



Chartered Accountants Association, Ahmedabad

Hon. Smt. Nirmala Sitharaman
Union Minister of Finance
Ministry of Finance,
Government of India, North Block,
New Delhi – 110 001
Email: fmo@nic.in

Respected Madam,

Re: Request for extending due date for submitting Tax Audit Reports/related

1. About Associations

The Chartered Accountants' Association Ahmedabad (CAA) was established as a voluntary organization on 15th December, 1951. At present, CAA has about 1425+ members not only from Ahmedabad but from all over the country.

The main objects of CAA are: To spread education in the science and art of Accountancy and all its branches and in particular in relation to matters of professional interest to Chartered Accountants such as Taxation, Audit, Finance, Commercial legislation, Computer Science, etc.

To better equip Chartered Accountants to enable them to discharge their obligations towards the advancement or promotion of trade, commerce and industry thereby leading to economic prosperity for the benefit of the entire community.

To provide continuous education to its members in particular and tax paying public at large. It has always been the main concern at CAA to see that members keep pace with fast changing times.

With the opening of economy and globalization, CAA has also taken up plans to educate the members on the latest topics of E-Commerce etc. CAA is equipped with a vast library which includes the latest books on wide range of subjects as well as electronic database of case laws on direct taxes.

2. We appreciate and complements to Finance Ministry for the government announcement of corporate tax reduction from 30 to 22 per cent for domestic companies and 15 per cent for new manufacturing companies, in a big measure to boost growth and investment. This is a great move which will firmly revive growth and investment. Our compliments to FM Nirmala Sitharaman for this bold but most needed move.



3. We appreciate the commitment and efforts of Govt. to re-orient tax administration to make it pro-tax payer and for providing ease of doing business. This year Central Board of Direct Taxes [CBDT] has made substantial delays in notifying the ITRs forms and I.T. return preparation software followed by the frequent amendments in schema and validation of rules creating the chaotic situation for assesses and tax professionals, which forces us to request for extension of due dates for filing the ITRs. Because it is assessee who would have to get agonized and face the consequences of delay in filing return, on account of delay in providing platform for online filing of returns by the CBDT.
4. Most of tax-payers are now mandatorily required to file their returns of income online, either using the return preparation software developed by the third parties or made available by the CBDT. Whenever, if there is change in return/Schema/Validation rules, it requires up dating and providing afresh utility on e-filing portal of the dept. as well as validation of software by the private developers. which in turn is required to be explained and understood by the users and sometimes requires collection of further information/data from the tax-payers by the tax professionals.
5. For the A.Y 2019-20, CBDT has changed the ITR forms necessitating the changes in software/utilities for online filing of returns in mid of the years from time to time.
6. Though, CBDT has extended the due date for filing income tax returns from 31st July to 31st August 2019, in cases of tax payers who are liable to file their income tax returns by the said due date (vide order-F. No. 225/157/2019/ITA.II). The extension of due date 31st July 2019 also necessitates the extensions of due date of 30th September, 2019, which is the due date for filing the return of income for the company, persons (other than company) whose accounts are required to be audited under this Act or under any other law for the time being in force, or a working partner of a firm whose accounts are required to be audited. In these cases assesseees are required to furnish voluminous data in form 3CD, which in turn is required to be tax audited and uploaded on website of dept. followed by furnishing of ITR forms. I. T. return preparation software in cases ITR 3,5,6 & 7, applicable to tax audit returns, have been provided between dates 6-8-2019 to 19-08-2019.
7. **Minimum additional time gap of 2 months provided in the law between both the due dates is compressed to only 30 days [i.e. from 1st September to 30th September, 2019] due to non-extension of due date of 30th Septemeber, 2019.**
From the historical due dates charts provided in I.T. Act, it can be observed the since A.Y 1989-90 to A.Y 1996-97 the legislature has given an additional time of 2 months to assesses (other than companies) who are required to get their books of accounts audited, than the assesseees deriving income from Business & Profession & who are not required to get their books of account audited. From A.Y 2001-02 to 2007-08 the additional time



limit given to company and assesseees whose accounts are required to be audited is kept at 3 months.

8. From A.Y 2008-09 onwards, although, the due dates for filling return of income are advanced from 31st October to 30th September, but, minimum additional time limit of 2 months is provided in case of assesseees who are required to get their books of account audited, than those who are not required to get their accounts audited.
9. The CBDT ought to have paid heed to the repeated directives of various High Courts and similar requests made by the stake holders in past, and could have notified the amended forms made applicable with effect A.Y. 2019-20 well in advance, before commencement of the relevant assessment year i.e. 1st April, 2019, instead of mid of the assessment year.
10. Hon. Gujarat High Court, in order dated 22nd September, 2014 in the case of All Gujarat Federation of Tax Consultants V. CBDT [SCA No.12656 of 2014] observed that any introduction or new utility/software with additional requirement in the middle of the year ordinarily is not desirable. Any change unless inevitable can be planned well in advance. Keeping in focus such comprehensive process re-engineering may not result in undue hardship to the stake holders.
11. It is requested that CBDT shall also exercise the discretionary powers vested in it under section 119 of the Act, by extending due date of 30th September, 2019, to ameliorate the difficulties faced by the assesseees on account of no default on their part, by extending the due date for filing the income tax returns for a one and half month upto 15th November, 2019, on account of the delay in notifying the forms and utilities. Otherwise, it is the assesseees who would have to face the consequences of not filing the returns in time.
12. Though, due to delay in notification of forms, CBDT has extended the due date for filling return of income from 31st July to 31st August in case of assesseees, who are not required to get their books of accounts audited. Non extending the similar relief to the cases, where due date of filing Tax Audit Report & ITR form falls on 30th Sept. 2019 would be unjustified and cause severe hardship to these assesseees.
13. Further, this year rain God has blessed the whole of India in abundance. The heavy rains have been continuing in whole of Gujarat till date, resulting into flood situation in various parts and disruption of normal life & business activities. Non extension of due date will cause lot of hard ship to assesseees.



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14. **Regarding furnishing of details for corporates in Schedule SH-1 consists of details/information relating to all shares holders consists of 3 sheets and Schedule AL-1 consists of 10 different sheet for all historical data. This is the first time information / details asked for. Details like all historical data of Fixed Assets/shareholders etc. need huge time. In view of time constraint and schema finalised very late it is being required to make this details option for this year which will help companies and professionals to complete submission of returns on time.**
15. We look forward to your compassionate response.

Thanks & Regards,
Yours Truly,

FOR CHARTERED ACCOUNTANTS ASSOCIATION AHMEDABAD

(CA ANAND SHARMA)
President

(CA RAJU SHAH)
Chairman L & R (Direct Tax) Committee

Dated: 20.09.2019

Copies to: (Sir, for kind perusal and favorable action)

1. Hon. Revenue Secretary, Ministry of Finance 128-A, North Block, Secretariat, New Delhi - 110001 Email: rsecy@nic.in	3. The Joint Secretary, TPL-3 CBDT[TPL Division] North Block, New Delhi
2. The Chairman Central Board of Direct Taxes, Ministry of Finance, North Block, Parliament Street. New Delhi - 110001 Email: chairmancbdt@nic.in	4. Pr. Chief Commissioner of Income Tax, Gujarat (CCA) Aayakar Bhavan, Ashram Road, Ahmedabad-380009