ii), 9(ii), 12(ii), 22(ii), 24(ii) of Schedule SI	2gii		iia			
	1	On [(2f) – (17(ii),2(ii),3(ii), 9(ii), 12(ii), 22(ii), 24(ii) of Schedule SI)]]	2giii					
	iv	Total (ia + iia)				2giv		

Particulars	Amendments in ITR	ITR Form
Section 115BAC	In Part A of ITR Form the assessee is required to choose whether he is opting for alternative tax regime u/s 115BAC or not	ITR - 1, 2, 3 & 4

PART A GENERAL INFO	RMATION	70														
PAN	Name	Date of Birth D D M M Y Y	YY	Aadha eligible f				digi	ts)/A	adha	ar Ei	ırolır	ent I	d (28	digits)	(If
Mobile No.	Email Address		222200000	ress: Fl VStreet/I	Post Off		Area			ar.				/Villag Sta	000-	
Filed u/s (Tick) [Please see instruction]		fore due date, □139(4)(b)- After Condonatio	War and the Co		139(5)	-						loym t. 🏻	ent- State	Gov	t. 🗆	N COLUMN TO THE PARTY OF THE PA
Or Filed in response to notice u/s	□ 139(9), □ 142(1), □ 148, □153A □	153C					P	ensi	oners		Other	takin rs 🗆 P nily Po	Not	n etc.	.)
If revised/defective, then enter (DD/MM/YYYY)	Receipt No. and Da	te of filing original ret	urn												/ /	
If filed in response to notice Number/Document Identification					19(2)((b)-	ente	er I	Jniq	ue					/ /	
Are you opting for new tax reg	ime u/s 115BAC ?	Yes D No														

Particulars	Amendments in ITR	ITR Form
Unabsorbed	The ITR Forms(Schedule DPM) have been amended to make one-time adjustment	ITR – 3/5
Depreciation relating	of WDV of the respective block of asset for assessees opted for section -	
to additional	• 115BAC (Individual/HUF)	
depreciation	• 115BAD (Co-operative Societies)	

Schedule I	рм	Depreciation on Plant and Machinery (Other than assets on which full capital expenditure is allowable as deduction under	r
Stellettille	dule DFM	any other section)	

1	Block of assets	Plant and machinery								
2	Rate (%)	15	30	40	45					
		(i)	(ii)	(iii)	(iv)					
	Written down value on the first day of previous year									
3a	Amount as adjusted on account of opting for taxation under section 115BAC									
3b	Adjusted Written down value on the first day of previous year (3) + (3a)									

Schedul	e UD Unab	sorbed depr	eciation and al	llowance under s	ection 35(4)			
Sl No	Assessment Year		Dep	reciation	Allowance under section 35(4)			
		Amount of brought forward unabsorbed depreciation	Amount as adjusted on account of opting for taxation u/s (115BAC	Amount of depreciation set- off against the current year income		Amount of brought forward unabsorbed allowance	Amount of allowance set-off against the current year income	Carried
(1)	(2)	(3)	(3a)	(4)	(5)	(6)	(7)	(8)
1 1	Current Assessment Year							
ii								
iii								
iv								
v	Total			(3xvi of BFLA)			(4xvi of BFLA)	

Particulars	Amendments in ITR	ITR Form
Adjustment of carried forward losses	ITR forms for Assessee opting for alternative tax regime of Section 115BAC/115BAD are required to adjust the losses which are not allowed to carried forward and set off	ITR - 3/5

SI.		Date of Filing (DD/MM/YYYY)		Loss from bu speculative bu	Loss from speculative		Short-term capital loss	Long- term	Loss from owning and		
			loss	Brought forward Business Loss	Amount as adjusted on account of opting for taxation u/s 115BAC	Brought forward Business Loss available for set off during the year	business	specified business		Capital loss	maintaining race horses
1	2	3	4	5a	5b	5c=5a-5b	6	7	8	9	10
i	2010-11									I I	
ii	2011-12		ĺ							Ī Ī	
iii	2012-13									ĺ į	
iv	2013-14		Ĭ			į.					
v	2014-15										
vi	2015-16										
vii	2016-17										
viii	2017-18		9								
ix	2018-19				Ĭ			i i			
x	2019-20		*								
Xi	2020-21							ji ji			
xii	Total of earlier year losses b/f										
XIII	Adjustment of above losses in Schedule BFLA		(2ii of Schedule BFLA)			(2iii of Schedule BFLA)	(2iv of Schedule BFLA)	(2v of Schedule BFLA)			(2xiv of Schedule BFLA)
xiv	2021- 22(Current year losses to be carried forward)		(2xviii of Schedule CYLA)			(3xviii of Schedule CYLA)	(B43 of Schedule BP, if –ve)		(2x+3x+4x+ 5x) of item E of Schedule CG)	((6x+7x +8x) of item E of Schedule CG)	(8e of Schedule OS if —ve)
xv	Total loss Carried forward to future years										

Particulars	Amendments in ITR	ITR Form
Section 50C	Tolerance Safe harbor limit increased from 5% to 10%	ITR - 2, 3, 5 &
		6

Sche	dule	CG		Capital Gains						
A	A Short-term Capital Gains (STCG) (Sub-items 3 and 4 are not applicable for residents)									
	From sale of land or building or both (fill up details separately for each property)									
rm ains		a	i	Full value of consideration received/receivable Ai						
9 C			ii	Value of property as per stamp valuation authority Aii						
Short-term Capital Gain				Full value of consideration adopted as per section 50C for the purpose of Capital Gains [in case (aii) does not exceed 1.10 times (ai), take this						
				figure as (ai), or else take (aii)]						
В	Long	g-term ca	pital	gain (LTCG) (Sub-items, 5, 6, 7 & 8 are not applicable for residents)						
	1	From sa	le of	land or building or both (fill up details separately for each property)						
		a	i	Full value of consideration received/receivable ai						
			i	i Value of property as per stamp valuation authority aii						
			ii	Full value of consideration adopted as per section 50C for the purpose of Capital Gains [in case (aii) does not exceed 1.10 times (ai), take this figure as (ai), or else take (aii)]						

Particulars	Amendments in ITR	ITR Form
Long Term Capital Gain	ITR Form have inserted one new column requiring the assessee to provide the nature of securities transferred (shares or units) in Schedule 112A and 115AD	ITR – 2, 3, 5 & 6

Schedule	e 112A From	m sale o	f equity shar	re in a compan	y or unit of e	equity oriented	fund or unit	of a busines	s trust on wh	ich STT is paid	l under sect	ion 112A		
Sl. No.	(Share/Uni) t acquired	ISI N Cod e	Name of the Share/Un it	No. of Shares/Uni ts	Sale- price per Share/Un it	Full Value of Consideratio n- if shares are acquired on or before 31.01.2018 (Total Sale Value) (4*5) -If Shares are acquired after 31.01.2018- please enter full value of consideration	Cost of acquisitio n without indexatio n Higher of 8 and 9	Cost of acquisitio	If the long term capital asset was acquired before 01.02.201 8, Lower of 6 and 11	Fair Market Value per share/unit as on 31st January,20 18	Total Fair Market Value of capital asset as per section 55(2)(ac) - (4*10)	Expenditu re wholly and exclusively in connection with transfer	Total deductio ns (7+12)	Balance (6-13) Item 5 of LTCG Schedul e of ITR5
(Co	(Col la)	(Col 2)	(Col 3)	(Col 4)	(Col 5)	(Col 6)	(Col 7)	(Col 8)	(Col 9)	(Col 10)	(Col 11)	(Col 12)	(Col 13)	(Col 14)
1														
2														
3														
4														
Add	Rows				I	1				L		1		
Tota	al			•	•									

Particulars	Amendments in ITR	ITR Form
Section 54EC	Ceiling limit of 50 lakhs has been mentioned in ITR Form which earlier was not mentioned ITR - 5	ITR - 5

b	Deduction claimed u/s 54	IEC .	
i	Date of transfer of original asset	bi	dd/mm/yyyy
i	Amount invested in specified/notified bonds (not exceeding fifty lakh rupees)	bii	
ii	ii Date of investment	biii	dd/mm/yyyy
i	v Amount of deduction claimed	biv	

Particulars	Amendments in ITR	ITR Form
Taxation of Dividend	As per the Finance Act, 2020 the dividend will now be taxable in the hands of recipient shareholders	ITR - 2,3,5,6 & 7
Quarterly breakup of dividend income	Quarter wise breakup of dividend income earned by taxpayer during the previous year	ITR - 1
DDT	Removal of DDT	ITR - 6

	Income from Other Sources (drop down like interest from saving account, deposit etc. to be		
B3	provided in e-filing utility specifying nature of income and in case of dividend income please mention	B3	
	quarterly breakup for allowing applicable relief from section 234C)		
	Less: Deduction u/s 57(iia) (in case of family pension only)		

Particulars	Amendments in ITR	ITR Form
Section 80M	Newly introduced by Finance Act, 2020 – • Deduction can be claimed by a domestic company for an amount received by way of dividend from a domestic company/foreign company/trust to the extent it is further distributed as dividend	ITR - 6

1	Part	B- Deduction in respect o	f certain payments				ĭ		
	Pleas	e note that the deduction 220 cannot be claimed aga							
	а	80G		b	80GGB				
	c	80GGA		d	80GGC				
	Total	Deduction under Part B	1						
2	Part	C- Deduction in respect o	f certain incomes		- P				
	e	80-IA	(f of Schedule 80-IA)	f	80-IAB			9	
	g	80-IAC		h	80-IB		(k of Schedule 80-IB)		
	i	80-IBA		j	80-IC/ 80-IE	(e	of Schedule 80-IC/ 80-IE)		
	k	80ЈЈА		1	80JJAA	[Sl.no. 5I(eiv) +5II of Annexure to Form 10DA]			
	m	80LA(1)	(9 of Annexure to Form 10CCF)	n	80LA(1A)	(90)	f Annexure to Form 10CCF)		
	0	80M- Details of distribution of dividend as provided in e-filing utility		P	80-PA				
	Total	Deduction under Part C	(total of e to p)		1,-	-		2	

Particulars	Amendments in ITR	ITR Form
Section	ITR Form has been amended for section 80GGA and an additional disclosure	ITR – 2, 5 & 6
80GGA	is required of the date on which cash donation has been made	

Schedule 80GGA Details of donations for scientific research or rural development											
S No	- 1	Relevant clause under which deduction is claimed (drop down to be provided)	Name and add of donee		PAN of Donee		Eligible Amount of donation				
						Donation in cash	Date of donation in cash	Donation in other mode	Total Donation		
i	i										
i	i										
]	Total donation									

Particulars	Amendments in ITR	ITR Form
Section 194M	Every individual or HUF (who are not required to deduct tax u/s 194C, 194H & 194J) shall deduct tax @5% and certificate of tax deducted u/s 194M shall be issued in Form 16D. Reference of Form 16D has been given in ITR Forms	1 ' ' ' 1

В	Details of	Tax Deducted	at Source (T	DS) on In	com	e [As per]	Form 16	A iss	ued or Fo	rm 16B/1	6C/ <mark>16</mark>	<mark>D</mark> furnish	ed by De	ductor(s	5)]
1	TDS credit relating to self /other person [other person as per rule 37BA(2)]	Person (if	Deductor/ PAN/Aadhaar No. of Tenant/ Buyer	1	ught	Financia deducted	the curreal Year (1 during the (1)	TDS	(only if o	it being cl correspon ered for ta lle if TDS 194N	ding in x this y is dedu	come is year, not	_		TDS credit being carried forward
				Fin. Year in which deducted	b/f	Deducted in own hands	Deductor the han or any or person a rule 37H (if applic	ds of other is per BA(2)	Claimed in own hands	Claimed in the hands of or any other person as per rule 37BA(2) (if applicable)			Gross Amount	Head of Income	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) Income	TDS	(9)	Income	(10) TDS	PAN/ Aadhaar No.	(11)	(12)	(13)
I	TF. ▶ Please	e enter total of co	olumn 9 in 10h at	f Part R. T	TI										

Section 194 N

Particulars	Particulars Amendments in ITR							
Section 194 N	In case tax has been deducted on cash withdrawal u/s 194 N, As per Rule 12 - ITR 1 shall not be available to a taxpayer	ITR - 1						
Section 194 N	No option to carry forward TDS deducted u/s 194 N i.e. claim the refund in same year only	ITR - 2 to 7						



Particulars	S Amendments in ITR				
Section 80P	ITR Form has been amended to include the nature of business code in front of various types of income of such persons	ITR - 5			

Scho	edule 80P Deductions under section 80P			
		Nature of Business Code	Income	Amount eligible for deduction
1	Sec.80P(2)(a)(i) Banking/Credit Facilities to its members			
2	Sec.80P(2)(a)(ii) Cottage Industry			
3	Sec.80P(2)(a)(iii) Marketing of Agricultural produce grown by its members			
4	Sec.80P(2)(a)(iv) Purchase of Agricultural Implements, seeds, live-stocks or other articles intended for agriculture for the purpose of supplying to its members.			
5	Sec.80P(2)(a)(v) Processing , without the aid of power, of the agricultural Produce of its members.			
6	Sec.80P(2)(a)(vi) Collective disposal of Labour of its members			
7	Sec.80P(2)(a)(vii) Fishing or allied activities for the purpose of supplying to its members.			
8	Sec.80P(2)(b)Primary cooperative society engaged in supplying Milk, oilseeds, fruits or vegetables raised or grown by its members to Federal cooperative society engaged in supplying Milk, oilseeds, fruits or vegetables/Government or local authority/Government Company / corporation established by or under a Central, State or Provincial Act			
9	Sec.80P(2)(c)(i)Consumer Cooperative Society Other than specified in 80P(2a) or 80P(2b)			
10	Sec.80P(2)(c)(ii)Other Cooperative Society engaged in activities Other than specified in 80P(2a) or 80P(2b)			
11	Sec.80P(2)(d)Interest/Dividend from Investment in other co-operative society			
12	Sec.80P(2)(e)Income from Letting of godowns/ warehouses for storage, processing / facilitating the marketing of commodities			
13	Sec.80P(2)(f)Others			
14	Total			

Particulars	Amendments in ITR	ITR Form
Section 92E	Additional questions have been inserted in Part A with respect to Transfer Pricing report • Whether report has been furnished • Details of such furnished report	ITR - 3, 5 & 6

di	Are you l	iable	for	Aud	lit u/	/s 92	E?	□ Y	Yes	ı		lo.													
dii	If (di) is Y audited u			her	the a	acco	unts	have	been				Yes		[□ No			Date				ig au /YYY	dit repo YY	rt?
diii	If liable t	o fur	nish	oth	er a	udit	repo	rt un	der th	e Inco	ome-t	ax A	.ct, n	nenti	on w	hether	' have	you :	furni	ished	su	ch re	port	. If yes	please
CHII	provide t	the d	etail	s as	und	ler) (Pleas	e see 1	Instruct	ions)															
																[
	Sl. No		·	Se	ctio	n C	ode	•)		·	•	•					<u>D</u>	ate	(DI)/M	M /	YY	YY))	

• Return filing is not allowed in ITR-1 or ITR-4 if the tax has been deferred in respect of ESOPs allotted by an eligible start up

Particulars	Particulars Amendments in ITR							
Section 80-IAC	Return filing of ITR 1 & 4 shall not be allowed if the tax has been deducted u/s 80-IAC in respect of ESOPs allotted by an eligible start up	ITR 1 & 4						
Additional information in Part B - TTI	If an employee has received ESOP u/s 80-IAC in respect of which tax has been deferred, additional disclosure of the tax amount to be given	ITR - 3						

3	Gross tax payable (higher of 1d and 2i)	3	
3a	Tax on income without including income on perquisites referred in section 17(2)(vi) received from employer, being an eligible start-up referred to in section 80-IAC (Schedule Salary)	<mark>3a</mark>	
3b	Tax deferred - relatable to income on perquisites referred in section 17(2)(vi) received from employer, being an eligible start-up referred to in section 80-IAC	3b	

PRECAUTIONS TO BE TAKEN WHILE FILING ITR

Precautions to be taken while filing ITR

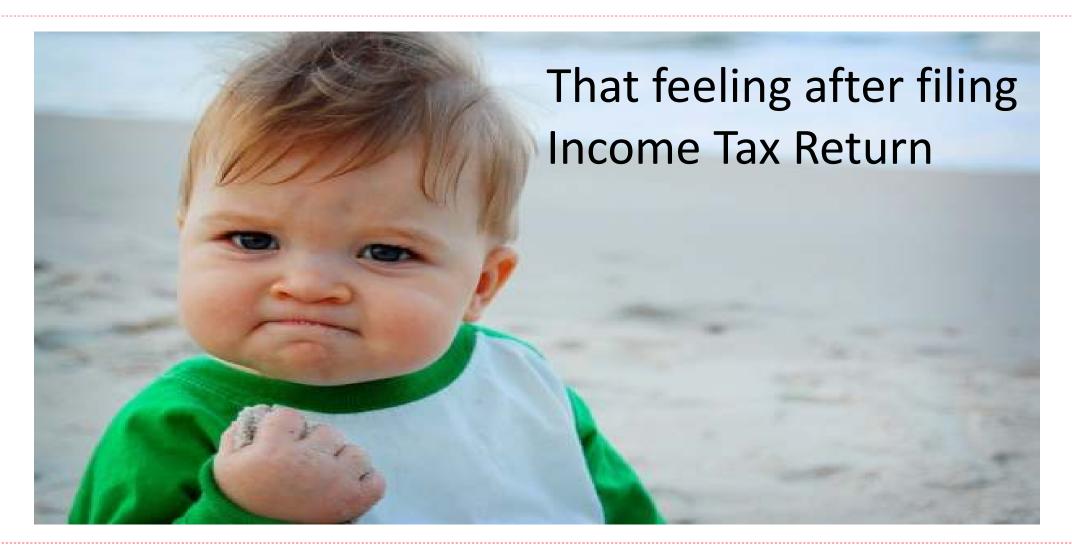
- Ensure that losses of previous years are correctly brought forward and set off
- In case of co-ownership, share of house property is to be filled and gross rental received should be reported
- Check whether all deductions are filled in relevant head and not clubbed under the head "any other allowable deduction"
- Balance sheet and Profit and loss accounts needs to filled
- Where books of accounts are not maintained relevant figures should be filled
- Additional depreciation is taken and correctly computed in the relevant schedule
- Check donation receipts having 80G eligibility and ensure appropriate schedule of donation is filled
- The dates in the capital gains schedule is correctly filled relevant for 234C calculations and allowability of deduction u/s 54 series

Precautions to be taken while filing ITR

- Disallowances made in tax audit report should be taken into account while calculating total income.
- Ensure that email id and phone number is updated in "My Profile" on efiling website and in the ITR relating to the same as the income tax department is avoiding paper communications and sending across the communications via email
- Impact of past assessments should be taken into consideration while preparing current years return of income
- Long term and short term capital gains earned on various assets are entered in relevant heads affects the rate of tax
- Income and TDS ought to match with 26AS, if TDS provisions applicable.
- During the last financial year there have been mergers of several banks, so while entering bank details make sure to put the updated IFSC Code and other details

Precautions to be taken while filing ITR

- ITR of deceased person needs to be filed by the legal heir after updating the same on portal with relevant attachments
- W.e.f 1st October, 2020, 206C(1H) was applicable so while filing ITR proper Reconciliation of TCS needs to be done
- Compare taxability if opting for Section 115BAC/115BAD or not opting for the same
- Communication Address on IT Portal should match with the PAN Card address (Address shown in 26AS)



HAPPY TAX FILING



THANK YOU