23 Questions answered on income tax return filing

Q 1. What are the way, I can file my Income Tax Returns?

Return of income can be filed manually or online mode . If return of income is filed through online mode, then the assessee has following two options:

(1) E-filing using a Digital Signature

(2) E-filing without a Digital Signature

If return of income is filed by using a digital signature, then there is no requirement of sending the signed copy, ITR V (i.e., acknowledgement of return filed electronically) to Bangalore CPC.

But, if the return is filed without using digital signature, then the assessee shall send the signed copy of ITR V to CPC, Bangalore at the following address. Income Tax Department – CPC, Post Bag No -1, Electronic City Post Office, Bangalore -560100, Karnataka within 120 days of uploading the return either by ordinary post or speed post only.

Q 2. Whether it is mandatory to file return electronically?

E-filing of return is mandatory for:

a) Every company; or (b) Every AOP or BOI or

(c) A person [other than a company and a person required to furnish return in form ITR 7] whose total income exceeds Rs. 5 lakh rupees during the previous year 2013-14;

(d) A firm or an individual or HUF who are required to get their accounts audited under section 44AB;

(e) Every person claiming tax relief under Section 90, 90A or section 91;

(f) A political party [if its income exceeds the limit, without claiming exemptions under Section 13A, which is not chargeable to tax]

(g) Every resident and ordinarily resident individual and HUF, if he/it has any of following:

(i) Signing authority in any account located abroad;

(ii) Any asset located abroad; or

(iii) Financial interest in any entity located abroad.

Q 3. When is it mandatory to file return electronically with digital signature?

E-filing of return with digital signature is mandatory for:

(a) Every company;

(b) A firm or an individual or HUF who are required to get their accounts audited under section 44AB;

(c) A Political Party [it its income exceeds the limit, without claiming exemptions under Section 13A, which is not chargeable to tax]

Q 4. I am an Individual and resident of India. Do I need to file return if my income is below taxable limit but I am having an account in a foreign bank?

Yes, it is mandatory for you to file the income-tax return. In view of newly inserted proviso to Section 139(1), it is mandatory to file income-tax return, if following conditions are satisfied:

(a) The assessee is resident and ordinarily resident in India;

(b) He has any of following:

(i) Signing authority in any account located abroad;

(ii) Any asset located abroad; or

(iii) Financial interest in any entity located abroad.

The assessee is required to provide requisite details of such account, assets or financial interest in the return of income.

Q 5. What are the due dates for filing of income-tax returns for the year ending March 31, 2014?

Assessee	Due date
An Individual or HUF or businesses not required to get audited	31-Jul-14
A Company	30-Sep-14
A person whose accounts are required to be audited	30-Sep-14
A working partner of a firm whose accounts are required to be audited	30-Sep-14
An assessee who is required to furnish a report under Sec. 92E for international transaction	30-Nov-14
Any other person	31-Jul-14

Q 6. How can I find my jurisdictional Assessing Officer?

Either click on Services>Know your Jurisdiction given on the home page of incometaxindiaefiling.gov.in or use the following link https://incometaxindiaefiling.gov.in/e-Filing/Services/KnowYourJurisdictionLink.html to know your jurisdictional officer.

Q 7 How to know TAN of my deductor?

It can be found either on the Form 16/16A or in the 26AS tax credit statement available on https://www.tdscpc.gov.in/app/login.xhtml TRACES (TDS Reconciliation and Correction Enabling System) website.

Q 8. How would I know whether my e-return has been processed at CPC Bangalore?

Log on to the e-filing website and select CPC processing status to check the status of return.

Q 9. I have filed my return electronically and furnished the signed copy of acknowledgment to the CPC. However, I have received a letter from CPC that said copy of acknowledgement had not been received. Since time-limit to resend the acknowledgement already expired, whether it will be deemed that I have not filed the return?

If you have already submitted the ITR-V to the CPC then you can resend the acknowledgement, even though the time-limit for filing ITR-V has already expired, provided you have sufficient evidences to substantiate the fact that you have send the acknowledgment earlier within 120 days of uploading the return either by ordinary post or by speed post only.

Q 10. Can I file the return even if the due date to file the same has expired?

Yes, you can file return of income belatedly within a period of one year from the end of relevant assessment year or before the completion of assessment, whichever is earlier.

Q 11. What are the consequences of filing belated return?

If return is filed after the end of relevant assessment year, in that case penalty of five thousand rupees can be levied under section 271F.

If the return of income is not filed within the due date specified under section 139(1), loss incurred during the year under the heads ‘Profits and gains of business and professions’ and ‘Capital gains’ cannot be carried forward to next year.

Q 12. Can I file return of income even if my income is below taxable limits?

Yes, you can file return of income voluntarily even if your income is less than the maximum exemption limit.

Q 13. I have filed my return of income; however, I omitted to claim benefit of Section 80C deduction. What should I do?

The benefit of omitted claim can be availed only by filing a revised return. But in that case you have to ensure that your original return has been filed within the due date as return can be revised only if it has been filed originally within the specified due date.

Q 14. What documents are needed to be enclosed along with the return of income?

Income-tax returns are annexure less. Hence, there is no need to enclose any document(s) along with the return of income. Thus, documents like TDS certificate, balance sheet, Profit & Loss A/c, Capital A/c, proof of investments, etc., are not to be attached along with the return of income. However, these documents should be retained and have to be produced before the Assessing Officer whenever he requires us to do so.

Q 15. My employer has deducted tax without allowing me relief of section 89. Can I claim the relief while filing the return of income?

If the employer fails to provide relief under section 89 and deducts excess tax, then you can claim such relief in your return of income and can claim refund of excess tax deducted.

Q 16. How to claim deduction on donation given to an organization registered under section 80G?

Deduction under section 80G can be claimed by filing the return of income in which the following details need to be given: (a) Name of donee, (b) PAN of donee, (c) Address of donee; (d) Amount of donation

Q 17. Whether salaried persons are not required to file return of income for assessment year 2014-15?

Exemption from filing return of income isn’t available for salaried persons for Assessment Year 2014-15, as exemption from filing of return of income for salaried persons was allowed under Notification No. 9/2012 only in respect of the Assessment Year 2012-13. Similar notification for Assessment Years 2013-14 and 2014-15 has not been issued. Therefore, every assessee earning income of more than basic exemption limit shall file the return of income.

Q 18. Whether all salaried taxpayers can choose ITR-1 for filing income-tax returns?

No, all salaried taxpayers can’t choose ITR-1 for filing tax returns from Assessment Year 2013-14 onwards. They can choose ITR-1 only if they are claiming exemption under sec. 10 (e.g. HRA, Conveyance allowance, etc.) up to Rs 5,000 or less. So, if taxpayer is claiming any exemption under sec. 10 which exceeds Rs. 5,000, he cannot file return of income in ITR-1 (As per amended Rule 12 of income-tax rules).

Q 19. I omitted to submit rent receipt and investment proof to my employer because of which relief for HRA and certain other deductions weren't given to me;

the tax deducted from my salary income is higher than my actual tax liability. How to claim refund of such excess tax?

Even if the benefit of HRA under Section 10(13A) and deduction under Chapter VI-A are not considered by the employer in Form 16, yet they can be claimed in the income-tax return.

Accordingly, the excess tax deducted by employer can be claimed as refund.

Q 20. How to claim benefit of tax deducted in advance on income which is taxable in subsequent years?

Certain provisions of TDS (including TCS) require deduction of tax at source at the time of payment or at the time of credit, whichever occurs earlier. Advance payments are also subjected to TDS. Old ITR form did not have any mechanism to carry forward the excess TDS, thus, taxpayers were required to show the entire TDS as a deduction and claim refund of excess TDS.

To overcome the issues, the Schedule TDS/TCS in the ITR forms introduced two new columns:

(a) Unclaimed TDS/TCS brought forward

(i) Financial Year in which deducted/collected

(ii) Amount brought forward

(b) TDS/TCS being claimed this year from amount brought forward or from TDS/TCS of current financial year.

Thus, the portion of TDS credit pertaining to income taxable in the subsequent year can be carried forward to subsequent year and can be claimed in the year in which income is offered to tax.

Q 21. What will be the consequences if return of income is filed without making payment of self-assessment tax?

To discourage the practice of filing of return of income without payment of self-assessment tax, the Finance Act, 2013 has amended Explanation to section 139(9) so as to provide that the return of income shall be deemed as defective return if tax including interest thereon, if any, payable in accordance with the provisions of the Act has not been paid on or before the date of furnishing of the return.

Q 22. Whether is it mandatory to furnish PAN of the landlord to claim exemption in respect of house rent allowance?

If employee is claiming exemptions for house rent allowance and the annual rent paid by him exceeds Rs. 1,00,000, it is mandatory for him to report PAN of the landlord to the employer.

In case the landlord does not have a PAN, a declaration to this effect from the landlord along with the name and address of the landlord should be filed by the employee.

Q 23 Is there any restriction on number of returns that can be filed using same email-ID or same mobile number?

Yes, only 10 returns can be filed using same email-id or same mobile number.