





Rajkot Branch of Western India Regional Council of
The Institute of Chartered Accountants of India



Rajkot Municipal Corporation

સેલરી ટીડીએસ તેમજ ઇનકમ
ટેક્સ ની અન્ય મહત્વની
જોગવાઈ અંગેનો સેમિનાર

સીએ દર્શક એમ. ઠક્કર
તારીખ : એપ્રિલ ૬, ૨૦૨૩

Agenda

- Income from Head of Salary .
- Salary Arrears and marginal relief provision.
- Chapter VI-A Deduction
- TDS on Salary
- TDS Challan Preparation
- Interest on Short Deduction of TDS, Late Payment & Late filing TDS Return Fees
- Preparation of Form No. 16
- Overview on Income from House Property & Capital Gain
- Calculation of Total Income & Net Total Income & Tax thereon as per old Scheme & New Scheme

Basis of Charge of Salary Income

કર્મચારી પગારની આવક
પર કર ચૂકવવા માટે
જવાબદાર છે,

કાં તો 'ડ્યૂ' આધારે
અથવા 'રિસીપ્ટ' આધારે,
જે પણ વહેલું હોય તે.

As salary is taxable on due basis, the date on which salary falls due, becomes important. There are **no specified rules to determine the date when salary falls due**. It is a matter of contract between employer and employee. The **contract of service** specifies the date on which salary falls due. If contract of service is **silent** about the date on which salary shall fall due, it shall be assumed that **salary falls due on the last date of the month**.

સેલરી ડ્યૂ થવાની તારીખ

તેજ મહિના ની આખર
તારીખ

• ૧ એપ્રિલ થી ૩૧ માર્ચ
સુધી

તેના પછીના મહિનાની
કોઈપણ તારીખ

• ૧ માર્ચ થી
૨૮ / ૨૯ ફેબ્રુઆરી સુધી

એરિયર્સ સેલરી

It shall be **taxable on receipt basis**. However, an employee can claim Section 89 relief from such receipts.

એરિયર્સ સેલરી ટેક્સ ગણતરી

- Step 1: Calculate tax on total income of current year including above receipts
- Step 2: Calculate tax on total income of current year excluding above receipts
- Step 3: Calculate tax on total income of the year to which the above receipts relate after excluding these receipts
- Step 4: Calculate tax on total income of the year to which the above receipts relate after including these receipts
- Step 5: Calculate difference between (Step 1 minus Step 2) and (Step 4 minus Step 3)

1. If adopted for new tax regime in FY 2022-23 --> Select Yes or No

No

2. Relief Claimed in the **Assessment Year**

2023-24

3. Name of the Employee

ABC

3. Address of the Employee

RAJKOT

5. PAN of the Employee

AAAPA1111E

6. Date of Birth (dd/mm/yyyy)

15/01/1985

7. Male ☒ Female ☐

8. Residential Status (Assumed to be Resident)

Resident

9. Total Taxable Income including Arrear Received in FY 2022-23

15,00,000

10. Year-wise Breakup of Arrears received and taxable income

Financial Year	Taxable Income of the relevant F.Y. without the arrears or advance (Rs.)	Amount of Arrears/Advance received against each Financial Year (Rs.)
2021-22	9,00,000	1,25,000
2020-21	8,50,000	1,75,000
2019-20	8,00,000	2,00,000

FY 2022-23
Salary = 10L
Arrears = 5 L

TABLE -A

[See Item 7 of Annexure-I]

Previous Year(s)	Total income of the relevent previous year	Salary received in arrears or advance relating to the relevant previous year as mentioned in column (1)	Total income (as increased by salary received in arrears or advance) of the relevant previous year as mentioned in column (1)[Add columns (2) and (3)]	Tax on total income as per column (2)	Tax on total income as per column (4)	Difference in tax [Amount under column (6) minus amount under column (5)]
1	2	3	4 [2+3]	5	6	7
2021-22	9,00,000	1,25,000	10,25,000	96,200	1,24,800	28,600
2020-21	8,50,000	1,75,000	10,25,000	85,800	1,24,800	39,000
2019-20	8,00,000	2,00,000	10,00,000	75,400	1,17,000	41,600
Total	25,50,000	5,00,000	30,50,000	2,57,400	3,66,600	1,09,200

ANNEXURE-I
[See item 2 of Form No, 10E]
ARREARS OR ADVANCE SALARY

1	Total Income (Excluding salary received in arrears or advance)	10,00,000
2	Salary received in arrear or advance	5,00,000
3	Total Income (As increased by salary received in arrears or advance)	15,00,000
4	Tax on total income (as per item 3)	2,73,000
5	Tax on total income (as per item 1)	1,17,000
6	Tax on salary received in arrears or advance (Difference between item 4 and item 5)	1,56,000
7	Tax Computed in accordance with Table "A" (Brought from column 7 of Table "A")	109200
8	Relief under section 89(1) (Indicate the difference between the amounts mentioned against item 6 and 7)	46800

FORM 10E

[See Rule 21AA]

**Form for furnishing particulars of income under section 192(2A) for the year ending 31st March, 2023
claiming relief under section 89(1) by a Government servant or an employee in a [company,co-operative
society, local authority ,university, institution, association or body]**

1. Name and address of the Employee ABC
RAJKOT
2. Permanent Account Number AAAPA1111E
3. Residential Status Resident

*Particulars of Income referred to in rule 21A of the Income Tax Rules, 1962 during the previous year relevant to the
Assessment Year :2023-24*

	Amount (Rs.)
1 (a) Salary received in arrears or in advance in accordance with the provisions of sub rule (2) of rule 21A	30,00,000
(b) Payment in the nature of gratuity in respect of past services, extending over a period of not less than 5 years in advance in accordance with the provisions of sub rule (3) of rule 21A	Not Applicable



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Persons with Business/
Professional Income

Persons without Business/
Professional Income

Persons not dependent on any Source of Income
(Source of Income not relevant)

Deductions to be made in computing total income (Form 10-IA)

Certificate of the medical authority for certifying 'person with disability', 'severe disability', 'autism', 'cerebral palsy' and 'multiple disability' for purposes of section 80DD and section 80U

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Tax Exemptions and Reliefs (Form 10E)

Form for furnishing particulars of income under section 192(2A) for the year ending 31st March, 20<.....> for claiming relief u/s 89 by a Government servant or an employee in a company, co-operative society, local authority, university, institution, association or body

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Form for claiming relief under section 89 [Form No. 10E]

Form for furnishing particulars of income under section 192(2A) for the year ending 31st March, 2022 for claiming relief under section 89 by a Government servant or an employee in a company, co-operative society, local authority, university, institution, association or body. This form is in compliance with rule 21AA.

Please select applicable items regarding particulars of income

- ☐ **Arrears Salary/Family Pension** [Annexure I]
- ☐ **Advance Salary** [Annexure I]
- ☐ **Gratuity** [Annexure II & IIA]
- ☐ **Compensation** [Annexure III]
- ☐ **Pension Commutation** [Annexure IV]

1. Total taxable income (excluding salary/family pension received in arrears) *

₹	0
---	---

2. Salary/Family Pension received in arrears *

₹	
---	--

3. Total income (as increased by salary/family pension received in arrears) [Add item 1 and item 2]

₹	
---	--

4. Tax on total income as per system calculation (as per item 3) *

₹	0
---	---

Tax on total income as per taxpayer (as per item 3)

₹	0
---	---

5. Tax on total income as per system calculation (as per item 1) *

₹	0
---	---

Tax on total income as per taxpayer (as per item 1)

₹	0
---	---

6. Tax on salary/family pension received in arrears [Difference of item 4 and item 5]

₹	0
---	---

TABLE 'A'

[See item 7 of Annexure I]

Details of salary/Family Pension received in arrears relating to different previous years

[+ Add Details](#)

[Delete](#)

7. Tax computed in accordance with Table 'A' [Brought from column 7 of Table 'A']

₹	
---	--

8. Relief under section 89[Indicate the difference between the amounts mentioned against items 6 and 7]

₹	0
---	---

Add Detail

Previous year(s) *

Select ▼

Total income of the relevant previous year *

₹

Salary/Family Pension received in arrears relating to the relevant previous year as mentioned in column(1) *

₹

Total income (as increased by salary received in arrears) of the relevant previous year mentioned in column(1)
[Add columns (2) and (3)]

₹

0

Tax on total income [as per column(2)] *

₹

Tax on total income as per system calculation [as per column(4)]

₹

0

Tax on total income as per taxpayer [as per column(4)] *

₹

Difference in tax [Amount under column(6) minus amount under column (5)]

₹

0

Cancel

Add

Salary shall include following

- (a) Wages
- (b) Annuity or Pension
- (c) Gratuity
- (d) Fees, commissions, perquisites or profits in lieu of salary or in addition to salary or wages
- (e) Advance salary
- (f) Payment received by an employee in respect of any period of leave, not availed by him, i.e., leave salary encashment
- (g) Annual accretion to the balance in Recognized Provident Fund, to the extent to which it is chargeable to tax
- (h) Transferred balance in a Recognized Provident Fund to the extent it is chargeable to tax.
- (i) Contribution made by the Central Government or any other employer to the account of an employee under a pension scheme under Section 80CCD.



પેન્શન

એમ્પ્લોયર દ્વારા, સ્વૈચ્છિક રીતે અથવા કરારની જવાબદારી હેઠળ કર્મચારીને ચૂકવવામાં આવેલું પેન્શન 'પગાર' હેઠળ કરને પાત્ર છે.

પેન્શન

કર્મચારીના મૃત્યુ પછી પરિવારના સભ્યોને મળતું ફેમિલી પેન્શન એ પરિવારના સભ્યના હાથમાં 'અન્ય સ્ત્રોતમાંથી આવક' તરીકે કરપાત્ર છે.

આવા કૌટુંબિક પેન્શનમાંથી deduction પેન્શનના 1/3 અથવા ₹ 15,000 છે બે માંથી જે ઓછું હોય તે.

ପୂର୍ଣ୍ଣତା

Employees of a local authority – commuted pension – exempt

Other employer, to the extent it does not exceed—

- (a) in a case where the employee receives any gratuity, the commuted $\frac{1}{3}$ rd of commuted pension is exempt, and
- (b) in any other case, the commuted value of $\frac{1}{2}$ of such pension

નેશનલ પેન્શન સિસ્ટમ / સ્કીમ - NPS

આ યોજના મુજબ, 1 જાન્યુઆરી, 2004 ના રોજ અથવા તે પછી સરકારી સેવામાં દાખલ થનાર દરેક વ્યક્તિએ NPSમાં દર મહિને પગારની ચોક્કસ ટકાવારીનું યોગદાન આપવું ફરજિયાત છે.

<i>Particulars</i>	<i>Tier-I Account</i>	<i>Tier-II Account</i>
<i>Eligibility</i>	Any citizen of India (whether resident or non-resident) can open Tier-I Account.	A subscriber who has an active Tier-I account can activate a Tier-II account. However, Non-resident Indians cannot activate Tier-II account.
<i>Contribution</i>	A minimum contribution of Rs. 1,000 is required every year.	No minimum contribution is required every year. However, initially, a subscriber has to contribute minimum Rs. 1,000 to activate Tier-II account and subsequent contribution shall be Rs. 250 or more.
<i>Withdrawal</i>	Withdrawal is allowed after certain lock-in-period subject to certain conditions	Amount can be freely withdrawn from Tier-II account.
<i>Tax Benefits</i>	Subscribers can claim deduction under Section 80CCD for the amount contributed to the NPS. Further, amount withdrawn from NPS (on closure or opting out of scheme) is exempt from tax up to 60% of the total corpus available in the account.	There is no tax benefit for the investment made in Tier-II NPS Account. However, Central Government employees can claim deduction under Section 80C for the contribution made by them in Tier-II account.

Section	Contributor	Amt of deduction
80CCD(1)	Employee	Lower of NPS or
		10% of salary
	Other	Lower of NPS or
		20% of his gross total income
80CCD(1B)	Employee	Additional deduction of Rs. 50,000
	Other	
80CCD(2)	Employer	Lower of NPS or
		14% of salary - Central/State Govt Employee
		10% of salary – Others

Salary + DA	550000
Special Allowances	100000
Emp contri to NPS 13% of 550000	71500
Gross Salary	721500
(-) Standard Deduction	50000
Income from "Salaries"	671500
Other Sources	210000
Gross Total Income	881500
Less : Deduction	
80C	-150000
80CCD(1B)	-50000
80CCD(2) - 10% of 550000	-55000
80D	-25000
Total Deduction	-280000
Total Income	601500



ઓનલાઇન માં ટીડીએસ નું ચલણ કેવી રીતે તૈયાર કરવું

[Home | Income Tax Department](#)



ભથ્થા (Allowances)

ભથ્થા એ **additional components of salary** છે જે અમુક ચોક્કસ હેતુઓ માટેના ખર્ચને પહોંચી વળવાના હેતુસર કર્મચારીઓને નિયમિતપણે આપવામાં આવે છે.

ભથ્થા સામાન્ય રીતે વાસ્તવિક ખર્ચને ધ્યાનમાં લીધા વિના નિશ્ચિત હોય છે.

ભથ્થુ 'પગાર' શીર્ષક હેઠળ કરપાત્ર હોવાનું માનવામાં આવે છે સિવાય કે તેને કાયદા હેઠળ સંપૂર્ણ અથવા આંશિક રીતે કરમાંથી મુક્તિ આપવામાં આવી હોય.

City Compensatory Allowance

Paid by employers to their employees to compensate them for the high cost of living in metro cities.

House Rent Allowance

residential house,
occupied by
employee, is not
owned by him

and

he actually pays
rent in respect of
such house.

ઘરભાડા ભથ્થુ કેટલું બાદ મળે

પગાર

ઘરભાડા ભથ્થુ

ચુકવેલ ભાડું

રહેણાક (મેટ્રો અથવા નોન મેટ્રો)

ઘરભાડા ભથ્થુ નીચેની ત્રણ રકમ માંથી જે ઓછું હોય તે

૧ મળેલ ઘરભાડા ભથ્થુ

૨ ચૂકવેલ ભાડું બાદ પગારના 10%

૩ દિલ્હી, મુંબઈ, કોલકત્તા, ચેન્નઈ – પગારના 50%

અન્ય – પગારના 40%

Salary	(100000 pm)		1200000
HRA	(25000 pm)		300000
Rent paid in Rajkot	(18000 pm)		216000
1	HRA		300000
2	216000 - (1200000*10/100=120000)		96000
3	1200000 * 40/100		480000
Salary			1200000
HRA		300000	
(-) Exempt		96000	204000
Income from Salary			1404000

- Employee paying rent shall submit **rent receipt** to his employer
- If annual **rent paid exceeds ₹ 1,00,000 p.a**, it is mandatory for the employee to **provide PAN** of the landlord to the employer and employee is also required to furnish the required details in **Form 12BB**.

Gratuity

Death-cum-retirement gratuities received by the employees of the Central Government, State Governments, local authorities are totally exempt from tax

<i>Status of Employee</i>	<i>Payment of Gratuity in the event of</i>	<i>Exemption</i>
Govt. Employee	Death of employee	Fully exempt
Non Govt. Employee (Covered under Payment of Gratuity Act)	Death of employee	Lower of following: <ul style="list-style-type: none"> • 15 days salary (last drawn) for every completed year of service • Rs. 20 lakhs • Gratuity actually received
Non Govt. Employee (Not covered under Payment of Gratuity Act)	Death of employee	Lower of following: <ul style="list-style-type: none"> • Half month average salary for every completed year of service • Rs. 20 lakhs • Gratuity actually received
Govt. Employee	Retirement or Resignation (after completing 5 years of services)	Fully exempt
Govt. Employee	Retirement or Resignation (before completing 5 years of services)	Fully taxable
Non Govt. Employee (Covered under Payment of Gratuity Act)	Retirement (after completing 5 years of services)	Lower of following: <ul style="list-style-type: none"> • 15 days salary (last drawn) for every completed year of service • Rs. 20 lakhs • Gratuity actually received
Non Govt. Employee (Covered under Payment of Gratuity Act)	Retirement or Resignation (before completing 5 years of services)	Fully taxable
Non Govt. Employee (Not covered under Payment of Gratuity Act)	Retirement or Resignation (after completing 5 years of services)	Lower of following: <ul style="list-style-type: none"> • Half month average salary for every completed year of service • Rs. 20 lakhs • Gratuity actually received
Non Govt. Employee (Not covered under Payment of Gratuity Act)	Retirement or Resignation (before completing 5 years of services)	Fully taxable

Voluntary Retirement Compensation (VRS)

Lower of :

(a) Compensation received; or

(b) ₹ 500,000.

The exemption is a one-time benefit to an employee. Tax exemption cannot be availed second time, even if an employee obtains VRS second time.

Scheme of monthly payments - taxable

Provident fund

- Employer's contribution, up to 12% of salary, in EPF account is not charged to tax in the hands of employees.
- No exemption shall be allowed in respect of interest income accrued during previous year in the EPF or SPF account to the extent of contribution made by the employee exceeding Rs. 2,50,000 in any previous year on or after 01-04-2021. However, if such person has contributed in a fund in which there is no contribution by the employer, limit of Rs. 2,50,000 shall be increased to ₹ 5,00,000.



Exempt ભથ્થા

કર્મચારીએ કરેલ **actual ખર્ચ** જે તેમને
towards performance of official duty
અનુસંધાને ભથ્થા રૂપે મળેલ હોય

તેમની ઓફિસની ફરજો બજાવતા હોય તે જગ્યા
અથવા તે જ્યાં રહેતા હોય તે જગ્યા એ **અંગત**
ખર્ચાઓ પહોંચી વળવા અંગે ચૂકવવામાં આવેલ
ભથ્થુ

Actual ખર્ચ towards performance of official duty અનુસંધાને મળેલ ભથ્થા

1 Travelling Allowance - tour or transfer

2 Daily Allowance - tour or transfer

3 Conveyance Allowance

4 Helper Allowance

5 Research Allowance

6 Uniform Allowance

અંગત ખર્ચાઓ પહોંચી વળવા અંગે ચૂકવવામાં આવેલ ભથ્થુ

1 Hilly Areas or High Altitude or Uncongenial Climate or Snow Bound Area or Avalanche

2 Border Area, Remote Locality or Difficult Area or Disturbed Area Allowance

3 Tribal Areas/Schedule Areas/Agency Areas Allowance

4 Allowance to an employee working in a transport system

7 Compensatory Field Area Allowance

8 Compensatory Modified Field Area Allowance

9 Counter-insurgency allowance granted to the members of armed forces

12 Underground allowance

13 High altitude allowance

14 Armed forces in the nature of special compensatory highly active field area allowance

15 Armed forces in the nature of Island (duty) allowance

અંગત ખર્ચાઓ પહોંચી વળવા અંગે ચૂકવવામાં આવેલ ભથ્થુ

5 - Children Education Allowance
– ₹ 100 pm – 2 children

6 - Allowance for employee's child hostel expenses
– ₹ 300 pm – 2 children

11 – Transport Allowance to disabled employee who
– ₹ 3,200 per month.

Gratuitous Payments

- Payment made gratuitously to legal heirs of employees
- The CBDT has clarified[4] that any lump sum payment made gratuitously or by way of compensation or otherwise to the widow or other legal heirs of an employee, who dies while still in active service, is not taxable.
- The CBDT has also clarified[5] that if a person or his legal heirs receive ex-gratia payment from the Central Government, State Government, local authority, public sector undertaking, consequent upon injury to the person or death of a family member, while on duty, the ex gratia payment will not be liable to income-tax.



Filing of TDS Statement

<i>Filing of TDS Statement in</i>	<i>Due Dates for</i>			
	<i>Q1</i>	<i>Q2</i>	<i>Q3</i>	<i>Q4</i>
Form 24Q	31 st July	31 st October	31 st January	31 st May of Next Year
Form 26Q (for payment to resident)	31 st July	31 st October	31 st January	31 st May of Next Year

Late filing fees & Penalty

If an assessee fails to deliver TDS statement on or before the due date then a fee @ ₹ 200 per day under section 234E will be charged for every day of default.

Penalty of ₹ 10,000 - ₹100,000.

TDS Certificate in Form 16 by 15th June

TDS Certificate in Form 16 has two Parts – **Part A** and **Part B**. Part A of the certificate contains the details of tax deducted on salary. Whereas Part B contains the details of the salary and various allowances, deductions, rebate etc. claimed or allowed to the employee.

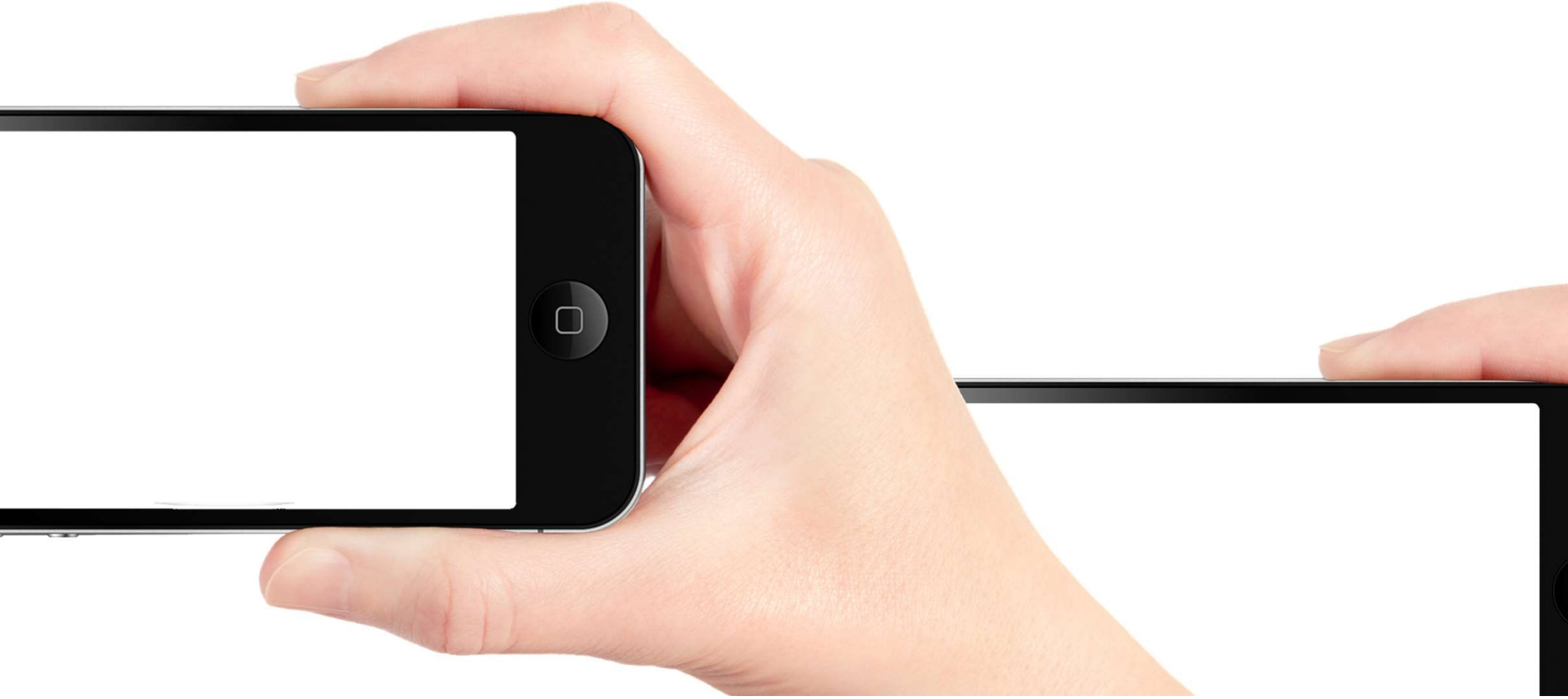


. Deductions from Salary

- Standard Deduction
- Professional Tax
- Entertainment Allowance



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Slab	Old Tax Regime Slab Rates for FY 22-23 (AY 23-24)			New Tax Regime Slab Rates	
	Resident Individuals & HUF < 60 years of age & NRIs	Resident Individuals & HUF > 60 to < 80 years	Resident Individuals & HUF > 80 years	Before Budget 2023 (until 31st March 2023)	After Budget 2023 (From 1st April 2023)
₹0-₹2,50,000	NIL	NIL	NIL	NIL	NIL
₹2,50,000 -₹3,00,000	5%	NIL	NIL	5%	NIL
₹3,00,000-₹5,00,000	5%	5% (tax rebate u/s 87A is available)	NIL	5%	5%
₹5,00,000-₹6,00,000	20%	20%	20%	10%	5%
₹6,00,000-₹7,50,000	20%	20%	20%	10%	10%
₹7,50,000-₹9,00,000	20%	20%	20%	15%	10%
₹9,00,000-₹10,00,000	20%	20%	20%	15%	15%
₹10,00,000-₹12,00,000	30%	30%	30%	20%	15%
₹12,00,000-₹12,50,000	30%	30%	30%	20%	20%
₹12,50,000-₹15,00,000	30%	30%	30%	25%	20%
>₹15,00,000	30%	30%	30%	30%	30%

Tax Calculators

[Tax Calculators \(incometaxindia.gov.in\)](http://incometaxindia.gov.in)



List of common Exemptions and deductions “ not allowed” under the New Tax Rate Regime (From FY 23-24):

1. Leave Travel Allowance (LTA)
2. House Rent Allowance (HRA)
3. Conveyance allowance
4. Daily expenses in the course of employment
5. Relocation allowance
6. Helper allowance
7. Children education allowance
8. Other special allowances [Section 10(14)]
9. Professional tax
10. Interest on housing loan (Section 24)
11. Deduction under Chapter VI-A deduction (80C,80D, 80E and so on) (Except Section 80CCD(2))

List of deductions “allowed” under the new Tax rate regime :

1. Standard deduction on salary
2. Transport allowance for specially-abled people
3. Conveyance allowance for expenditure incurred for travelling to work
4. Investment in Notified Pension Scheme under section 80CCD(2)
5. Any allowance for travelling for employment or on transfer.

CBDT Circular 4 of 2023 dated 05.04.2023



*Thank
You!*