ReTuRN oF iNCoME

THE DUE DATES

- Assessees having **Income from Salary** have to file Return of Income **on or before July 31** of the Assessment Year.

  This is the **'DUE DATE'** prescribed in section 139(1) of the Income Tax Act, 1961.

- **Self-EMPLOYED Businessmen and Professionals**,
  And
  Those Deriving Income from Let-Out Property
  - Have to file their returns by this date.
  - viz. on or before July 31 of the assessment year.

- However, **Businessmen and Professionals** With

  Aggregate Turnover/Annual Receipt

  - Exceeding **Rs 60 Lakhs** (In The Case Of **Business**)
    And
  - Exceeding **Rs 15 Lakhs** (In The Case Of **Profession**)

    Have time up to September 30 of the Assessment Year for filing their return of income.

BENEFITS DUE TO RETURN FILING BY THE DUE DATE

- An assessee filing return by the **'DUE DATE'** provided in the statute
  - is eligible to file a revised return
  - If he discovers any omission or wrong statement therein.

- **Time limit** for filing **REVISED RETURN**
  - is one year from the end of the assessment year or before completion of assessment whichever is earlier.

THE REVISION OPTION

- If An Assessee **DOES NOT FILE**
  - his return within the '**DUE DATE'**
  - and he **files his return subsequently**,
  - then he **cannot** have the benefit of revising the return,
  - as the return filed beyond the **'DUE DATE'**
  - is treated as '**BELATED RETURN'**.

ADVANTAGES OF STICKING TO THE DEADLINE

- The taxpayer gets the advantage of **Carry Forward And Set Off Of Losses**, such as loss from BUSINESS and loss under the head `CAPITAL GAINS'.

- If the return is filed **beyond** the '**DUE DATE'** mentioned in section 139(1), these losses **CANNOT** be carried and set off against the income of subsequent years.
- Yet another advantage of filing Returns ON OR BEFORE '**DUE DATE'** is the eligibility **for INTEREST ON TAX REFUND from April 1 of the ASSESSMENT YEAR.**

REFUND CASES

- Where the return is filed after the '**DUE DATE'**, **Interest on Refund** is paid only for the period from the month of filing the return to the date of refund.

- In other words,

  NO INTEREST is paid for the period

  FROM ***April 1*** of the Assessment Year

  TO the date of filing the '**BELATED RETURN'**.

NIL TAX LIABILITY

- Where the return is filed beyond the '**DUE DATE'**, the taxpayer has to pay interest if any, on **tax liability existing** beyond
  - Tax Deducted At Source (TDS) or
  - Tax Collected At Source (TCS) or
  - Advance Tax Paid.
- The question of interest **does not arise** where tax due for payment is **NIL**.
- A taxpayer can file his return before the end of the assessment year without any penalty (However with Penal Interest under Section 234A).
- For the assessment year 2012-13, return of income **could be filed up to March 31, 2013**.

DELAY IN FILING RETURN

- Apart from ***Interest and Penal Interest***, there are **Other Implications**.
- If the return is filed **AFTER MARCH 31, 2013** but **BEFORE MARCH 31, 2014**, the Assessing Officer could **levy a penalty** of Rs 5,000 under section 271F.
- If the return is filed after March 31, 2014 then such return would become an **INVALID RETURN**.