

## **EXTENSIONS OF COMPLIANCE TIMELINES – TAXATION AND OTHER LAWS**

In our earlier publications, we had discussed the relief measures announced by the Government of India vide The Taxation and Other Laws (Relaxation of Certain Provisions) Ordinance, 2020 ('the Ordinance') and subsequent announcement(s), in meeting the statutory and regulatory compliances requirements under the Income Tax Act, 1961 ('the Act') and other allied laws in view of COVID-2019 outbreak. Please refer:

- TaxBuzz – Key Announcements by Finance Minister in relation to Statutory Income Tax Compliance(s) <https://www.vaishlaw.com/tax-buzz-key-announcements-by-finance-minister-in-relation-to-statutory-income-tax-compliances/>
- Taxbuzz- TAXATION AND OTHER LAWS (RELAXATION OF CERTAIN PROVISIONS) ORDINANCE, 2020 <https://www.vaishlaw.com/wp-content/uploads/2020/04/Tax-Buzz-The-Taxation-and-Other-Laws-Relaxation-of-Certain-Provisions-Ordinance-2020.pdf>
- TaxBuzz– Direct tax measures announced by FM on 13-05-2020 [<https://www.vaishlaw.com/taxbuzz-direct-tax-measures-announced-by-fm-on-13-05-2020/>]

In terms of the powers conferred under the Ordinance, the Government has, vide Notification dated 24<sup>th</sup> June 2020 in S.O. 2033(E), further relaxed/ extended the limitation period of the following compliances:

<b>Compliance Event</b>	<b>Earlier Timeline as per the Act</b>	<b>Extended Timeline Ordinance dtd. 31.03.2020</b>	<b>Recently Extended Timeline</b>
Due date for filing original or revised return of income for the financial year 2018-19 [assessment year 2019-20]	31.03.2020	30.06.2020	31.07.2020
Due date for filing return of income for financial year 2019-20 [assessment year 2020-21] [Also refer <b>Note 1</b> ]	31.07.2020 or 31.10.2020 or 30.11.2020	30.11.2020 [announced by FM on 13.05.2020]	30.11.2020
Furnishing of tax audit report for assessment year 2020-21	31.10.2020 or 30.11.2020	-	31.10.2020
Outer date for making various investment/ payment for claiming deduction under Chapter-VIA-B for financial year 2019-20 – like section 80C (LIC, PPF, NSC, etc.), 80D (Mediclinam), 80G (Donations), etc.	31.03.2020	30.06.2020	31.07.2020
Outer date for making investment/ construction/ purchase for claiming roll over benefit/ deduction in respect of capital gains under sections 54 to 54GB of the Act	20.03.2020 to 29.06.2020	30.06.2020	30.09.2020 [incl. for investments]

[Normal time limit specified in relevant sections]			from 1.7.2020]
Commencement of operation for the SEZ units (having received necessary approval by 31.03.2020) for claiming deduction under section 10AA of the Act	31.03.2020	30.06.2020	<b>30.03.2021</b> [refer <b>Note 2</b> ]
Furnishing of the TDS/ TCS statements for months of February & March, 2020 or quarter ending March, 2020	31.05.2020	30.06.2020	31.07.2020
Issuance of TDS certificates for financial year 2019-20 to salaried employees	15.06.2020	30.06.2020	15.08.2020
Limitation for reopening assessment for A.Y.2013-14 [ Normal 6 years]	31.03.2020	30.6.2020	31.03.2021 [refer <b>Note 4</b> ]
Due date for issuance of various statutory notice(s) by income tax authorities like 148, 153A/ 153C, 143(2), etc.	20.03.2020 to 29.06.2020	30.06.2020  [For all events falling due between 20.03.2020 to 29.06.2020]	31.03.2021  [For all events falling due between 20.03.2020 to 31.12.2020]
Due date for issue of intimation			
Due date for issue of notification, approval and sanction order under any provisions			
Due date for filing of appeals like appeals before CIT(A), ITAT or HC u/s 260A			
Due date for furnishing statements, applications, reports or any other documents			
Time limit for completion of proceedings by the authorities under the Act			
Any compliance by the taxpayer under the Wealth Tax Act, Prohibition of Benami Property Transaction Act, Black Money Act, STT law, CTT Law, Equalization Levy law.			
Linking of Aadhaar and Permanent Account Number (PAN)	31.03.2020	30.06.2020	31.03.2021
<b>Vivad se Vishwas Act, 2020 (VsV)</b>			
Settlement on payment of 100% tax – without additional amount [See Note No.5]	31.03.2020	30.06.2020	31.12.2020
Settlement on payment of additional amount - Extended period of payment [See Note No.5]	1.04.2020 to 'last date' to be notified	1.07.2020 to 'last date' to be notified	1.07.2020 to 'last date' to be notified

## Comments/ Observation:

**Note 1 :** To provide relief to small and middle-class taxpayers, the date for payment of self-assessment tax in the case of a taxpayer whose self-assessment tax liability is upto Rs. 1 lakh has been extended to 30<sup>th</sup> November 2020. However, it is clarified that there will be no extension for taxpayers with higher liability. In such case, whole of the self-assessment tax shall be payable by the due dates specified in the Act and delayed payment would attract interest u/s 234A of the Act.

**Note 2 :** CBDT Press Release dated 24.06.2020 clarifying the Notification states that time limit for commencement of manufacturing for SEZ units has been relaxed until 30.09.2020. However, there is no such provision in the Notification separately specifying such date as 30.09.2020. Accordingly, strictly going by the Notification, eligible SEZ units can commence manufacturing by 31.03.2021. This is contrary to Press Release and hence there may be future clarification on this issue.

**Note 3 :** Ordinance stated that interest at reduced rate of 9% per annum is required to be paid in case of delayed payments taxes, which are required to be paid during the period 20.03.2020 and 29.06.2020 and are paid on or before 30.06.2020. It may be noted that benefit of reduced interest has not been extended to payments beyond 30.06.2020.

**Note 4:** Ordinance read with notification, effectively increases normal limitation for reopening of old assessments from 6 years to 7 years.

**Note 5:** Table in section 3 of the VSV Act contained two dates for payment of tax arrear, viz., 31<sup>st</sup> March, 2020 [column 3] for payment of 100% of disputed tax or 25% of disputed interest/ penalty/ fee and from 1.04.2020 to the last date to be notified [column 4] for settlement with payment of additional amount. Ordinance substituted the above two dates, i.e., 31<sup>st</sup> March was substituted by 30.06.2020 and 1.04.2020 was substituted by 1.07.2020.

Notification now issued only notifies 31<sup>st</sup> December, 2020 as the extended date for completion of various compliances. Following amendments/ notifications still awaited:

- (a) Legislative amendment for substituting date for payment without additional amount from 30.06.2020 to 31.12.2020 as announced by the Finance Minister;
- (b) Legislative amendment for substituting date for payment of additional amount from 1.07.2020 to 1.1.2021 [considering 31.12.2020 as above];
- (c) Notification of 'Last date' as defined in the VSV Act for settlement of pending appeal under the Scheme by making additional payment.

**Note 6:** The Ordinance and the present notification does not extend any time limit for making payment of taxes or equalization levy etc.

For any details and clarifications, please feel free to write to:

**Mr. Rohit Jain** : [rohit@vaishlaw.com](mailto:rohit@vaishlaw.com)  
**Mr. Deepesh Jain** : [deepesh@vaishlaw.com](mailto:deepesh@vaishlaw.com)

---

## DISCLAIMER

The material contained in this publication is solely for information and general guidance and not for advertising or soliciting. The information provided does not constitute professional advice that may be required before acting on any matter. While every care has been taken in the preparation of this publication to ensure its accuracy, Vaish Associates Advocates neither assumes responsibility for any errors, which despite all precautions, may be found herein nor accepts any liability, and disclaims all responsibility, for any kind of loss or damage of any kind arising on account of anyone acting/ refraining to act by placing reliance upon the information contained in this publication.