

TDS AT A GLANCE 2013-14

COMMISSIONER OF INCOME TAX (TDS), KOCHI

Preface

Income Tax Department in India is laying more emphasis on revenue generation through Tax Deduction / Collection at Source. The provisions of the Income Tax Act relating to Tax Deduction at Source are of immense importance in the present scenario when TDS collections account for almost 40% of total collection of Direct Taxes. The TDS wing has been vested with the responsibility to educate the tax deductors and assessees regarding the relevant provisions of Income Tax Act. This Book is an effort to provide concise and relevant information on the law relating to TDS and TCS. This book is intended as a ready referencing tool while handling issues relating to TDS and TCS. Every effort has been made to avoid errors or omissions in this handbook. Constructive suggestions and feedback from the users would be highly appreciated and gratefully acknowledged.

With best wishes
TDS WING, KERALA

Foreword

I extremely appreciate the publishing of "TDS at a Glance 2013-14" by the TDS unit of Income Tax Department with the sole objective of educating the tax deductors as well as the deductees. The TDS intricacies are well explained in layman's language.

It covers all aspects of Tax Deduction at Source, bringing under one roof, the entire gamut of provisions required to be known by a deductor. The detailed explanation provided with respect to Section 192 will be especially useful for all DDOs. Wrong or short deduction of tax has always been a source for grievance for the common public and a huge loss of revenue to the Government also. Meticulous application of law and equal compliance by the tax deductors would ultimately ensure smooth flow of tax deduction at source and timely issue of refunds, credit for tax paid, a reduction in size of ever mounting arrear demand and last but not the least a highly satisfied tax payer.

I sincerely extend my congratulations to the entire team of Officers and staff members who have put in their immense, wholehearted efforts to make the publication possible.

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SHANTA ABROL COMMISSIONER OF INCOME TAX

Place: Kochi

Date: 25/07/2013

TDS AT A GLANCE

Introduction

Income is earned over a period of time but the assessment/ determination of tax liability takes place much later. To avoid a liquidity problem for the tax payer and also to ensure a regular flow of revenue for the government, the Income tax Act has provided for periodic recovery of tax from income liable to tax by requiring the tax to be deducted at source from certain income/payments as and when such income/payments are credited. The concept of TDS is that the person responsible for making certain specified payments is required to deduct tax at the prescribed rates from the payments made to a specified recipient in accordance with the provisions of the Income Tax Act.

Quoting of Tax Deduction/Collection Account Number(TAN)

All persons deducting or collecting Tax at source are required to apply for and obtain a Tax Deduction/Collection Account Number (TAN). Quoting of TAN of the deductor is mandatory in the TDS Challan, TDS return, TDS certificates and other TDS related transactions. Application for obtaining TAN is to be made in **Form No.49B** at any of the TIN FC's.

Improving compliance with provisions of quoting of PAN (from 1-4-2010 onwards)

It is now mandatory for the tax payer/ deductee to furnish his PAN to the deductor, failing which the deductor shall deduct tax at source @ 20% or the rate in force which ever is higher. TDS would also be deductible @20% in cases where the tax payer files a declaration in Form.No.15G or 15H without quoting his/her PAN. No certificate under section 197 (for non-deduction / deduction at lower rate) will be granted unless the application contains the PAN of the applicant.

RESPONSIBILITIES OF THE DEDUCTOR/COLLECTOR

DEDUCT TAX AT THE TIME OF PAYMENT/ CREDIT

Any person responsible for paying any sum, on which tax is deductible, shall deduct tax at the prescribed rates at the time of payment/credit.

DEPOSIT DEDUCTED TAX WITHIN THE PRESCRIBED TIME LIMITS:

In case of Government

deductors on the same day when tax is paid without production of

an IT challan (book adjustment)

within 7 days from end of the month, when tax paid is

accompanied by an IT challan.

In case of Others within 7 days from end of the month in which tax is deducted

On or before 30th April for TDS made in March:

Mode of remittance of tax

- Remittance of TDS is to be made in Challan type 281.
- Use separate challans for tax deducted under each section and also for different types of deductees.
- Indicate the correct **nature of payment**.
- The 10 digit TAN should be correctly mentioned in the challan.
- Ensure that the Financial Year and Assessment year are indicated correctly in the challan.

All companies and other assessees (who are subjected to compulsory Audit u/s 44AB) are required to make electronic payment of tax through internet banking facility offered by authorized banks.

Proof of remittance of tax

After the taxes are paid, the collecting bank branch will give a counterfoil as acknowledgement for the taxes paid. Ensure that the bank has mentioned the Challan Identification Number (**CIN**) on the counterfoil. If not, immediately take up the matter with the bank. CIN comprises of the following:

Bank Branch Code (BSR code)
 Challan serial number
 7 digits
 upto 5 digits

• Date of tender of challan DD/MM/YYYY

Book Identification Number (BIN)

In case of Government Offices where tax has been paid to the credit of Central Government without the production of a challan (book adjustment), the Pay and Accounts Office (PAO), Cheque Drawing and Disbursing Office (CDDO), District Treasury Office (DTO) or an equivalent Government Office is required to File Form No.24G within ten days from the end of the month in electronic form. A unique seven digit Accounts Office Identification Number (AIN) shall be allotted by the Directorate of Income Tax (Systems), to every AO. On filing of Form No.24G, TIN Central System will generate Book Identification Number (BIN) to the AOs. The Accounts Officers filing Form No.24G should intimate the BIN to all the DDOs who are included in Form 24G. BIN is to be reported in the TDS/TCS statement filed by the DDOs. BIN comprises of the following:

• Receipt Number 7 digits for each 24G

DDO Serial Number
 5 digits unique no. for each DDO

• Date of tender of challan DD/MM/YYYY

Verification of tax payment information transmitted to TIN and procedure for Challan Correction

The collecting bank branch will transmit the details of taxes deposited by the deductor to the "Tax Information Network" (TIN) through the Online Tax Accounting System (OLTAS). All details of payment as uploaded by the banks are available at the NSDL website www.tin-nsdl.com under the link "Challan Status Enquiry". The deductor must verify the details that have been captured and transmitted by the bank before filing the Quarterly Statements. If there is any mistake in the challan, a correction request has to be filed to the Bank. The fields that can be corrected through the bank are tabulated below.

Sl.No	Type of Correction	Period for Correction request to Banks
1	TAN/PAN	within 7 days from challan deposit date
2	Assessment Year	within 7 days from challan deposit date
3	Total Amount	within 7 days from challan deposit date
4	Major head	within 3 Months from challan deposit date
5	Minor Head	within 3 Months from challan deposit date
6	Nature of Payment	within 3 Months from challan deposit date

After the expiry of the window period available to banks for challan correction, the deductor can make a request for challan correction to the Jurisdictional TDS Assessing Officer.

ISSUE OF TDS/TCS CERTIFICATES TO THE DEDUCTEES

Every person deducting tax is required to issue TDS certificates in the prescribed form to the deductees within the specified time. From F.Y 2012-13 onwards the procedure for generating the TDS certificates has been significantly revised. It is now mandatory for all the deductors to issue the TDS certificates after generating and downloading the same from "TRACES" (www.tdscpc.gov.in). (Circular no.3/2011dated 13-5-2011, Circular No.1/ 2012 dated 9-4-2012 (in respect of 16A) and Circular No.4/2013 dated 17-4-2013 in respect of Form No.16)

All deductors shall generate and download Part A of Form No.16 through the TRACES portal in respect of all sums deducted on or after 1-4-2012. (applicable for the assessment year 2013-14 onwards). Part A of Form No.16 shall have a unique TDS certificate number. The deductor after downloading Part A of Form No.16, shall, before issuing it to the deductee, authenticate the correctness of the contents mentioned therein and verify the same by using his/ her signature. (Manual/ Digital). Part B of the Form No.16 shall be prepared by the deductor manually and issued to the deductee, after due authentication and verification, along with the Part A of the Form No.16.

The forms prescribed, periodicity and the due dates for issuing the certificates are given below.

Form No.	Periodicity	Due Date
16 (Salary)	Annually	Before 31 st May immediately following the end of the financial year
16A (Others)	Quarterly	Within fifteen days from the due date for furnishing the quarterly statement of TDS
27D (for Tax Collection at Source)	Monthly	Within a period of one month from the end of the month in which collection was made.

The certificate should specify

- Valid PAN of the deductee
- Valid TAN of the deductor
- Challan Identification Number(CIN) in case of payment through banks
- Book Identification number (BIN) in case of book adjustment
- Receipt number of relevant quarterly statements.
- Unique TDS certificate number.

FILING OF QUARTERLY STATEMENTS

Every person responsible for deduction/ collection of tax should file quarterly statements of tax deducted/ collected at source. Filing of TDS quarterly statements in electronic form is mandatory where,

- 1) The deductor is an office of the Government,
- 2) Principal officer of a company,
- 3) A Person who is required to get his accounts audited u/s.44AB in the immediately preceding year,
- 4) The number of records of deductees is 20 or more in a statement for any quarter.

The deductor at the time of preparing of statements of tax deducted shall

- Quote his Tax deduction Account Number (TAN) in the statement
- Quote his PAN in the statement (not applicable for Government Deductors)
- Quote PAN of all deductees
- Furnish particulars of tax paid to the Central Government including Book Identification Number (BIN) or Challan Identification Number (CIN) as the case may be.

- Furnish particulars of amount paid or credited on which tax was not deducted in view of the issue of certificate of no deduction of tax under section 197 by the Assessing Officer of the payee
- Furnish particulars of amount paid or credited on which tax was not deducted in view of the compliance of provisions of Section 194C (6) by the payee. (payments to transporter if PAN has been provided)
- Furnish particulars of amount paid or credited on which tax was not deducted in view of the declaration under section 197A(1) or (1C). (Self declaration filed in Form No.15G/15H)
- Furnish particulars of amount paid or credited on which tax was not deducted in view of the notification issued under section 197A(1F) (institutions notified by the Central Government)

Deductors can prepare the quarterly e-TDS returns using in-house software or using the Return Preparation Utility (RPU) developed by NSDL. This utility is freely downloadable from the websites www.tin-nsdl.com. At the time of preparing quarterly e-TDS/TCS statements, the following precautions need to be taken:

- Quote the correct TAN, name & address. TAN should be the same as quoted in your tax payment challans.
- Provide details of challans by which taxes have been deposited in the bank (i.e. the amount of tax deposited and CIN). Verify the CIN details uploaded by the banks to TIN before these details are included in the statement.
- The challan amount mentioned in the statement should be exactly the same amount as deposited through the challan. This will enable matching the challan details provided in the statement with the challan details uploaded by banks.
- Against each challan, indicate the details of deductees on whose account the tax has been deducted.
- Even if the actual tax deposited as per the challan is higher than the total of the amount of tax deducted on account of the deductees, challan details should contain the amount deposited as per the counterfoil.
- If TDS for two months (June and July) was paid using one challan, the same challan details are to be repeated in item 4 of the TDS form for both Q1 and Q2. However, please ensure that the total TDS deposited for the corresponding deductees given in statements for both quarters should be less than or equal to the challan amount.
- Quote correct Permanent Account Numbers (PAN) of the deductees.

After the file is prepared, the file has to be validated using NSDL's File Validation Utility (FVU), which is also available in the NSDL website. After validating the file with File Validation Utility (FVU), copy the '.fvu' file on a Compact Disk/Pen Drive, and affix a label mentioning TAN, Assessment Year, Form Number, Periodicity and name and furnish the same to any TIN facilitation Centre, and obtain acknowledgement thereof along with Provisional Receipt Number (PRN). Each quarterly e-TDS returns should be accompanied by a duly filled and signed **Form.No.27A** in physical form.

The deductor shall ensure that

- Quarterly e-TDS/TCS statement is in conformity with the file format notified by the Income Tax Department
- Each quarterly e-TDS/TCS statement (Form 24Q, 26Q, 27Q and 27EQ) is in a separate CD/Pen drive.
- Each quarterly e-TDS/TCS statement is accompanied by a duly filled and signed (by an authorised signatory) Form 27A in physical form.
- More than one CD/Pen drive is not used for furnishing one Quarterly statement.
- Quarterly e-TDS/TCS statement should be compressed, if required, only by using Winzip 8.1 or ZipItFast 3.0 (or higher version) compression utility to ensure quick and smooth acceptance of the file.
- Label mentioning TAN, name of deductor/collector, period to which statement pertains (quarter and F.Y.) and Form no. (24Q, 26Q, 27Q or 27EQ) is affixed on each CD/Pen Drive for the purpose of identification.
- There is no overwriting/ striking on Form 27A. If there is any, then the same should be ratified by an authorised signatory.
- TAN quoted in quarterly e-TDS/TCS statement and stated on Form 27A is the same. Confirm new TAN by using search facility on ITD website (www.incometaxindia.gov.in)
- TAN details (name, address, etc.,) of the deductor as provided in the quarterly e-TDS/TCS statement should be same as in the TAN database maintained by ITD (these details can be verified with the TIN-FC or the ITD web-site www.incometaxindia.gov.in). If they are different, the deductor shall submit a TAN change request application to update the ITD TAN database.
- Quarterly e-TDS/TCS statements pertain to the period for which they are allowed to furnish.
- The quarterly e-TDS/TCS statement has been successfully validated through the latest version of the FVU.
- Control totals, TAN and name mentioned in the quarterly e-TDS/TCS statement match with those mentioned on Form 27A.
- CD/Pen Drive is virus free.

Due dates for filing of Quarterly Statements

Form No.	Particulars	Due date for furnishing statement	
		Government	Non govt
24Q	Quarterly return of TDS from "Salaries"	July 31st	July 15 th
26Q	Quarterly return of TDS in respect of all payments	October 31st	October 15 th
	other than "Salaries"	January 31st	January 15 th
27Q	Quarterly return in respect of payments made to Non resident	May 15th	May 15 th
27EQ	Quarterly Return of TCS	July 15 th , October 15 th , January 15 th , May 15 th	

Quarterly returns (24Q) in respect of employees who are with the employer for a part of the year

Where an employee has worked with the deductor for part of the FY only, the deductor should deduct tax from his salary and report the same in the Q.R of respective quarter(s). Further while submitting Form No.24Q for the last quarter, the deducter should include the particulars of that employee in Annexure II and III irrespective of the fact that the employee was not under his employment on the last day of the year.

The Quarterly Return in Form No.24Q in respect of Salaries is to be filed in respect of every employee whose income under the head "Salaries" exceeded the Maximum amount not chargeable to tax.

CORRECTION STATEMENT

The returns/ statements relating to TDS/ TCS are required to be complete and correct. However, a procedure has been provided for correction of any genuine mistakes in the original returns/ statements by way of submission of 'correction returns/ statements'. Financial Year (F.Y.), Assessment Year (A.Y.) and Quarter cannot be updated by correction statements. Values in these fields have to be same as specified in corresponding regular statements.

For preparing the correction statement, the Consolidated File for the relevant Quarter should be downloaded from TRACES website(www.tdscpc.gov.in). This file has to be imported to the RPU for making necessary correction. Correction statement can be furnished multiple times to incorporate changes in the regular TDS/TCS statement.

Importance of e-TDS Returns

The computerised processing of the e-TDS returns filed by tax deductors is now in sync with the processing of individual returns of income filed by the deductees. In view of this, credit for the taxes deducted at source by the deductor cannot be given only on the basis of TDS certificates mentioned in the return of income. The deductee is given credit for the taxes deducted only if the tax deducted has been paid and the deductor has filed the relevant quarterly e-TDS Return. It is also essential that in the e-TDS Return, the correct PAN of the deductee and the amount deducted is mentioned. The details of payment i.e BSR code, serial number and date of payment should also be correctly mentioned in the return.

Claim for refund

A claim for refund for TDS paid to the credit of the Central Government shall be furnished by the deductor in Form No.26B electronically under Digital Signature.

CONSEQUENCES OF NON COMPLIANCE WITH TDS PROVISIONS

I. EXPENDITURE CLAIMED IS DISALLOWED

As per section 40(a)(ia) of the IT Act, the following expenditure will be disallowed from computation of business income of the deductor, if **TDS** is not made or tax deducted has not been paid on or before the due date for filing return of income.

Interest (TDS u/s194A) Commission or Brokerage (TDS u/s194H)

Rent (TDS u/s194I) Professional/technical fee/Royalty (TDS u/s194I)

Amount paid to a contractor or sub contractor (TDS u/s194C)

The above expenditure will be allowed as a deduction in computing the income of the previous year in which such TDS has been paid.

II. ASSESSEE IN DEFAULT

An assessee shall be deemed to be in default in respect of:

- 1. Non deduction of tax at source
- 2. Non payment, in whole or in part, of the tax deducted

Amendment to section 201

W.e.f 1-7-2012, if the payer has not deducted tax, he shall not be deemed to be an assessee in default in case:

- The recipient has included such income in the return submitted u/s.139 and has paid tax on such income and
- The payee submits a certificate to this effect from a chartered accountant (Form No.26A)

The amendment is not applicable if the recipient is a Non resident. If any deductor who is not considered as an assessee in default as per the above provision, interest u/s.201(1A) under clause(1) shall be payable from the date on which such tax was deductible to the date of furnishing of return of income (w.e.f 01.07.2012).

III. INTEREST

Section	Nature of default	Interest
201(1A)	Non-deduction of tax at source, either in whole or part. After deduction, non payment of tax, either in whole or part. Non-payment of tax u/s 192(1A).	 simple interest @ 1% per month from the date on which tax was deductible to the date on which tax is actually deducted @1.5% per month from the date on which tax was deducted to the date on which tax is actually paid

IV. LEVY OF FEE U/S.234E (w.e.f.01-07-2012)

Failure to file TDS/TCS quarterly statements shall be liable for a fee of Rs.200 per day of default and shall not exceed the amount of tax deductible or collectible. The fee shall be paid before delivering the quarterly statements.

V. PENALTY

Section	Nature of default	Penalty
271C	Failure to deduct the whole or any part of tax at source	Sum equal to the amount of tax which was failed to be deducted
271CA	Failure to collect the whole or any part of tax at source (TCS)	Sum equal to the amount of tax which he failed to collect

271H(1)(a)	Failure to submit quarterly return	Penalty of Rs.10,000 to Rs.1,00,000.
271H(1)(b)	for furnishing quarterly returns with incorrect information	No penaly shall be levied if the returns are filed within a period of one year from the due date.
272B	Failure to comply with provisions of Section139A for quoting Pan	Rs.10,000
272BB	Failure to obtain TAN	Rs.10,000
272A(2)	 Failure to issue TDS certificates Failure to deliver declaration in Form15G/15H Failure to file quarterly statements (only till 30-06-2012) 	the failure continues but the penalty shall not exceed the amount of tax

VI. PROSECUTION

Section	Nature of default	Prosecution
276B	Failure to pay Tax Deducted at Source	Punishable with rigorous imprisonment for minimum 3 months, maximum 7 years and with fine
276BB	Failure to pay Tax Collected at Source (TCS)	Punishable with rigorous imprisonment for minimum 3 months, maximum 7 years and with fine

PROVISIONS FOR DEDUCTION OF **TAX FROM SALARIES (SECTION 192)**

Every person responsible for paying any income chargeable under the head "Salaries" shall deduct Income Tax on the estimated income of the employee. Income tax is required to be calculated on the basis of the rates given in Part III of the Third Schedule of the Finance Act and shall be deducted equally at the time of payment. Salary is taxable on due basis or on receipt basis which ever is earlier. Tax deduction is required only at the time of payment of salary.

Salary includes:

- 1. Wages
- 2. Any annuity or pension
- 3. Any gratuity
- 4. any fees, commission, perquisites or profits in lieu of salary
- 5. any advance of salary
- 6. encashment of leave not availed
- 7. interest earned in excess of 9.5% on Recognised Provident Fund
- 8. Amount contributed by Employer to Recognised Provident Fund in excess of 12% on salary
- 9. Contribution made by the employer under pension scheme u/s.80CCD

Fully Taxable Allowances

Dearness Allowance	City Compensatory Allowance	Wardenship Allowance
Rural Allowance	Proctorship Allowance	Project Allowance
Deputation Allowance	Overtime Allowance	Interim Relief
Tiffin Allowance	Fixed Medical Allowance	Servant Allowance

Some of the other Allowance which are exempt to the extent of limit specified

Nature of allowance	Limit specified	Remarks
Hill compensatory	Rs.300 p.m to Rs.7000 p.m	Rule 2BB
Transport Allowance	Rs.800 p.m	Rs.1,600 for blind and handicapped
Children education allowance	Rs.100 p.m per child	Maximum 2 children

Specific Allowance that are fully exempt (Section 10(14))

Nature of allowance	Condition for complete Exemption	
Travelling Allowance	Should be expended by the employee to meet the cost	
	of official tour or transfer expenses	
Daily Allowance	Should be expended by the employee for meeting the	
	daily charges incurred on a tour	
Conveyance Allowance	nce Should be used by the employee to meet the expenditure	
	on conveyance in performance of official duties.	
Academic Allowance	Should be used by the employee for his academic	
	purpose	
Uniform Allowance	m Allowance Should be expended by the employee for purchasing/	
	maintaining office uniform for official duties.	

Taxability of House Rent Allowance

As per section 10(13A), an employee who is in receipt of House Rent Allowance can claim exemption, if he does not live in his own house, and pays rent in excess of 10% of salary (Basic+ DA considered for retirement benefits+ Fixed commission) for his residential accommodation.

Least of the following is allowed as exemption

- 1. Actual amount of HRA Received
- 2. Rent paid in excess of 10 % of Salary
- 3. 40% of salary

Taxability of Gratuity [Section 10(10)]

Gratuity received by Government Employees or employees under Civil Services is fully exempt from Tax. The exemption is available even if the employee after leaving the Government services joins the private sector.

If covered under payment of Gratuity Act, 1972, Least of the following is exempt

- Actual Gratuity Received
- 15/26 X Last Drawn Salary X Completed years of service +Part thereof
- Rs.10,00,000 (Rs.3,50,000 upto May 23,2010)

Others

Least of the following is exempt

- Actual Gratuity Received
- 1/2 X Average salary for 10 months preceding the month of retirement X No. of fully completed years of service
- Rs.10,00,000 (Rs.3,50,000 upto May 23,2010)

Taxability of Commutation of Pension [Section 10(10A)]

Any payment of commutation of pension received by a Government employee is fully exempt. Commutation of pension on annuity plan of LIC is also exempt.

Non government employee in receipt of Gratuity, $1/3^{rd}$ of full value of pension is exempt. Non government employee not in receipt of Gratuity, 1/2 of full value of pension is exempt.

Taxability of Leave Encashment [Section 10(10AA)]

Leave encashment while in service is fully taxable. Leave encashment on retirement received by a Government employee is fully exempt.

Non Govt. Employee, the least of the following is exempt.

- Actual encashment received
- Average salary for past 10 month X 10 months
- Rs.3,00,000
- Leave at Credit (calculated at 30 days credit for each completed year of service leave availed) X Average Salary for Past 10 Months

(For this purpose, Salary = Basic +DA(If part of retirement benefit + Commission if fixed percentage of turnover.)

Taxability of Voluntary Retirement Scheme [Section 10(10C)]

An individual who receives voluntary retirement compensation is entitled for exemption u/s.10(10C) in respect of the amount. The scheme should be in accordance with guidelines framed by the Government (Rule 2BA). Maximum exemption amount is Rs.5 lakhs.

- Not Available if:
 - Employed in another company of same management
 - Should not have claimed exemption earlier for VRS scheme
- Exemption u/s.10(10C) can be availed only **Once** in his life time.

Taxability of Medical Facilities

Medical Allowance is fully taxable. The following are tax free medical benefits

- The value of medical treatment provided to an employee or any member of his family in any hospital maintained by the employer.
- Any sum paid by the employer in respect of any expenditure actually incurred by the employee on treatment of his or any member of his family in any hospital maintained by the Government, Local authority or approved by the government for the purpose of medical treatment of its employees.

- Any sum paid by the employer in respect of the prescribed diseases in any hospital approved by the Chief Commissioner of Income Tax [Section 17(2)(v)].
- Any other medical reimbursement subject to a maximum of Rs.15,000

Deduction to an employee against his salary

- 1. Entertainment allowance [Section 16(ii)]: In the case of government employees the least of the following will be allowed as deduction.
 - 1. Actual amount of entertainment allowance received
 - 2. 20% of the Basic salary
 - 3. Rs.5,000
- 2. Professional Tax [Section 16(iii)]: Professional tax or tax on employment actually paid by an employee shall be allowed as deduction.

Rate of Income Tax for the financial year 2013-14(A.Y.2014-15)

All individuals except senior citizens		
Up to Rs.2,00,000	Nil	
From Rs.2,00,000 to Rs.5,00,000	(Total Income-2,00,000)X 10%	
From Rs.5,00,010 to Rs.10,00,000	Rs.30,000+(Total Income-5,00,000)X 20%	
Rs.10,00,000 and above	Rs.1,30,000+(Total Income-10,00,000)X 30%	
Senior citizens (60 to 80 Years)		
Up to Rs.2,50,000	Nil	
From Rs.2,50,010 to Rs.5,00,000	(Total Income-2,50,000)X 10%	
From Rs.5,00,010 to Rs.10,00,000	Rs.25,000+(Total Income-5,00,000)X 20%	
Rs.10,00,000 and above	Rs.1,25,000+(Total Income-10,00,000)X 30%	

Education cess @2% and secondary and higher education cess@1% (total 3%) on the total tax payable shall apply.

Deduction u/s.24. Interest on housing loan.

Where the self occupied house property has been acquired or constructed with borrowed capital on or after 1-4-1999 and such acquisition or construction is completed within three years from the end of the FY in which capital was borrowed, the amount of any interest payable on such capital is deductible on accrual basis up to Rs.1,50,000/-. In respect of interest on loan taken for repairs, renovation or reconstruction, the amount of deduction shall not exceed Rs.30,000/-

CHAPTER VI A DEDUCTIONS

Section 80C: Deduction for certain investments/payments

- Amounts actually paid during the year are allowed
- Investment or contribution should be made in approved investment schemes
- The payments need not necessarily be made out of income chargeable to Tax
- The maximum amount along with deduction u/s 80CCC and 80 CCD(1) or Independently u/s.80C, restricted to Rs.1,00,000.

Eligible investments

- Life Insurance premium paid on life of the assessee, spouse or children (Maximum 10% of actual capital sum assured w.e.f.A.Y.2013-14. 20% of sum assured upto A.Y.2012-13)
- Payment in respect of non commutable deferred annuity
- Contribution to Recognized/statutory provident fund (not being repayment of loan)
- Contribution to Public Provident Fund
- Contribution towards an approved superanuation fund
- Subscription to National Savings Certificate –IX th issue
- Interest accrued on NSC
- Contribution to Unit Linked Insurance Plan(ULIP) of UTI and LIC
- Payment for notified annuity plan of LIC or any other insurer
- Subscription towards notified units of Mutual Fund
- Contribution to notified pension fund set by mutual fund or UTI
- Housing loan repayment (loan taken for purchase or construction only. House should not be transferred for 5 years)
- Stamp duty, Registration Fee and other expenses for the purchase of house property
- Tuition fee paid for the education of two children to any university/college education institution in India for full time education
- Infrastructure development bonds of ICICI /IDBI/NABARD Bonds.
- 5 year fixed deposit with a scheduled bank or Post Office under tax savings approved schemes.

Section 80CCC: Deduction in respect of contributions made to annuity plans of LIC and other insurers

- Amount paid or deposited by individual in an annuity plan of LIC or other insurers for receiving pension is eligible for deduction.
- Payment shall be made out of Income chargeable to Tax
- Contributions claimed for 80CCC will not be eligible for deduction u/s80C
- Maximum deduction Rs.1,00,000.
- The maximum amount along with deduction u/s.80C and 80CCD(1) or independently u/s.80CCC restricted to Rs.1,00,000

Section 80 CCD(1): Deduction for Employee's contribution towards approved pension schemes

- Employee's contribution to approved pension scheme of the central government
- Amount paid or 10% of salary, whichever is less
- Contributions claimed for 80CCD will not be eligible for deduction u/s80C
- Amount received from such scheme are taxable
- The maximum amount along with deduction u/s.80C and 80CCC or independently u/s.80CCD(1) restricted to Rs.1,00,000

Section 80 CCD(2): Deduction for Employer's contribution towards approved pension schemes

- Employer's contribution to approved pension scheme of the central government
- Amount contributed by the employer or 10% of salary, whichever is less
- Amount received from such scheme are taxable

Section 80CCG : Deduction in respect of investment made under an equity savings scheme

From the Assessment year 2013-14, 50 % of the amount invested limited to a maximum amount of Rs.25,000 will be allowed as a specific deduction in computing the total income of an individual in respect of investments made under notified equity schemes. This deduction is not applicable for the assesses whose total income is above Rs.10 Lakhs. Deduction u/s.80CCG shall be allowed for 3 consecutive assessment years beginning with the A.Y in which the listed equity shares were first acquired.

Section 80D **Deduction for taking Mediclaim Insurance Policy**

Mediclaim policy in the name of Individual or his spouse, dependent child are eligible for deduction u/s 80D upto Rs.15000. In addition to this, mediclaim policy in the name of parents are also eligible for deduction upto Rs.20,000(above 60 years) or upto Rs.15,000(below 60 years)

- Payments shall be made by any other mode other than Cash
- Payment shall be made out of Income chargeable to Tax

Section 80DD Deduction for expenditure incurred for medical treatment of Handicapped dependant relative

- Expenditure incurred for medical treatment, nursing, training and rehabilitation of dependent relative suffering from permanent physical disability including blindness or mental retardation, Autism, cerebral Palsy and Multiple disability.
- Amount deposited in approved scheme of LIC/UTI for the benefit of the handicapped dependent.
- A fixed deduction of Rs.50,000 irrespective of amount paid. If the dependant is a person with severe disability (disability over 80%) deduction is Rs.1,00,000
- The disability should be certified by Government Physician. Form 10IA for Autism, cerebral Palsy and Multiple disability

Section 80 DDB Deduction in respect of medical treatment of notified diseases (Rule 11 DD) of the assessee or any dependent relative.

- Neurological diseases (dementia, chorea, Motor Neuron Disease, Ataxia etc), malignant cancer, AIDS, chronic renal failure, Hemophilia, Thalassemia
- Deduction of Rs.40,000 or sum actually paid whichever is less.
- If the above person is a senior Citizen, then maximum Deduction is Rs.60,000/-
- Certificate in form No.10-I (Rule 11(2))

Section 80E Deduction in respect of interest on loan taken for higher education

Payment of interest on educational loan taken from financial institution or charitable institution for the purpose of pursuing higher education for self or spouse or children

- Higher education means any course of study pursued after passing the senior secondary examination or its equivalent from any school, university recognised
- Deduction is available for a maximum period of 8 assessment years
- Payment shall be made out of Income chargeable to Tax

Section 80EE : Deduction in respect of interest on loan taken for residential house property

- Loan taken for acquiring residential house property from a Bank or Housing Finance Company.
- Loan sanctioned during 1-4-2013 to 31-3-2014
- Amount of loan does not exceed Rs.25 Lakhs and the Value of the property does not exceed Rs.40 Lakhs
- Assessee does not own any other residential house property
- Deduction equal to interest payable or Rs.1 Lakh whichever is less

Section 80G : Deduction for Donations

- Donation to notified funds 100 % of donation given
- Donation to other eligible institutions 50 % of donation given to Charitable Institutions
- Maximum deduction 10 % of gross total income
- Donations to notified funds only to be considered for TDS purpose. No deduction from salary at the time of TDS in respect of Donations for charitable purposes.
- No deduction if the donation given in cash in excess of Rs.10,000

Section 80 GG : Deduction in respect of Rent paid

- Employee not in receipt of HRA
- Should file Form No.10BA along with the return of income
- Should not own any residence at the place of employment
- Should not claim deduction u/s.23(2)a or 23(4)(a)

Least of the following....

- Rent paid in excess of 10% of total income
- 25 % of Total Income
- Rs.2,000 per month

Section 80 TTA Deduction in respect of interest on deposit in Savings account

- From Financial Year 2012-13
- Interest on SB with Banks/Co-operative Banks and Post Office
- Maximum Deduction -interest amount received upto Rs.10,000
- Include the interest in gross total income and then allow the deduction

Section 80U Deduction for handicapped individual

- Applicable for Individual with disability including blindness, mental retardation loss of voice, Autism, cerebral Palsy and Multiple disability.
- A fixed deduction of Rs.50,000 irrespective of amount paid. If the individual is a person with severe disability (disability over 80%) deduction is Rs.1,00,000
- The disability should be certified by Government Physician. Form 10-IA for Autism, cerebral Palsy and Multiple disability. For others it is as prescribed in notification in this regard.
- Furnish a copy of the certificate along with the return of Income

IMPORTANT SECTIONS DEALING WITH TAX DEDUCTION AT SOURCE

TDS ON INTEREST OTHER THAN INTEREST ON SECURITIES (SECTION 194 A)

- All persons (other than individual and HUF whose accounts are not subject to audit u/s 44AB of the Act during the preceding financial year) paying to a resident any **interest**, is required to deduct Tax at the rate of 10%.
- Interest means
 - interest payable in any manner against monies borrowed or debt incurred (including a deposit, claim or other similar right obligation) and includes service fees or other charges
- No deduction if interest payable is less than Rs 10000/PA on time deposit with
 - Banking company
 - Co-operative society engaged in Banking Business
 - Post office notified by the Central Govt. (i.e Senior citizens Scheme 2004)
- Rs.5000- in any other case
- No deduction if Interest credited or paid to Banks/co-operative Banks, State/ Central financial corporation, LIC/UTI, Insurance companies & co-operatives, Institutions & Bodies notified by the Government.

Interest payments exempted from TDS u/s.194A

- Interest credited to the Partner by the firm
- Interest paid by a Co-operative society to its members or other Co-op society
- Notified central deposit schemes
- Deposit other than time deposit with banks(SB/CA/RD)
- Deposits in primary agriculture credit society, Primary credit society, Co-operative Land Mortgage bank, Co-operative Land Development Bank.
- Deposits other than time deposits with a Co-operative Society engaged in carrying on the business of banking.
- Paid by central govt. under different provisions of Direct Tax Law.
- Institutions whose income is unconditionally exempt u/s.10, who are statutorily not required to file return of income u/s.139. (Circular No.4/2002 dt 16-7-2002)

Deduction of tax u/s.194A is not required if a person (not being a company or firm) furnishes a declaration in form no.15G or 15H(for senior citizens). Quoting of PAN by the payee is mandatory in the declarations. The declaration should be obtained in duplicate before making payment or crediting to the account. The payer is required to deliver one copy of the declaration to the Commissioner of Income Tax/Chief Commissioner of Income Tax, on or before 7th day of next month following the month in which declaration is furnished. The deductor shall furnish particulars of amount paid or credited on which tax was not deducted in view of the Self declaration filed in Form No.15G/15H, in the Quarterly Statements.

TDS FROM WINNINGS FROM LOTTERY, CROSSWORD PUZZLE ETC. (SECTION 194 B)

Any person paying the sum by way of winnings from lottery, crossword puzzle shall deduct tax @30%, if the payment exceeds Rs.10,000/-. Where prize money is in kind, or partly in cash and partly in kind before releasing the prize, the payer should ensure the tax has been paid in respect of the winnings.

TDS ON PAYMENTS TO CONTRACTORS (SECTION 194 C)

- All persons (other than individual and HUF whose accounts are not subject to audit under section 44AB of the Act during the preceding financial year) making any payment to a Contractor and Sub-contractor for carrying out any WORK including supply of labour for carrying out any work, is required to deduct tax at the rates in force.
- These provisions cover written as well as oral contracts.
- Work includes Advertising, Broadcasting/Telecasting, Carriage of goods or passengers, Catering, Manufacturing or supplying a product according to the specification of a customer by using materials supplied by the customer, Service contracts (other than covered u/s.194J)
- No deduction on Contracts, the consideration for which does not exceed Rs.30,000 per contract.
- If the sum credited or paid or likely to be credited or paid does not exceed Rs.30,000 for single contract, but the aggregate of such sum credited during the Financial year exceeds Rs.75,000, then also this section shall apply.
- Advance payments covered u/s194C
- Deduction should be based on the gross payment without excluding the cost of materials if such value is not mentioned separately in the invoice.
- Reimbursement of actual expenses to be included.
- Contract for sale of Goods is exempt from TDS u/s.194C

- The NIL rates will be applicable if transporter quotes his PAN. (hiring of goods carriages). Details of such cases should be reported in the quarterly returns.
- Rate: (i) 1% if payment made to individual or HUF.
 - (ii) 2% in other cases.

TDS ON INSURANCE COMMISSION (SECTION 194 D)

• Insurance Companies paying the sum by way of commission for soliciting or procuring insurance business shall deduct tax at source @10% at the time of credit or payment whichever is earlier. Deduction not required if the payment does not exceed Rs.20,000.

TDS ON COMMISSION ON SALE OF LOTTERY TICKETS (SECTION 194 G)

• Any person responsible for paying commission on sale of lottery tickets, shall deduct tax at source at the rate of 10%, if the payment exceeds Rs.1,000.

TDS ON COMMISSION OR BROKERAGE (SECTION 194 H)

- All persons (other than individual and HUF whose accounts are not subject to audit
 u/s 44AB of the Act during the preceding financial year) paying to a resident any
 commission/brokerage, is required to deduct Tax at the rate of 10%.
- No deduction if aggregate payment does not exceed Rs 5,000 during the financial year
- Commission or brokerage includes any payment received or receivable, directly or indirectly by a person acting on behalf of another person;
 - 1) For services rendered (other than professional service)
 - For any service in the course of buying or selling of goods in relation to any transaction relating to any asset, valuable article or thing.

TDS FROM RENT (SECTION 194 I)

- All persons (other than individual and HUF whose accounts are not subject to audit
 u/s 44AB of the Act during the preceding financial year) paying to a resident any rent,
 is required to deduct Tax at the rate of
- @2% (machinery or plant or equipment)
- @10%(Land or building or furniture or fittings)
- Tax has to be deducted on the amount of rent without including the Service Tax

- No TDS if the aggregate of payment of rent paid or credited does not exceed Rs.1,80,000 during the financial year.
- No TDS if the payee is the government or local authority.
- Tax should be deducted from advance Rent also.
- Rent means any payment, by whatever name called, under any lease, sublease, tenancy or any other agreement or arrangement for the use of (either separately or together) any

a)	Land	b) Building
c)	Land appurtenant to a building	d) Machinery
e)	Plant	f) Equipment
g)	Furniture	h) Fittings

whether or not any or all of the above are owned by the payee.

DEDUCTION OF TAX AT SOURCE FROM CONSIDERATION PAYABLE FOR ACQUISITION OF IMMOVABLE PROPERTY (SECTION 194 IA)

- Any person responsible for making payment in respect of consideration for acquisition of any immovable property (other than agricultural land in rural area in India) is liable to deduct tax at source at the rate of 1% with effect from 1-7-2013.
- TDS is applicable on sale of immoveable property wherein the sale consideration of the property exceeds or is equal to Rs 50,00,000
- Tax Deduction Account Number is not required in this case.
- The Buyer of the property (deductor of tax) has to furnish information regarding the transaction online on the TIN website in Form 26QB. After successfully providing details of transaction deductor can either make the payment online (through e-tax payment option) immediately or make the payment subsequently through e-tax payment option (net-banking account) or by visiting any of the authorized Bank branches.
- Form 16B is the TDS certificate to be issued by the deductor (Buyer of property) to the deductee (Seller of property) in respect of the taxes deducted and deposited into the Government Account.

TDS FROM FEES FOR PROFESSIONAL OR TECHNICAL SERVICES & ROYALTY (SECTION 194 J)

- All assessees (other than individual and HUF whose accounts are not subject to audit u/s 44AB of the Act during the preceding financial year) paying to a resident any fees for professional or technical service or Royalty, shall deduct Tax at the rate of 10%.
- Professional service means services rendered by a person in the course of carrying on any of the following professions

a) Legal

b) Medical

c) Engineering

d) Architectural

e) Accountancy

f) Technical consultancy

g) Interior decoration

h) Professions as notified for

the purpose of Section 44AB

- Fees for technical services means any consideration for the rendering of any managerial, technical or consultancy services
- Notified professions-Film artists, Authorised Representatives, Information Technology Professionals.
- No TDS if the aggregate of payments in respect of fees for professional service or technical service or Royalty does not exceed Rs.30,000 in a financial year
- With effect from 1-7-2012, TDS is to be made @ 10% on the remuneration paid or payable to a Director of a company which is not in the nature of salary.

TDS FROM COMPENSATION ON ACQUISITION OF CERTAIN IMMOVABLE PROPERTIES (SECTION 194 LA)

- Any person responsible for paying compensation or the enhanced compensation on account of compulsory acquisition under any law for any immovable property other than agricultural Land, shall deduct tax at the rate of 10%
- No deduction required if the amount of such payment during the financial year does not exceed Rs.2,00,000.(w.e.f.01-07-2012)

PAYMENTS TO NON-RESIDENTS (SECTION 195)

- Any persons making payment to a non resident or a foreign company
 - a) Any interest (not being interest on securities)
 - b) Any other sum chargeable to Income Tax in India not being salaries, should deduct Tax at the rate in force

TAX COLLECTION AT SOURCE

(SECTION 206 C)

- Every person, being a seller of any specified goods, at the time of debiting to the account of the buyer or at the time of receipt of such amount from the buyer in cash/ cheque or any other mode, whichever is earlier shall, collect from the buyer a sum equal to the specified percentage of such amount as Income Tax. TCS rates are given separately.
- No collection of tax shall be made in the case of resident buyer, if he furnishes Form No.27C to the effect that the goods are to be utilized for the purposes of manufacturing, processing or producing articles or things and not for trading purposes.
- The person responsible for collecting tax under this section shall deliver or cause to be delivered to the Chief Commissioner of Income Tax one copy of the above declaration on or before the 7th day of the month immediately following the month in which the declaration is furnished to him.
- Every person, who grants a lease or a licence or enters into a contract or otherwise transferes any right or interest either in whole or in part in any parking lot, toll plaza, mine or quarry, to another person, other than a public sector company for the use of such parking lot or toll plaza or mine or quarry for the purpose of business shall, adhere to the instructions as mentioned in point 1 above.
- Every person being a seller, who receives any amount in cash as consideration for sale of bullion above Rs.2,00,000/- and in the case of Jewellery above Rs.5,00,000/- should collect tax @1% w.e.f 01-07-2012.
- For the purpose of this section "scrap" means waste and scrap from the manufacture or mechanical working of materials which is definitely not usable as such because of breakage, cutting up, wear and other reasons.

TDS RAT	TDS RATES & RELATED PROVISIONS - FINANCIAL YEAR 2013-14 (ASSESSMENT YEAR 2014-15				
Section	Nistern of Brown and	Payment in	Rate of Deduction		
Section	Nature of Payment	excess of	Individual	Others	
192	Salary	Rs.2,00,000	As per Finance Act		
194 A	Interest from a Banking Company	Rs.10,000 P.A	10%	10%	
	Interest other than from a Banking Company	Rs. 5,000 P.A	10%	10%	
194 B	Winnings from Lottery/Crossword puzzles	Rs.10,000 P.A	30%	30%	
194 C	Payment to Contractors	Rs.30,000 per Payment or Rs.75,000 P.A	1%	2%	
194 D	Insurance Commission	Rs.20,000 P.A	10%	10%	
194 G	Commission on sale of lottery tickets	Rs.1,000 P.A	10%	10%	
194 H	Commission or Brokerage	Rs.5,000 P.A	10%	10%	
194 I	Rent of Land & building	Rs.1,80,000 P.A	10%	10%	
1741	Rent of Plant & Machinery etc.	Rs.1,80,000 P.A	2%	2%	
194 IA	Transfer of immovable property	Rs.50,00,000	1%	1%	
194 J	Payment for professional/technical service	Rs.30,000 P.A	10%	10%	
194 LA	Compensation on Land Acquistion	Rs.2,00,000	10%	10%	
195	Payments to non-resident	any sum	As per rates	s in force	

Note1: No Surcharge and Education cess to be added while deducting tax from payments other than salary and payment to non resident

Note 2: As per Section 206AA, TDS is required to be made @20% if the deductee does not provide PAN

RATE OF TCS FINANCIAL YEAR 2013-14 (ASSESMENT YEAR 2014-15)		
Nature of Goods/Nature of Contract or License or Lease	Rate of TCS	
Alcoholic liquor for human consumption	1%	
Tendu Leaves	5%	
Timber obtained under a forest lease or any mode other than forest lease	2.5%	
Timber obtained by any mode other than forest lease	2.5%	
Any other forest produce	2.5%	
Scrap	1%	
Minerals being coal or Lignite or Iron Ore	1%	
Parking Lot, Toll Plaza, Mining or Quarrying	2%	
Sale of Bullion/ Jewellery, if sale consideration in cash exceeds Rs.2,00,000 for Bullion and Rs.5,00,000 for Jewellery (we.f.01-07-2012)	1%	

DUE DATES GOVERNMENT DEDUCTORS				
payment	Quarterly return filing	Issue of certificates		
same day where the tax is paid without IT Challan (book adjustment)	1st quarter July 31st 2nd quarter October 31st 3rd quarter January 31st 4th quarter May 15th	1st quarter August15th 2nd quarter November15th 3rd quarter February 15th 4th quarter May 30th		
within 7 days from end of the month, where tax is paid accompanied by an IT Challan.	Salary: Form No.24Q Others: Form No.26Q NRI: Form No.27Q	Salary: Form No.16 Others: Form No.16A TCS: From 27D		
Challan No.281	Form No.27A to be filed along with TDS quarterly statements	TDS certificates shall be issued by downloading from TIN website (TRACES Portal)		

DUE DATES OTHER THAN GOVERNMENT DEDUCTORS			
payment	Quarterly return filing	Issue of certificates	
within 7 days from end of the month.	1st quarter July 15th 2nd quarter October 15 th 3rd quarter January 15th 4th quarter May 15th	1st quarter July 30 th 2nd quarter October 30 th 3rd quarter January 30 th 4th quarter May 30th	
for TDS made in March : On or before 30 th April Challan No.281	Salary: Form No.24Q Others: Form No.26Q Non resident: Form No.27Q TCS: Form No.27EQ	Salary : Form No.16 Others : Form No.16A TCS : From 27D	
E-payment compulsory forCorporate assessees (Companies)Assessees to whom provisions of section 44AB of the IT Act are applicable	Form No.27A to be filed along with TDS/TCS quarterly statements	TDS certificates shall be issued by downloading from TRACES Portal (WWW.TDSCPC.GOV.IN)	

The relevant Acts, Rules, Forms, notifications and TDS related services are available at the following websites

www.incometaxindia.gov.in

This is the Official website of the Income Tax Department. Information about tax Laws, Act, Rules, Notifications, Circulars and link to e-filing, e-payment and other important sites are available on this site.

www.tdscpc.gov.in

TRACES (TDS Reconciliation Analysis and Correction Enabling System), is a web-based application of the Income Tax Department that provides an interface to all stakeholders associated with TDS administration. It enables viewing of challan status, downloading of Form 16 / 16A, Consolidated File (for filing correction statement), Justification Report (for viewing the mismatches and errors) and as well as viewing of annual tax credit statements (Form 26AS). For using the facilities available on the website, deductors have to register their TAN.

www.tin-nsdl.com

Tax Information Network (TIN) is an initiative by Income Tax Department of India (ITD) for the modernization of the current system for collection, processing, monitoring and accounting of direct taxes using information technology. Through its ONLINE services and network of TIN-Facilitation centres all over the country (list of TIN-FCs available in the website), TIN offers the following services:

- Acceptance of electronic and physical TDS/TCS Returns.
- Processing of new TAN/PAN and TAN/PAN change request applications, Reprint and status enquiry
- Acceptance of AIR.
- Quarterly Statement Status Deductors can access details of their statements including financial details through the TIN-FC who has uploaded their statements.
- e-tax Payment
- OLTAS Challan Status Enquiry

(This is only a brief note on the various provisions relating to TDS and TCS. Kindly refer to the Income Tax Act, 1961, Income Tax Rules, Circulars and notifications issued by the CBDT for detailed information.)

