



**Chengalpattu District Branch of SIRC of ICAI  
(Formerly known as Kanchipuram District Branch)**

# **E- NewsLetter MAY 2021**



## Chengalpattu District Branch of SIRC of ICAI

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CA K R Sathiyarayanan, ViceChairman

CA T Sivagurunathan, Secretary

CA R Narasimma Raghavan Treasurer

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#### ARTICLES INVITED FROM MEMBERS:

Note: Articles are invited from members for publishing in newsletter. The articles shall be either on the specific subject or a general article. Members can mail their article with Name, Membership Number, Mobile Number, Residential Address, Office Address & Photo to our Mail mentioned below

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*Note: The views expressed in the articles published are their own views and Chengalpattu District Branch does not endorse or take responsibility for the views expressed in the articles.*

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# E-NEWSLETTER

CHENGALPATTU DISTRICT BRANCH OF SIRC OF ICAI

## From the Chairman's Desk

*My Dear professional colleagues,*



Hope the almighty keeps you all and your family in good health and happiness. The ongoing pandemic situation is getting worsen day by day and lets all stay at home and be safe. Let's take opportunity to spend time with our family and parents.

The branch will be closed in alignment with the orders of Government of Tamil Nadu and ICAI guidelines. The branch has structured virtual meetings for the month of May 2021 and June 2021 and the members can make use of the programs.

The President of ICAI, has nominated Sri. P Rajendra Kumar, Central Council Member as Co-Chairman of our Infrastructure Development Committee. With the guidance CCM Sri. G Sekar, Chairman of our Infrastructure Development Committee and as per our ICAI infrastructure policies, the branch had made the full lease premium to Railway Land Development Authority in stipulated time frame. Next, we have to sign the lease agreement and take possession of the land, but unfortunately lock down has been announced in various parts of the country and the next step is getting delayed.

The branch representations for getting the members strength have been materialized and the branch members' data got finalized with the guidance of CCM Sri. P Rajendra Kumar sir.

During this pandemic situation, there are many work from software's, that enables the members and students to work from home. The members can make use of this software's and restraint from going out unnecessarily.

The branch is to form Covid Task force to assist and facilitate members and their family with regard to vaccinations, plasma and blood donations and other related helps. Interest volunteers can contact any of the managing committee members.

Stay Home and be safe.

Best Wishes.

Thanking you.

With regards.

**CA C Kathiresan**

**9444083676**

**CHAIRMAN**

**CHENGALPATTU DT BRANCH OF SIRC OF ICAI.**

**DATE: 01.05.2021**

**SAVE BRANCH MOBILE NO: 8056244300**

## New provisions relating to Registration of Trusts

compiled by CA Geetha G



**A Brief about Form 10A and 10AB as per new Law on Registration of trust under Section 12A and Section 80G and Approval U/s 10(23C) and Section 35(1)**

The **Finance Act, 2020** has made changes leading to complete overhaul in the registration process of charitable and religious organisations. The procedure for registration of every organisation under the new scheme shall be completely electronic under a centralised database.

The Income-tax Department shall issue a National Unique Registration Number to all the charitable and religious institutions and thereby creating a National Database of exempt entities.

A new section 12AB has been inserted with effect from 1st April, 2021 dealing with the procedure of registration. Earlier, trusts or institutions were registered under section 12AA or under section 12A.

Further provision of Section 10(23C) and 35 has also been amended. These amendments were originally introduced by the Finance Act, 2020 effective from 1st June 2020, However, due to unprecedented economic crisis, the Government passed "**The Taxation and Other Laws (Relaxation And Amendment Of Certain Provisions) Act, 2020**" as on 29th September 2020 to defer the implementation of new procedure and make it effective from 1st April 2021.

Further the rules relating to the provisions has also been amended by **Income Tax Notification 26th March 2021**.

From 10A and 10AB has been prescribed in these new rules for the registration of the Trust U/s 12A & 80G and approval U/s 10(23C) sub-clause (iv) or (v) or (vi) or (via) & 35(1) sub-clause. As per New law Form 10A or 10AB is required to be filed for re-registration/ fresh registration or approval as the case may be.

A new clause (ac) has been inserted in subsection (1) of section 12A with effect from April 1, 2021 which states that notwithstanding anything contained in clauses (a) to (ab), the person in receipt of the income who wants to claim benefit of section 11 & 12 is to make an application in the prescribed form (10A or 10AB) and manner to the Principal Commissioner or Commissioner, for registration of the trust or institution.

The prescribed time limit and the applicable form is discussed below:

Sr. No.	Trusts availing exemption under/ or section	Prescribed Form	Time limit
1	12A or 12AA	Form 10A	Within 3 months from April 1, 2021
2	Section 12AB (after getting renewed) vide amendment in Finance Act 2020	Form 10AB	At least 6 months prior to expiry
3	provisionally registered under section 12AB (Section 12AB is under new process or new law effective from April 1, 2021)	Form 10AB	At least 6 months prior to expiry of period of the provisional registration or within 6 months of commencement of its activities, whichever is earlier.
4	where registration of the trust or institution has become inoperative due to the first proviso to sub-section (7) of section 11	Form 10AB	at least 6 months prior to the commencement of the assessment year from which the said registration is sought to be made operative
5	where trust or institution has adopted or undertaken modifications of the objects which do not conform to the conditions of registration	Form 10AB	within a period of 30 days from the date of the said adoption or modification
6	In any other case (incl. provisional registration)	Form 10A	at least 1 month prior to the commencement of the previous year relevant to the assessment year from which the said registration is sought

## Indirect Taxes Updates

by CA R. V. Bhuvaneshwari



### Notifications:

1. Every Company Registered under GST, shall be allowed to file their GSTR-3B and GSTR-1 Return, by using the Electronic Verification Code (EVC) Option, during the period 27.04.2021 to 31.05.2021.

Notification No.07/2021-Central Tax Dated 27.04.2021

2. Relief by lowering / Waiver of Interest Rates for the period March 2021 & April 2021.

**For Taxpayers with aggregate Turnover > Rs.5 Crores in the preceding FY**

Interest @ 9% p.a. for the first 15 days from the due date and 18% p.a. thereafter.

**For Taxpayers with aggregate Turnover < Rs.5 Crores in the preceding FY**

Interest @ NIL for the first 15 days from the due date,

Interest @9% p.a. for the next 15 days, and

Interest @18% p.a. thereafter.

For Quarterly Filers, filing for the Quarter End March 2021

Interest @ NIL for the first 15 days from the due date,

Interest @9% p.a. for the next 15 days, and

Interest @18% p.a. thereafter

Notification No.08/2021-Central Tax Dated 01.05.2021

3. With effect from Waiver of Late Fees for specified Tax payers, for Specific Tax periods.

**For Taxpayers with aggregate Turnover > Rs.5 Crores in the preceding FY**

Late fees is waived for the first 15 days from the Due date of furnishing return.

**For Taxpayers with aggregate Turnover < Rs.5 Crores in the preceding FY & Quarterly filing of Jan 2021 to March 2021.**

Late fees is waived for the first 30 days from the Due date of furnishing return.

Notification No.09/2021-Central Tax Dated 01.05.2021



4. The Due Date of filing FORM GSTR-4 for the FY 2020 - 2021 has been extended upto 31.05.2021.

Notification No.10/2021-Central Tax Dated 01.05.2021

5. With effect from 25.04.2021, The filing of declarations in FORM GST ITC - 04, in respect of Goods dispatched to a Job-Worker / received from a Job - Worker, for the period 01.01.2021 to 31.03.2021, has been extended upto 31.05.2021.

Notification No.11/2021-Central Tax Dated 01.05.2021

6. The Due date of filing GSTR-1 for the Period April 2021, has been extended upto 26.05.2021.

Notification No.12/2021-Central Tax Dated 01.05.2021

7. The Application of Rule 36(4) shall be done cumulatively for April 2021 and May 2021 in the GSTR-3B of May 2021. The IFF table for the month of April 2021 can be furnished upto 28.05.2021.

Notification No.13/2021-Central Tax Dated 01.05.2021

8. The Time Limit for completion or compliance of any action by any authority or any other person, which falls during the period 15.04.2021 to 30.05.2021, has been extended upto 31.05.2021.

Notification No.14/2021-Central Tax Dated 01.05.2021

## MCA Updates

by CA A. Priya

### Clarification on spending of CSR funds for setting up of makeshift hospitals and temporary COVID care facilities



MCA wide its General Circular No.05/2021 dated 22nd April, 2021, issued clarification on spending of CSR funds for setting up of makeshift hospitals and temporary COVID care facilities. Earlier on 23rd March 2020, Ministry's issued a General Circular No. 10/2020 wherein it was clarified that spending of CSR funds for COVID-19 is an eligible CSR activity, through this circular, it was further clarified that spending of CSR funds for setting up makeshift hospitals and temporary COVID Care facilities is an eligible CSR activity falling under item nos. (i) and (xii) of Schedule VII of the Companies Act, 2013 relating to promotion of health care, including preventive health care, and, disaster management respectively. The companies could undertake the aforesaid activities in consultation with State Governments subject to fulfillment of Companies (CSR Policy) Rules, 2014 and the circulars related to CSR issued by this Ministry from time to time.

#### Due dates for filing RoC forms

Form	Particulars	Due Date
Form 11	Annual Returns of LLP.	For Financial year 2020-21 within 30.05.2021 (within 60 days from close of the end of the financial year.
CFSS-2020 Form	Application of issue of immunity certificate	Within 30.06.2021
Form DPT-3	Return of Deposits	For Financial year 2020-21 within 30.09 2021
E-Form DIR - 3 KYC (Web Based and E-form)	KYC for Director's DIN	For Financial year 2020-21 within 30.09 2021

## Income Tax Case Laws

by CA. Muthu Abirami



Reference: <https://www.taxmann.com/>

Madras High Court

### **Anjuman-E-Himayat-E-Islam vs ADIT**

T. C. A. NO. 46 OF 2021 AND C. M. P. NO. 845 OF 2021

**Held:** When the assessee trust applies 85% of its income received by way of voluntary contributions other than the voluntary contributions received with specific directions and the income derived from property held under Trust, then such income shall not be included in the total income of the Trust. Further, the balance 15% of such income even if accumulated or set apart shall also not be included in the total income of the Trust.

ITAT - Delhi

### **ITO vs Zexus Air Services (P.) Ltd.**

ITA NO. 2608 (DEL) OF 2018 AND CO NO.121 (DEL) OF 2018

**Held:** Where assessee company had allotted shares to 'S' in lieu of goodwill and without any monetary consideration, Commissioner (Appeals) rightly deleted addition made by Assessing Officer invoking provisions of section 68 as there was no movement of actual money either in cash or through bank and shares were allotted to shareholders against goodwill. Addition, if any, in instant case had to be made in hands of 'S' to whom shares were allotted for his services rendered by debiting goodwill account in books of account.

ITAT - Chennai

**Oceanic Bio Harvest vs DCIT**

ITA NO. 174 (CHNY) OF 2019

**Held:** Where assessee-company engaged in business of aqua culture of prawn and prawn seeds, incurred pond and farm maintenance expenses in crores and such expenditure had been paid in cash, since impugned payment had been made to labour for cleaning of ponds ,for JCB baffling charges etc. and not to cultivator , grower or producer as per rule 6DD(e) in order to exclude said payment from purview of section 40A(3) and assessee had failed to produce any evidence in support of said expenditure , said expenditure had to be disallowed under section 40A(3).

Madras High Court

**B.Kubendran vs DCIT**

W.P. NOS.3023, 3031, 3032, 3033, 3036 &amp; 3037 OF 2020

**Held:** There is no requirement for a notice to be issued under section 143(2) for completion of an assessment under section 153C and thus, question of adhering to time limit prescribed under proviso to section 143(2) does not arise.

**COMPLIANCE DUE DATES - MARCH 2021**

Due Date	Particulars of Compliance	Applicable Act	Forms/ Returns	Applicable To	Reporting Period	Remarks
07/05/2021	Due Date for deposit of Tax Deducted/ Collected	Income Tax	Challan - 281	All Tax Deductors/ Collectors	Apr-21	
10/05/2021	Return for TDS under GST	GST	GSTR - 7	Government Authorities	Apr-21	
10/05/2021	Return for Details of Supplies and the amount of tax collected	GST	GSTR - 8	E-Commerce Operator	Apr-21	
13/05/2021	Optional Facility for Furnishing of Invoices raised during the period	GST	IFF	Taxpayers with Annual Turnover less than 1.5 crores and opted for QRMP Scheme	Apr-21	
13/05/2021	Return for details of ITC Received and Distribution	GST	GSTR - 6	Input Service Distributors	Apr-21	
15/05/2021	Due Date for furnishing the statement of Tax Collected at Source	Income Tax	Form 27EQ	All Tax Collectors	Jan - Mar 2021	
15/05/2021	Deposit of Provident Fund Contributions	Provident Fund	Through EPFO Portal	Entities registered with PF Authorities	Apr-21	
15/05/2021	Deposit of E.S.I.C Contributions	ESI	Through ESIC Portal	Entities registered with ESIC Authorities	Apr-21	
20/05/2021	Due date for filing Summary Return of Outward & Inward Supplies	GST	GSTR - 3B	GST Taxpayers having Turnover exceeding Rs. 1.5 Crores in Preceding Financial Year	Apr-21	

20/05/2021	Due date for filing Summary Return of Outward & Inward Supplies	GST	GSTR - 3B	GST Taxpayers having Turnover not exceeding Rs. 1.5 Crores in Preceding FY but not opted for QRMP Scheme	Apr-21	
20/05/2021	Last date for filing of Summary Return of Outward & Inward Supplies and Tax payable	GST	GSTR - 5	Non-Resident Taxable Persons	Apr-21	
20/05/2021	Last date for filing of Summary Return of Outward & Inward Supplies and Tax payable	GST	GSTR - 5A	OIDAR Service Providers	Apr-21	
26/05/2021	Return for outward supplies of Goods and/or Services	GST	GSTR - 1	Taxpayers with Annual Turnover more than 1.5 crores	Apr-21	Extended Due Date
26/05/2021	Return for outward supplies of Goods and/or Services	GST	GSTR - 1	Taxpayers with Annual Turnover less than 1.5 crores, if not opted for QRMP Scheme	Apr-21	Extended Due Date
30/05/2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under Section 194IA, 194M	Income Tax	Form 26QC, Form 26QD	All Tax Deductors	Apr-21	
30/05/2021	Due Date for issue of TCS certificates	Income Tax	Form 27D	All Tax Collectors	Jan - Mar 2021	

31/05/2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under Section 194IA, 194M	Income Tax	Form 26QC, Form 26QD	All Tax Deductors	Mar-21	
31/05/2021	Due Date for furnishing the statement of Tax Deducted at Source	Income Tax	Form 24Q, Form 26Q	All Tax Deductors	Jan - Mar 2021	
31/05/2021	Due date for furnishing of statement of financial transaction u/s 285BA	Income Tax	Form 61A	Specified class of persons under Rule 114E	F.Y. 2020-21	
31/05/2021	Last Date for filing of Belated Return of Income and Revised Return of Income	Income Tax	ITR 1 to ITR 7	All Assesseees	F.Y. 2019-20	Extended Date
31/05/2021	Last Date for Furnishing of Statement of Job Work received	GST	ITC 04	All Jobwork Receivers	Jan - Mar 2021	Extended Date

**UpComing Events**

<b>DATE</b>	<b>TIME</b>	<b>TOPIC</b>	<b>SPEAKER</b>
12.05.2021,Wednesday	11.00am to 01.00pm	Charitable Entities- Re-registration under Income Tax & Recent Amendments	<b>CA Subashini Ganapathy</b>
15.05.2021, Saturday	11.00am to 01.00pm	Recent Amendments & TDS and TCS Provisions under income Tax	<b>CA Yuvamoorthy V</b>
22.05.2021, Saturday	11.00am to 01.00pm	Recent Amendments in Companies Act	<b>CA Asir Raja Selvan</b>
12.06.2021, Saturday	11.00am to 01.00pm	Assesment & Reassessment under Income Tax - Recent Amendments	<b>CA Muthu Abirami</b>