

# DIRECT TAXES AND SERVICE TAX COMPLIANCE CALENDAR

2016-17



## Direct Taxes compliance calendar

Nature of Compliances	Person		
	Company	Partnership Firm / LLP	Individual and HUF
<b>I. Due dates for filing of Return of Income ('ROI'), obtaining Tax Audit Report and Transfer Pricing <a href="#">(Note 1)</a></b>			
Person covered under tax audit (other than those to whom transfer pricing is applicable)	30 September		
Person covered under transfer pricing	30 November		
Other persons	30 September	31 July	31 July
<b>II. Advance Tax Payments for Income Tax <a href="#">(Note 2 and 3)</a></b>			
1 <sup>st</sup> Installment - on or before 15 June	15%		
2 <sup>nd</sup> Installment - on or before 15 September	45%		
3 <sup>rd</sup> Installment - on or before 15 December	75%		
4 <sup>th</sup> Installment - on or before 15 March	100%		
<b>III. Tax Deducted at Source ('TDS') <a href="#">(Note 4)</a></b>			
Tax must be deducted at the time of payment, in case of salary	Applicable		Applicable, only if person is covered under tax audit in the preceding previous year
In case of payments other than salary, at the time of making payment or credit, whichever is earlier			
Tax deducted must be deposited in the bank by 7th day of following month except tax deducted for payment or credit made in March must be deposited by 30th April			
With effect from 1 June 2016, under section 194(1A), tax deducted must be deposited in bank within period of 30days from the end of month of deduction	Applicable		

Nature of Compliances	Person		
	Company	Partnership Firm / LLP	Individual and HUF
<b>IV. Tax Collected at Source ('TCS')</b>			
Tax must be collected at the time of receipt or debit, whichever is earlier	Applicable		Applicable, only if person is covered under tax audit in the preceding previous year
Tax collected must be deposited within one week from the last day of the month in which the collection is made.			
<b>V. Due dates for filing of TDS / TCS Returns</b>	TDS	TCS	
For quarter ended June	31 July	15 July	
For quarter ended September	31 October	15 October	
For quarter ended December	31 January	15 January	
For quarter ended March	31 May	15 May	
<b>VI. Due dates for issue of Form 16 (for Salaries) / Form 16A (for other than Salaries) / Form 16B (for Sale of Property) and Form 27D (for TCS)</b>			
Issue of Form 16 annually	15 June		
Issue of Form 16A / 27D for quarter ended June	15 August / 30 July		
Issue of Form 16A / 27D for quarter ended September	15 November / 30 October		
Issue of Form 16A / 27D for quarter ended December	15 February / 30 January		
Issue of Form 16A / 27D for quarter ended March	15 June / 30 May		
Issue of Form 16B	15 days from the due date of depositing tax		
<b>VII. Due date for payment of DDT</b>			
Applicable to all companies declaring / paying or distributing the dividend	Within 14 days from the date of declaration or payment or distribution of dividend whichever is earlier	Not Applicable	

Nature of Compliances	Person		
	Company	Partnership Firm / LLP	Individual and HUF
<b>VIII. Due Date of submission in Form 61 by Persons Specified in rule 114D</b>			
(Details of Transactions in which PAN to be quoted.)			
For declarations received in Form 60 by March 2016 <a href="#">(Note 5)</a>			31 October
For declarations received in Form 60 by September 2016			
<b>IX. Due date of submission of statement under section 285 of the IT Act <a href="#">(Note 6)</a></b>			
Non-resident having liaison office in India to file statement in Form 49C			Within 60 days from the end of financial year
<b>X. Due date for filing Annual Information Return under section 285BA of the IT Act</b>			
Specified persons to furnish Annual Information Return in Form 61A in respect of specified financial transactions			31 August
<b>XI. Due dates for filing of appeals before the Income-tax appellate authorities</b>			
Objections before the Dispute Resolution Panel			Within 30 days from the receipt of the draft assessment order
Appeal to the Commissioner of Income-tax (Appeals)			Within 30 days from the date of service of notice of demand or the relevant order sought to be appealed against
Appeal to the Income-tax Appellate Tribunal <a href="#">(Note 7)</a>			Within 60 days from the date on which order sought to be appealed against is communicated
<b>XII. Due dates for deduction and deposit of Equalization Levy under Chapter VIII of Finance Act 2016</b>			
Applicable for Amount paid or payable on or after 1 June 2016 towards certain specified services to a non-resident subject to Equalization Levy (Refer Note 8)			
Time of deduction			When amount is paid or payable
Rate of Tax			6% on Gross amount paid
Date of Deposit			7th of the next month
Date of Annual Statement of Specified Services in Form no.1			30th June of next year

## Notes

1. In case of working partner of a partnership firm, whose accounts are required to be audited under section 44AB of the IT Act, the date of filing of ROI is 30 September.
2. Advance tax payment for income-tax is applicable to every person where the amount of income-tax payable is Rs.10,000 or more.
3. An eligible assessee in respect of eligible business referred to in section 44AD opting for computation of profits or gains of business on presumptive basis, shall be required to pay advance tax of the whole amount in one installment on or before the 15th March of the financial year.
4. A NIL Declaration is basically a declaration for non-filing of TDS Statements for those deductors who are not liable to deduct any tax during the relevant quarter or have not deducted tax during any quarter and subsequently did not file a TDS Statement under section 200(3) of the IT Act 1961 for any quarter.
5. Considering hardship faced by filers CBDT has extended the date of online reporting of declarations in Form No. 61 for quarter ending March, 2016 to 31 October, 2016.i.e.along with report for quarter ending September, 2016.
6. Every person, being a non-resident having liaison office in India shall, in respect of its activities in a financial year, file a statement in Form No. 49C within 60 days from the end of the financial year, i.e. 30 May to the Assessing Officer.
7. Memorandum of cross objection is to be filed within 30 days from the receipt of notice intimating that the appeal has been preferred before the Tribunal, against any part of the order under appeal, if required.
8. It is to be levied only on payment made for certain specified services and facilities provided by non-resident not having a PE in India. Specified services in this behalf means:
  - Online\* advertisement,
  - Provision for digital advertising space , or
  - Any other facility or service for the purpose of online advertisement ,or
  - Any other service notified by the Central Government in this behalf;

\*The word 'online' has been defined to mean a facility for service or right or benefit or access that is obtained through the internet or any other form of digital or telecommunication network.

## Service Tax compliance calendar

Nature of Compliances	Due dates / quantum of interest and late filing fees
<b>Due date for payment of service tax <a href="#">(Note 1)</a></b>	
For One Person Company whose aggregate value of services during previous financial year is Rs. 50,00,000 or less, Individual, partnership firm, LLP or HUF	By 6 <sup>th</sup> of the following month for every quarter
For Others (Companies, Trusts, AOP, Societies, etc.)	By 6 <sup>th</sup> of the following month for every month
<b>Interest on late payment of service tax <a href="#">(Note 2)</a></b>	
Collection of any amount as service tax but failing to pay the amount so collected on or before the date on which such payment becomes due	24% p.a.
In situations other than covered above	15% p.a.
<b>Filing of service tax returns</b>	
April to September <a href="#">(Note 3)</a>	25 October
October to March <a href="#">(Note 4)</a>	25 April
Annual return	30 November of succeeding financial year
<b>Late fees for delay in filing of returns <a href="#">(Note 5)</a></b>	
For delay up to 15 days	Rs. 500
For delay beyond 15 days up to 30 days	Rs. 1,000
For delay beyond 30 days <a href="#">(Note 6)</a>	Rs. 1,000 + Rs. 100 per day beyond 30 days
<b>Due date for filing of appeal</b>	
Appeal to be filed before Commissioner of Central Excise (Appeals) against order of adjudication authority subordinate to Commissioner of Central Excise.	Within 2 months from date of receipt of the order. The Commissioner of Central Excise (Appeals) has the power to condone delay in filing of appeal for a further period of 1 month provided sufficient cause is shown for non-filing the appeal within stipulated period of 2 months.
Appeal to be filed before Customs, Excise and Service Tax Appellate Tribunal (CESTAT) against order of Commissioner of Central Excise or Commissioner of Central Excise (Appeals).	Within 3 months from date of receipt of the order. CESTAT has powers to condone the delay in filing of appeal if it is satisfied that there was sufficient cause for not presenting the appeal within the stipulated period.

## Notes

1. The due date for payment of Service Tax for the month or quarter ended on 31 March is 31 March itself.
2. For service provider having turnover below Rs. 60,00,000 in the preceding financial year or period covered under notice, the specified rate shall be reduced by 3%.
3. The due date for filing of service tax returns for the period April to September for Input Service Distributor is 30 October.
4. The due date for filing of service tax returns for the period October to March for Input Service Distributor is 30 April.
5. In case service tax is NIL, the authority may waive the late filing fees on being satisfied that there is sufficient reason for not filing the return.
6. Maximum late filing fees shall not exceed Rs. 20,000.
7. The following categories of person must mandatorily obtain service tax registration and comply with the provisions:
  - Every person liable to pay service tax;
  - An Input Service Distributor;
  - Every provider of taxable service whose aggregate value of taxable service in financial year exceeds Rs. 9,00,000.

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