CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 27 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | | |
|---|---------------|--|
| (vii) | | |
| Income under the Capital Gains (LTCG 112A) | 300,00,000.00 | |
| Gross Total Income | 300,00,000.00 | |
| Less: Deduction under chapter VI-A | Nil | |
| Total Income | 300,00,000.00 | |
| Computation of Tax Liability | | |
| Tax on LTCG 112A ₹296,00,000 (300,00,000-3,00,000-1,00,000) @ 10% | 29,60,000.00 | |
| Less: Rebate u/s 87A | Nil | |
| Tax before surcharge | 29,60,000.00 | |
| Add: Surcharge @ 15% | 4,44,000.00 | |
| Tax before health & education cess | 34,04,000.00 | |
| Add: HEC @ 4% | 1,36,160.00 | |
| Tax Liability | 35,40,160.00 | |
| | | |
| (viii) | | |
| Income under the Capital Gains (STCG 111A) | 300,00,000.00 | |
| Gross Total Income | 300,00,000.00 | |
| Less: Deduction under chapter VI-A | Nil | |
| Total Income | 300,00,000.00 | |
| Computation of Tax Liability | 500,00,000.00 | |
| Tax on STCG 111A ₹297,00,000 (300,00,000-3,00,000) @ 15% | 44,55,000.00 | |
| Less: Rebate u/s 87A | Nil | |
| Tax before surcharge | 44,55,000.00 | |
| Add: Surcharge @ 15% | 6,68,250.00 | |
| Tax before health & education cess | 51,23,250.00 | |
| | 2,04,930.00 | |
| Add: HEC @ 4% | | |
| Tax Liability | 53,28,180.00 | |
| | | |
| | 200 00 000 00 | |
| Income under the Other Sources (Casual income) | 300,00,000.00 | |
| Gross Total Income | 300,00,000.00 | |
| Less: Deduction under chapter VI-A | Nil | |
| Total Income | 300,00,000.00 | |
| Computation of Tax Liability | | |
| Tax on casual income ₹300,00,000 @ 30% | 90,00,000.00 | |
| Less: Rebate u/s 87A | Nil | |
| Tax before surcharge | 90,00,000.00 | |
| Add: Surcharge @ 25% | 22,50,000.00 | |
| Tax before health & education cess | 112,50,000.00 | |
| <i>Add: HEC</i> @ 4% | 4,50,000.00 | |
| Tax Liability | 117,00,000.00 | |
| | | |
| (x) | | |
| Income under the House Property | 300,00,000.00 | |
| Gross Total Income | 300,00,000.00 | |
| Less: Deduction under chapter VI-A | 1,00,000.00 | |
| Total Income | 299,00,000.00 | |
| Computation of Tax Liability | | |
| Tax on ₹299,00,000 at slab rate | 86,70,000.00 | |
| Less: Rebate u/s 87A | Nil | |
| Tax before surcharge | 86,70,000.00 | |
| Add: Surcharge @ 25% | 21,67,500.00 | |
| Tax before health & education cess | 108,37,500.00 | |
| | 100,01,000.00 | |

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 29 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | | |
|--|----------------------|--|
| Computation of Tax Liability | | |
| Tax on normal income at slab rate | 18,00,000.00 | |
| Tax on LTCG 112 ₹100,00,000 @ 20% | 20,00,000.00 | |
| Tax on LTCG 112A (₹50,00,000 – ₹1,00,000) @ 10% | 4,90,000.00 | |
| Tax on STCG 111A ₹150,00,000 @ 15% | 22,50,000.00 | |
| Tax before Surcharge | 65,40,000.00 | |
| Add: Surcharge @ 15% | 9,81,000.00 | |
| Tax before health & education cess | 75,21,000.00 | |
| Add: HEC @ 4% | 3,00,840.00 | |
| Tax Liability | 78,21,840.00 | |
| (ii) | | |
| Income under the House Property | 220,00,000.00 | |
| Income under the Capital Gains (LTCG 112) | 100,00,000.00 | |
| Income under the Capital Gains (LTCG 112A) | 50,00,000.00 | |
| Income under the Capital Gains (STCG 111A) | 150,00,000.00 | |
| Gross Total Income | 520,00,000.00 | |
| Less: Deduction under chapter VI-A | Nil | |
| Total Income | 520,00,000.00 | |
| Computation of Tax Liability | | |
| Tax on normal income at slab rate | 63,00,000.00 | |
| Tax on LTCG ₹100,00,000 @ 20% | 20,00,000.00 | |
| Tax on STCG 111A ₹150,000 @ 15% | 22,50,000.00 | |
| Tax on LTCG 112A ₹49,00,000 (50,00,000-1,00,000) @ 10% | 4,90,000.00 | |
| Tax before surcharge | 1,10,40,000.00 | |
| Add: Surcharge @ 25% on ₹63,00,000 | 15,75,000.00 | |
| Add: Surcharge @ 15% on ₹47,40,000 | 7,11,000.00 | |
| Tax before HEC | 133,26,000.00 | |
| Add: HEC @ 4% | 5,33,040.00 | |
| Tax Liability | 138,59,040.00 | |
| | | |
| (iii) Income under the House Property | 80,00,000.00 | |
| Income under the Capital Gains (LTCG) | 40,00,000.00 | |
| Income under the Capital Gains (STCG 111A) | 30,00,000.00 | |
| Income under the Capital Gains (LTCG 112A) | 90,00,000.00 | |
| Gross Total Income | 240,00,000.00 | |
| Less: Deduction under chapter VI-A | 240,00,000.00 Nil | |
| Total Income | 240,00,000.00 | |
| Computation of Tax Liability | 240,00,000.00 | |
| Tax on normal income at slab rate | 21,00,000.00 | |
| Tax on LTCG 40,00,000 @ 20% | 8,00,000.00 | |
| Tax on STCG 111A 30,00,000 @ 15% | 4,50,000.00 | |
| Tax on LTCG 112A 89,00,000 (90,000-1,00,000) @ 10% | 4,50,000.00 | |
| Tax before surcharge | 42,40,000.00 | |
| Add: Surcharge @ 15% on ₹42,40,000 | 6,36,000.00 | |
| Tax before HEC | 48,76,000.00 | |
| Add: HEC @ 4% | 1,95,040.00 | |
| Tax Liability | 50,71,040.00 | |
| I UN LINOUNY | 30,71,040.00 | |

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | | | |
|--|----------------------------|--------------------------------|--|
| Total Income | | 256,00,000.00 | |
| Computation of Tax Liability | | | |
| Tax on normal income ₹205,00,000 at slab | rate | 58,50,000.00 | |
| <i>Add: Surcharge @ 25% on ₹58,50,000</i> | | 14,62,500.00 | |
| Total | | 73,12,500.00 | |
| Less: Marginal Relief | | | |
| <i>Tax</i> + <i>Surcharge on</i> ₹205,00,000 | 73,12,500 | | |
| <i>Tax</i> + <i>Surcharge</i> on ₹200,00,000 | 65,55,000 | | |
| Increase in Tax | 7,57,500 | | |
| Less: Increase in income | 5,00,000 | 2,57,500.00 | |
| Tax after marginal relief | | 70,55,000.00 | |
| <i>Tax on LTCG ₹51,00,000 @ 20%</i> | | 10,20,000.00 | |
| Add: Surcharge @ 15% on ₹10,20,000 | | 1,53,000.00 | |
| Tax before HEC | | 82,28,000.00 | |
| Add: HEC @ 4% | | 3,29,120.00 | |
| Tax Liability | | 85,57,120.00 | |
| (viii) Income under the House Property | | 204 00 000 00 | |
| Income under the House Property | | 204,00,000.00 | |
| Income under the head Capital Gains (LTCC Gross Total Income | 1) | 101,00,000.00 305,00,000.00 | |
| Less: Deduction under chapter VI-A | | 505,00,000.00 Nil | |
| Total Income | | 305,00,000.00 | |
| Total medine | | 505,00,000.00 | |
| Computation of Tax Liability | | | |
| Tax on normal income ₹204,00,000 at slab | rate | 58,20,000.00 | |
| Add: Surcharge @ 25% on 58,20,000 | | 14,55,000.00 | |
| Total | | 72,75,000.00 | |
| Less: Marginal Relief | 72 75 000 | | |
| Tax + Surcharge on ₹204,00,000 Tax + Surcharge on ₹200,00,000 | 72,75,000 65,55,000 | | |
| Increase in Tax | 7,20,000 | | |
| Less: Increase in income | 4,00,000 | 3,20,000.00 | |
| Tax after marginal relief | 4,00,000 | 69,55,000.00 | |
| Tax on LTCG 101,00,000 @ 20% | | 20,20,000.00 | |
| Add: Surcharge @ 15% on 20,20,000 | | 3,03,000.00 | |
| Tax before HEC | | 92,78,000.00 | |
| Add: HEC @ 4% | | 3,71,120.00 | |
| Tax Liability | | 96,49,120.00 | |
| (ix) | | | |
| Income under the Capital Gains (LTCG 112. | A) | 101,00,000.00 | |
| Gross Total Income | | 101,00,000.00 | |
| Less: Deduction under chapter VI-A | | Nil | |
| Total Income | | 101,00,000.00 | |
| Computation of Tax Liability | | | |
| Tax on LTCG 112A ₹97,00,000 (101,00,000 |)-3,00,000-1,00,000) @ 10% | 9,70,000.00 | |
| Tax before surcharge | | 9,70,000.00 | |
| Add: Surcharge @ 15% | | 1,45,500.00 | |
| Tax before HEC | | 11,15,500.00 | |
| Add: HEC @ 4% Tax Liability | | 44,620.00 11,60,120.00 | |
| I an Liautiny | | 11,00,120.00 | |

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 43 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

Less: Deduction under chapter VI-A Total Income Agricultural Income

Computation of Tax Liability

| Normal income 7,00,000 | |
|---|-------------|
| Step 1. Tax on (7,00,000 + 3,00,000) at slab rate | 60,000.00 |
| Step 2. Tax on (₹3,00,000 + 3,00,000) at slab rates | (15,000.00) |
| Step 3. Deduct Tax at Step 2 from Tax at Step 1 | 45,000.00 |
| Less: Rebate u/s 87A | (25,000.00) |
| Tax before health & education cess | 20,000.00 |
| Add: HEC @ 4% | 800.00 |
| Tax Liability | 20,800.00 |
| | |

Practice Problem 6:

(i) Mr. X has income under the head House Property ₹7,20,000 and agricultural income ₹5,00,000 (ii) Mr. X has income under the head House Property ₹101,00,000 and agricultural income ₹6,00,000 (iii) Mr. X has income under the head House Property ₹15,00,000 and agricultural income ₹10,00,000 (iv) Mr. X has income under the head House Property ₹3,00,000 and agricultural income ₹5,00,000 (v) Mr. X has income under the head House Property ₹10,00,000 and agricultural income ₹4,000 (vi) Mr. X has LTCG ₹7,00,000 and agricultural income ₹6,00,000 (vii) Mr. X has income under the head House Property ₹9,00,000 and deduction allowed under chapter VI-A ₹1,00,000 and agricultural income **₹3,00,000**

Optional Tax Regime

| (i) Income shall be taxable at the slab rates given below: | |
|--|-----|
| If total Income upto ₹2,50,000 | NIL |
| On next ₹2,50,000 | 5% |
| On next ₹5,00,000 | 20% |
| On Balance amount | 30% |
| (ii) Senior Citizen (60 and above) | |
| If total income is upto ₹3,00,000 | NIL |
| On next ₹2,00,000 | 5% |
| On next ₹5,00,000 | 20% |
| On Balance amount | 30% |
| (iii) Very Senior Citizen (80 and above) | |
| If total income is upto ₹5,00,000 | NIL |
| On next ₹5,00,000 | 20% |
| On Balance amount | 30% |

Rebate u/s 87A

Rebate shall be allowed if total income is upto ₹5,00,000 (instead of ₹7,00,000). Maximum amount of rebate shall be ₹ 12,500 (instead of ₹25,000)

GSurcharge

- (a) 10% provided total income is exceeding ₹ 50 lakhs but it is upto ₹ 100 lakhs.
- @ 15% provided total income is exceeding ₹ 100 lakhs but it is upto ₹ 200 lakh.
- @ <u>25%</u> provided total income is exceeding ₹ 200 lakhs but it is upto ₹ 500 lakh.
- ⓐ 37% provided total income is exceeding ₹ 500 Lakhs.

(1,00,000.00)

7,00,000.00

3,00,000.00

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | <u> </u> |
|--|--------------------------------------|
| Tax before health & education cess | 60,000.00 |
| Add: HEC @ 4% | 2,400.00 |
| Tax Liability | 62,400.00 |
| • | |
| (iii) | |
| Income under the House Property | 50,000.00 |
| Income under the Capital Gains (LTCG) | 1,00,000.00 |
| Income under the Capital Gains (STCG 111A) | 50,000.00 |
| Income under the Capital Gains (LTCG 112A) | 5,00,000.00 |
| Gross Total Income | 7,00,000.00 |
| Less: Deduction under chapter VI-A | Nil |
| Total Income | 7,00,000.00 |
| Computation of Tax Liability | |
| Tax on normal income Nil at slab rate (50,000-50,000) | Nil |
| Tax on LTCG Nil (1,00,000-1,00,000) @ 20% | Nil |
| Tax on STCG 111A Nil (50,000-50,000) @ 15% | Nil |
| Tax on LTCG 112A 3,00,000 (5,00,000-1,00,000-1,00,000) @ 10% | 30,000.00 |
| Less: Rebate u/s 87A | Nil |
| Tax before health & education cess | 30,000.00 |
| Add: HEC @ 4% | 1,200.00 |
| Tax Liability | 31,200.00 |
| Tux Enconity | 51,200.00 |
| (iv) | |
| Income under the House Property | 4,00,000.00 |
| Income under the Capital Gains (LTCG) | 1,00,000.00 |
| Income under the Capital Gains (STCG 111A) | 50,000.00 |
| Income under the Capital Gains (LTCG 112A) | 1,00,000.00 |
| Gross Total Income | 6,50,000.00 |
| Less: Deduction under chapter VI-A | Nil |
| Total Income | 6,50,000.00 |
| Computation of Tax Liability | -, |
| Tax on normal income at slab rate | 5,000 |
| Tax on LTCG 1,00,000 @ 20% | 20,000 |
| Tax on STCG 111A 50,000 @ 15% | 7,500 |
| Tax on LTCG 112A (1,00,000-1,00,000) @ 10% | Nil |
| Less: Rebate u/s 87A | (25,000.00) |
| Tax before health & education cess | 7,500.00 |
| Add: HEC @ 4% | 300.00 |
| Tax Liability | 7,800.00 |
| Tax Liaonity | 7,000.00 |
| (v) | |
| Income under the Capital Gains (LTCG) | 51,00,000.00 |
| Gross Total Income | 51,00,000.00 |
| Less: Deduction under chapter VI-A | Nil |
| Total Income | 51,00,000.00 |
| Computation of Tax Liability | ,_ ,, ,, , , , , , , , , , , , , , , |
| Tax on LTCG ₹48,00,000 (51,00,000-3,00,000) @ 20% | 9,60,000.00 |
| Less: Rebate u/s 87A | 9,00,000.00 Nil |
| Tax before surcharge | 9,60,000.00 |
| Add: Surcharge @ 10% | 96,000.00 |
| Tax before marginal relief | 10,56,000.00 |
| Less: Marginal Relief | (16,000.00) |
| Loss. Marginal Relief | (10,000.00) |

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 56 & 57 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | |
|---|--------------------|
| (viii) Computation of Tax Liability | |
| Income under the head Capital Gains (long term capital gains) | 10,30,000 |
| Total Income | 10,30,000 |
| Tax on ₹10,30,000 @ 20% | 2,06,000 |
| Add: HEC @ 4% | 8,240 |
| Tax Liability | 2,14,240 |
| | |
| (ix) Computation of Tax Liability | |
| Income under the head Other Sources (Casual Income) | 400,00,000 |
| Total Income | 400,00,000 |
| Tax on ₹400,00,000 @ 30% | 120,00,000 |
| Add: Surcharge @ 2% | 2,40,000 |
| Add: HEC @ 4% | 4,89,600 |
| Tax Liability | 127,29,600 |
| Tux Druomey | 127,29,000 |
| Solution 6: | |
| (i) | |
| Computation of Total Income | |
| Income under the head House Property | 7,20,000.00 |
| Gross Total Income | 7,20,000.00 |
| | 7,20,000.00 Nil |
| Less: Deduction under chapter VI-A Total Income | 7,20,000.00 |
| | · · · |
| Agricultural Income | 5,00,000.00 |
| Computation of Tax Liability | |
| Normal income 7,20,000 | 04.000.00 |
| Step 1. Tax on $(7,20,000 + 5,00,000)$ at slab rate | 94,000.00 |
| Step 2. Tax on $(₹3,00,000 + 5,00,000)$ at slab rates | (35,000.00) |
| Step 3. Deduct Tax at Step 2 from Tax at Step 1 | 59,000.00 |
| Less: Rebate u/s 87A | (Nil) |
| Tax before marginal relief | 59,000.00 |
| Less: Marginal Relief | 9,000.00 |
| Step 1. Tax on (7,00,000 + 5,00,000) at slab rate 90,000.00 | |
| Step 2. Tax on (₹3,00,000 + 5,00,000) at slab rates (35,000.00) | |
| Step 3. Deduct Tax at Step 2 from Tax at Step 1 55,000.00 | |
| Less: Rebate u/s 87A (25,000.00) | |
| Balance amount of Tax 30,000.00 | |
| Increase in Tax 59,000 – 30,000 = 29,000 | |
| Increase in income 20,000 | |
| Marginal Relief 9,000 | |
| Tax before health & education cess | 50,000.00 |
| Add: HEC @ 4% | 2,000.00 |
| Tax Liability | 52,000.00 |
| | |
| <i>(ii)</i> | |
| Computation of Total Income | |
| Income under the head House Property | 101,00,000.00 |
| Gross Total Income | 101,00,000.00 |
| Less: Deduction under chapter VI-A | Nil |
| Total Income | 101,00,000.00 |
| Agricultural Income | 6,00,000.00 |
| Computation of Tax Liability | |
| Normal income 101,00,000 | |
| Step 1. Tax on $(101,00,000 + 6,00,000)$ at slab rate | 29,10,000.00 |
| | - , - , |

Step 2. Tax on (₹3,00,000 + 6,00,000) at slab rates Step 3. Deduct Tax at Step 2 from Tax at Step 1 Less: Rebate u/s 87A Tax before surcharge Add: Surcharge @ 15% Tax before marginal relief Less: Marginal Relief Working Note: 32,94,750 *Tax* + *surcharge* 15% *on income of* ₹101,00,000 *Tax* + *surcharge* 10% *on income of* ₹100,00,000 (31,18,500) *Tax on* 100,00,000 + 6,00,000 = 28,80,000 Tax on 3,00,000 + 6,00,000 =45,000 Balance = 28,35,000 Add: Surcharge @ 10% 2,83,500 **Total** 31,18,500 1,76,250 Increase in tax Increase in income 1,00,000 Marginal Relief (1,76,250 – 1,00,000) 76,250 Tax after marginal relief Add: HEC @ 4% Tax Liability

32,18,500.00 1,28,740.00 33,47,240.00

7

(45,000.00)

28,65,000.00

28,65,000.00

4,29,750.00

32,94,750.00

(76,250.00)

(Nil)

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 150 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| Computation of Tax Liability | |
|--|-------------|
| Tax on ₹1,97,800 (2,10,000 – 12,200) @ 20% u/s 112 | 39,560.00 |
| <i>Tax on ₹2,87,800 at slab rate</i> | Nil |
| Less: Rebate u/s 87A | (25,000.00) |
| Tax before health & education cess | 14,560.00 |
| Add: HEC @ 4% | 582.40 |
| Tax Liability | 15,142.40 |
| Rounded off u/s 288B | 15,140.00 |

Illustration 18: Mrs. X owns a house property at Adyar in Chennai. The municipal value of the property is $\overline{\xi}$,00,000, fair rent is $\overline{\xi}$ 4,20,000 and standard rent is $\overline{\xi}$ 4,80,000. The property was let-out for $\overline{\xi}$ 50,000 p.m. up to December 2023. Thereafter, the tenant vacated the property and Mrs. X used the house for self-occupation. Rent for the months of November and December 2023 could not be realised in spite of the owner's efforts. All the conditions prescribed under Rule 4 are satisfied. She paid municipal taxes (a) 12% during the year. She had paid interest of $\overline{\xi}$ 25,000 during the year for amount borrowed for repairs for the house property. She has LTCG $\overline{\xi}$ 110,00,000. She has completed age of 80 years as on 31.03.2024. Compute her tax liability for the A.Y. 2024-25.

Solution:

Computation of income from house property of Mrs. X for the A.Y.2024-25

| Gross Annual Value | | 4,80,000.00 |
|---|----------|---------------|
| Working Note: | ₹ | |
| (a) Fair rent | 4,20,000 | |
| (b) Municipal valuation | 5,00,000 | |
| (c) Higher of (a) or (b) | 5,00,000 | |
| (d) Standard rent | 4,80,000 | |
| (e) Expected rent {Lower of (c) or (d)} | 4,80,000 | |
| (f) Rent received/ receivable (50,000 x 7) | 3,50,000 | |
| (unrealised rent 2 months and self occupied 3 months) | | |
| GAV = Expected rent | 4,80,000 | |
| Less: Municipal Taxes | | (60,000.00) |
| Net Annual Value | | 4,20,000.00 |
| Less: 30% of NAV u/s 24(a) | | (1,26,000.00) |
| Less: Interest on capital borrowed u/s 24(b) | | (25,000.00) |
| Income under the head House Property | | 2,69,000.00 |
| LTCG | | 110,00,000.00 |
| Total Income | | 112,69,000.00 |
| Computation of Tax Liability | | |
| Tax on Normal income at slab rate | | Nil |
| LTCG (110,00,000 – 31,000) x 20% | | 21,93,800.00 |
| Add: Surcharge @ 15% | | 3,29,070.00 |
| Tax before health & education cess | | 25,22,870.00 |
| Add: HEC @ 4% | | 1,00,914.80 |
| Tax Liability | | 26,23,784.80 |
| Rounded off u/s 288B | | 26,23,780.00 |

Illustration 19: Mr. X has one big house. 25% of it is being used by the assessee in his own business/profession and 50% of the house is let out @ ₹10,000 p.m. However, it remained vacant for one month and there is unrealised rent for 1½ month. Remaining 25% is self occupied throughout the year. Fair rent of the entire house is ₹25,000 p.m., municipal valuation ₹22,000 p.m. and municipal tax paid is ₹22,000. Insurance premium paid is ₹6,000, repair charges ₹8,000, land revenue paid ₹4,000, ground rent is ₹3,000 and depreciation of the house is ₹12,000. Assessee's income under the head business/profession before charging expenditure relating to house property is ₹8,00,000.

Compute his total income and tax liability for assessment year 2024-25.

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 156 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

It is not essential that the assessee should continue to be the owner. 30% of the arrears of rent shall be allowed as deduction. Accordingly, the income from house property of Mrs. Rohini Ravi will be calculated as under:

 Self - occupied house at Los Angeles

 Gross Annual Value
 Nil

 Less: Municipal taxes
 Nil

 Net Annual Value
 Nil

 Less: Statutory deduction under section 24(a) @ 30% of NAV
 Nil

 Less from House property
 Nil

 Self - occupied house at Los Angeles
 Nil

| <u>Self - occupied property at Chennai</u> | |
|--|--------------------|
| Gross Annual Value | Nil |
| Less: Municipal taxes | Nil |
| Net Annual Value | Nil |
| Less: Statutory deduction under section 24(a) @ 30% of NAV | Nil |
| Less: Interest on Housing Loan u/s 24(b) | Nil |
| Loss from House property | Nil |
| Arrears in respect of Bangalore Property (Section 25A) | |
| Arrears of rent received | 60,000.00 |
| Less: Deduction under section 25A @ 30% | <u>(18,000.00)</u> |
| Income from House property | 42,000.00 |
| Note: Calculation of Interest | |
| Interest for the current year (50,800+1,31,300) | <u> </u> |
| Add: 1/5 th of Prior period interest (49,200 x 1/5) | 9,840.00 |
| Interest deduction allowed u/s 24(b) | <u> </u> |

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 157 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) MULTIPLE CHOICE OUESTIONS

1. Vacant site lease rent is taxable as

- (a) Income from house property
- (b) Business income or income from house property, as the case may be
- (c) Income from other sources or business income, as the case may be
- (d) Income from other sources or income from house property, as the case may be
- 2. Treatment of unrealized rent for determining income from house property
- (a) To be deducted from expected rent
- (b) To be deducted from actual rent
- (c) To be deducted under section 24 from annual value
- (d) To be deducted from both expected rent and actual rent

3. Municipal taxes to be deducted from GAV should be

- (a) Paid by the tenant during the previous year
- (b) Paid by the owner during the previous year
- (c) Accrued during the previous year
- (d) Paid during the previous year either by tenant or owner

4. Deduction under section 24(a) is

- (a) $1/3^{rd}$ of NAV
- (b) repairs actually incurred by the owner
- (c) 30% of NAV
- (d) Interest on borrowed capital

5. Interest on borrowed capital accrued up to the end of the previous year prior to the year of completion

of construction is

- (a) allowed as a deduction in the year of completion of construction
- (b) allowed in 5 equal annual installments from the year of completion of construction
- (c) allowed in the respective year in which the interest accrues
- (d) not allowed

6. Leena received ₹30,000 as arrears of rent during the P.Y. 2023-24. The amount taxable under section 25A would be -

- (a) ₹30,000
- (b) ₹21,000
- (c) ₹20,000
- (d) ₹15,000

7. Vidya received ₹90,000 in May, 2023 towards recovery of unrealised rent, which was deducted from actual rent during the P.Y. 2021-22 for determining annual value. Legal expense incurred in relation to unrealized rent is ₹20,000. The amount taxable under section 25A for A.Y.2024-25 would be -

- (a) ₹70,000
- (b) ₹63,000
- (c) ₹60,000
- (d) ₹49,000

8. Ganesh and Rajesh are co-owners of a self-occupied property. They own 50% share each. The interest paid by each co-owner during the previous year on loan (taken for acquisition of property during the year 2004) is ₹2,05,000. The amount of allowable deduction in respect of each co-owner is –

- (a) ₹2,05,000
- (b) ₹1,02,500
- (c) Nil
- (d) ₹1,00,000

9. Mr. Zen owns a flat in Mumbai which was let out by him in the previous year 2023 – 24 on a rent of ₹20,000 p.m. upto December, 2023 and for ₹30,000 p.m. thereafter. The annual municipal value is of ₹3,00,000, Fair Rent is ₹2,50,000 and Standard Rent is ₹2,90,000. The Gross Annual Value of the flat shall be taken as:

(a) ₹ 2,70,000

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 163 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

Problem 12.

Mrs. X has taken a loan on 01.11.2019 from PNB @ 10% p.a. of ₹10,00,000 for purchase of one house which was purchased on 01.01.2020 and was self occupied and municipal taxes paid in previous year 2023-2024 ₹30,000. She has repaid the loan amount in annual installments of ₹50,000 starting from 01.01.2021. The house was vacant for 1 month in previous year 2023-24. She has submitted a certificate confirming the amount of interest.

She has short term capital gains under section 111A ₹10,00,000.

Compute Income Tax Liability for assessment year 2024-25.

Answer: Tax Liability: ₹1,09,200

Problem 13.

Mr. X has taken a loan of ₹15,00,000 from State Bank on 01.07.2021 @ 10% p.a. and the residential house was completed on 01.05.2023 and was let out w.e.f. 01.06.2023 @ 80,000 p.m. and fair rent of the house is ₹90,000 p.m.

He repaid half of the loan amount on 01.01.2024.

Compute his Income Tax Liability for assessment year 2024-25.

Answer = Total Income: ₹5,09,250; Tax Liability: Nil

Problem 14.

Mr. X has taken a loan of $\gtrless11,00,000$ on 01.07.2020 @ 10% p.a. from his friend for construction of one house which was completed on 01.09.2022 and the house is self occupied during the previous year 2023-24 and Mr. X has paid municipal tax of $\gtrless12,000$.

The assessee has submitted a certificate confirming the amount of interest. Mr. X has short term capital gains under section 111A ₹120 lakhs.

Compute his income and Tax Liability for the assessment year 2024-25.

Answer: Total Income: ₹ 120,00,000; Tax Liability: ₹20,98,980

Problem 15.

Mr. X has 2 houses. First is self occupied with fair rent ₹20,000 p.a., municipal valuation is ₹55,000 p.a.. Fair rent as per Rent Control Act is ₹50,000 p.a.. However the house remains vacant for 2 months Architect has issued completion certificate on 01.07.2021. Mr. X has taken loan for addition to house ₹3,50,000 on 01.04.2023 @ 13% p.a. The loan was repaid on 01.03.2024 and assessee has submitted a certificate from the person from whom he has taken the loan certifying that the amount of interest claimed by Mr. X is correct. In the earlier years, the house was let out and the assessee has recovered unrealised rent of ₹2,000 in the previous year 2023-24. The assessee has also incurred legal expenses of ₹350.

The second house is also self-occupied. However its similar building rent is $\gtrless64,000$ p.a. and rent determined by municipality for charging house tax is $\gtrless66,000$ p.a. Its standard rent is $\gtrless6,000$ p.m. municipal tax payable are $\gtrless5,000$.

He has long term capital gains ₹20,00,000.

Compute his income tax liability for Assessment Year 2024-25.

Answer = Income Tax Liability: ₹3,53,890

Problem 16.

Mr. X has let out one house @ ₹45,000 p.m., but this house was vacated on 01.11.2023. The house was self occupied w.e.f. 01.01.2024. Fair rent of this house is ₹50,000 p.m., municipal valuation is ₹47,000 p.m. and standard rent is ₹48,000 p.m. The assessee has paid municipal taxes @ 10% of municipal valuation. Interest on capital borrowed is ₹42,000. Land revenue paid by the assessee is ₹11,000 and ground rent paid by him is ₹3,000. The assessee has taken a loan for payment of municipal tax and interest paid on loan is ₹500. Compute his income under the head house property and tax liability for assessment year 2024-25. Answer = Income under the head House Property: ₹3,21,720; Tax Liability: Nil

| | (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | |
|---------------|--|--|
| Tax Liability | | |
| 5 | | |
| | | |

| Solution 12: | ₹ |
|---|--------------|
| Income under the head House Property | |
| Income under the head House Property | Nil |
| Income under the head capital gains (STCG u/s 111A) | 10,00,000.00 |
| Gross Total Income | 10,00,000.00 |
| Less: Deduction under Chapter VI-A | Nil |
| Total Income | 10,00,000.00 |
| Computation of Tax Liability | |
| Tax on ₹7,00,000 (₹10,00,000 – 3,00,000) @ 15% | 1,05,000.00 |
| Less: Rebate u/s 87A | (25,000.00) |
| Tax before health and education cess | 80,000.00 |

Add: HEC @ 4%

Tax Liability

Solution 13:

| Computation of income | under the head | House Property |
|------------------------------|----------------|-----------------------|
| Gross Annual Value | | |

| Gross Annual Value | |
|--|--------------|
| Working Note: | ₹ |
| (a) Fair Rent (90,000 x 11) | 9,90,000 |
| (b) Expected Rent | 9,90,000 |
| (c) Rent Received/Receivable (80,000 x 10) | 8,00,000 |
| If there was no vacancy, in that case rent received/receivable | e would have |
| been ₹8,80,000 and it was still less than expected rent, the | erefore GAV |
| shall be expected rent. | |
| GAV | 9,90,000 |
| Less: Municipal Tax | |
| Net Annual Value | |
| Less: 30% of NAV u/s 24(a) | |
| Less: Interest on capital borrowed u/s 24(b) | |

Nil 9,90,000.00 (2,97,000.00) (1,83,750.00)

| Working Note: |
|--|
| Prior period interest |
| From 01.07.2021 to 31.03.2023 |
| $= (15,00,000 \ge 10\% \ge 1) + (15,00,000 \ge 10\% \ge 9/12)$ |
| = ₹1,50,000 + ₹1,12,500 = ₹2,62,500 |
| Installment = ₹2,62,500/5 = ₹52,500 |
| Current period interest |
| From 01.04.2023 to 31.03.2024 |
| = (15,00,000 x 10% x 9/12) + (7,50,000 x 10% x 3/12) |
| = ₹1,12,500 + ₹18,750 = ₹1,31,250 |

12

4,200.00

1,09,200.00

9,90,000.00

Nil

<u>CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 178</u> (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| Total interest on capital borrowed = $\xi 52,500 + \xi 1,31,250 = \xi 1,83,750$ | |
|--|--------------------|
| Income under the head House Property | 5,09,250.00 |
| Gross Total Income | 5,09,250.00 |
| Less: Deduction under Chapter VI-A | 5,09,250.00 Nil |
| Total Income | 5,09,250.00 |
| Computation of Tax Liability | 5,05,250.00 |
| Tax on ₹5,09,250 at slab rate | 10,462.50 |
| Less: Rebate u/s 87A | (10,462.50) |
| Tax Liability | Nil |
| Solution 14: | ₹ |
| Computation of income under the head House Property | |
| Income under the head House Property | Nil |
| Income under the head capital gains | |
| Short term capital gains u/s 111A | 120,00,000.00 |
| Gross Total Income | 120,00,000.00 |
| Less: Deduction under Chapter VI-A | Nil |
| Total Income | 120,00,000.00 |
| Computation of Tax Liability | |
| Tax on ₹117,00,000 (₹120,00,000 – 3,00,000) @ 15% | 17,55,000.00 |
| Add: Surcharge @ 15% | 2,63,250.00 |
| Tax before health & education cess | 20,18,250.00 |
| Add: HEC @ 4% | 80,730.00 |
| Tax liability | 20,98,980.00 |
| Solution 15: | ₹ |
| As per the amendments now two house shall be treated as self-occupied. | |
| House I & II is self-occupied | |
| Income from house I & II | Nil |
| Income under the head House Property | Nil |
| Add: Unrealised rent received (2,000 – 600) | 1,400.00 |
| Income under the head House Property | 1,400.00 |
| Income under the head Capital Gains (LTCG) | 20,00,000.00 |
| Gross Total Income | 20,01,400.00 |
| Less: Deduction under Chapter VI-A | Nil |
| Total Income | 20,01,400.00 |
| Computation of Tax Liability | A.7.1 |
| <i>Normal Income 1,400</i> | Nil |
| $LTCG (20,00,000 - 2,98,600) \times 20\%$ | 3,40,280.00 |
| Add: HEC @ 4% | 13,611.20 |
| Tax Liability | 3,53,891.20 |
| Rounded off u/s 288B | 3,53,890.00 |
| Solution 16: | 5 7(000 00 |
| Gross Annual Value | 5,76,000.00 |
| Working Note: | ₹ |
| (a) Fair Rent (50,000 x 12) (b) Manifold Valuation (47,000 x 12) | 6,00,000 |
| (b) Municipal Valuation (47,000 x 12) | 5,64,000 |
| (c) Higher of (a) or (b) (d) Step lead B ant ($48,000 \times 12$) | 6,00,000 |
| (d) Standard Rent ($48,000 \times 12$) | 5,76,000 |
| (e) Expected rent {Lower of (c) or (d)} (\oplus Part President 1: (45,000 m 7) | 5,76,000 |
| (f) Rent Receivable (45,000 x 7) | 3,15,000 |

If there was no vacancy, in that case rent received/receivable would have been

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 184 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| (CORRECTED TART IS OF VEN IN DOLD TRAFICS AND COLOURED) | | |
|---|-----------|--|
| Tax on ₹4,42,950 at slab rate | 7,147.50 | |
| Tax on ₹3,50,000 @ 20% u/s 112 | 70,000.00 | |
| Tax before health & education cess | 77,147.50 | |
| <i>Add: HEC</i> @ 4% | 3,085.90 | |
| Tax Liability | 80,233.40 | |
| Rounded off u/s 288B | 80,230.00 | |
| | | |

Solution 26:

(i) Income under the head House Property.

(ii) Income under the head Capital Gains.

(iii) Income under the head Business/Profession.

(iv) Income under the head Other Sources.

(v) Income under the head Business/Profession.

(vi) Income under the head Business/Profession.

(vii) Income under the head Business/Profession.

(viii) Income under the head Business/Profession.

(ix) Income under the head Other Sources.

(x) Income under the head House Property.

| (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) | |
|--|--|
| house property ₹7 lakh. Compute tax liability of the firm and also that of partners. | |
| Solution: | |
| Since partnership firm has agricultural income, it is exempt from income tax under section 10 | (1). |
| Tax liability of Mr. X shall be | ~ / |
| Income under the head House Property | 6,00,000 |
| Agricultural income (₹8,00,000 + ₹4,00,000) | 12,00,000 |
| Partial integration | |
| Step 1. $\gtrless 6,00,000 + \gtrless 12,00,000 = \gtrless 18,00,000$ at slab rate | 2,40,000 |
| Step 2. $₹3,00,000 + ₹12,00,000 = ₹15,00,000$ at slab rate | (1,50,000) |
| Step 3. ($₹2,40,000 - ₹1,50,000$) | 90,000 |
| Less: Rebate u/s 87A | (25,000) |
| Tax before health & education cess | 65,000 |
| Add: HEC @ 4% | 2,600 |
| Tax Liability | 67,600 |
| Tax liability of Mr. Y shall be | ., |
| Income under the head House Property | 7,00,000 |
| Agricultural income $(8,00,000 + 4,00,000)$ | 12,00,000 |
| Partial integration | 12,00,000 |
| 7,00,000 + 12,00,000 = 19,00,000 at slab rate | 2,70,000 |
| 3,00,000 + 12,00,000 = 15,00,000 at slab rate | (1,50,000) |
| (2,70,000 - 1,50,000) | 1,20,000 |
| Less: Rebate u/s 87A | (25,000) |
| Tax before health & education cess | 95,000 |
| Add: HEC @ 4% | 3,800 |
| Tax Liability | 98,800 |
| Share received out of profits is exempt under section 10(2A). | 20,000 |
| Presume in the above case partnership firm has income from business and not agricultur | |
| | ral income |
| | ral income. |
| Solution: | ral income. |
| Solution: Tax Liability of partnership firm shall be as given below: | |
| Solution: Tax Liability of partnership firm shall be as given below: Profits before debiting salary and interest | 300,00,000 |
| Solution: Tax Liability of partnership firm shall be as given below: Profits before debiting salary and interest Less: Salary and Interest | 300,00,000 24,00,000 |
| Solution: Tax Liability of partnership firm shall be as given below: Profits before debiting salary and interest Less: Salary and Interest Income under the head Business/Profession | 300,00,000 24,00,000 276,00,000 |
| Solution: Tax Liability of partnership firm shall be as given below: Profits before debiting salary and interest Less: Salary and Interest Income under the head Business/Profession Gross Total Income/Total Income | 300,00,000 24,00,000 276,00,000 276,00,000 |
| Solution: Tax Liability of partnership firm shall be as given below: Profits before debiting salary and interest Less: Salary and Interest Income under the head Business/Profession Gross Total Income/Total Income Tax Liability 276,00,000 x 30% | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12% | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cess | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4% | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax Liability | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288B | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. X | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 96,44,540 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest) | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House Property | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total Income | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 96,44,544 12,00,000 6,00,000 18,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rate | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rateAdd: HEC @ 4% | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 9,600 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax Liability | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityTowned off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax LiabilityTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax Liability of Mr. Y | $\begin{array}{c} 300,00,000\\ 24,00,000\\ 276,00,000\\ 276,00,000\\ 82,80,000\\ 9,93,600\\ 92,73,600\\ 3,70,944\\ 96,44,540\\ 12,00,000\\ 6,00,000\\ 18,00,000\\ 2,40,000\\ 9,600\\ 2,49,600\\ \end{array}$ |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax DiabilityTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax LiabilityTax LiabilityTax LiabilityTax LiabilityTax LiabilityTax Liability of Mr. YIncome under the head Business/Profession (salary + interest) | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 96,44,540 12,00,000 18,00,000 2,40,000 2,49,600 12,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityTax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax LiabilityIncome under the head Business/Profession (salary + interest)Income under the head Business/Profession (salary + interest) | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,544 96,44,540 12,00,000 18,00,000 2,40,000 2,49,600 12,00,000 7,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax LiabilityTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax Liability of Mr. YIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total Income | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 2,49,600 12,00,000 7,00,000 19,00,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head Business/Profession (salary + interest)Gross Total Income/Total IncomeTax LiabilityTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax LiabilityTax Liability of Mr. YIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax on ₹19,00,000 at slab rate | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 2,49,600 12,00,000 7,00,000 19,00,000 2,70,000 |
| Solution:Tax Liability of partnership firm shall be as given below:Profits before debiting salary and interestLess: Salary and InterestIncome under the head Business/ProfessionGross Total Income/Total IncomeTax Liability 276,00,000 x 30%Add: Surcharge @ 12%Tax before health & education cessAdd: HEC @ 4%Tax LiabilityRounded off u/s 288BTax Liability of Mr. XIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total IncomeTax LiabilityTax on ₹18,00,000 at slab rateAdd: HEC @ 4%Tax LiabilityTax LiabilityTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax LiabilityTax LiabilityGross Total Income/Total IncomeTax LiabilityTax Liability of Mr. YIncome under the head Business/Profession (salary + interest)Income under the head House PropertyGross Total Income/Total Income | 300,00,000 24,00,000 276,00,000 276,00,000 82,80,000 9,93,600 92,73,600 3,70,944 96,44,540 12,00,000 6,00,000 18,00,000 2,40,000 2,49,600 12,00,000 7,00,000 19,00,000 |

<u>CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 212</u> (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| Solution: Computation of total income and tax liability of Mr. X for the | A.Y.2024 | -25 |
|---|-------------------|----------|
| Particulars | | ₹ |
| Income under the head salary | | 3,40,000 |
| Income under the head house property | | 3,00,000 |
| Gross Total Income | | 6,40,000 |
| Less: Deductions under Chapter VI-A | | Nil |
| Total Income | | 6,40,000 |
| Agricultural income (1,80,000 – 1,20,000) = | | 60,000 |
| Computation of tax liability | | |
| Step 1: Tax on $(\mathbf{\xi}6, 40, 000 + \mathbf{\xi}60, 000 = \mathbf{\xi}7, 00, 000)$ | | 25,000 |
| Step 2: Tax on (₹ 3,00,000 + ₹ 60,000) = ₹ 3,60,000) | | (3,000) |
| Step 3: ₹ 25,000 – ₹ 3,000 | | 22,000 |
| Tax before health & education cess | | 22,000 |
| Less: Rebate u/s 87A | | (22,000) |
| ADD: HEC @ 4% | | <u> </u> |
| Tax Liability | 22,880 | Nil |

<u>**Illustration 3:**</u> Mr. X grows sugarcane and uses the same for the purpose of manufacturing sugar in his factory. 30% of sugarcane produce is sold for \gtrless 10 lacs, and the cost of cultivation of such sugarcane is \gtrless 5 lacs. The cost of cultivation of the balance sugarcane (70%) is \gtrless 14 lacs and the market value of the same is \gtrless 22 lacs. After incurring \gtrless 1.5 lacs in the manufacturing process on the balance sugarcane, the sugar was sold for \gtrless 25 lacs. Compute Mr. X's business income and agricultural income.

Solution:

Income from sale of sugarcane gives rise to agricultural income and from sale of sugar gives rise to business income.

| Business income | = Sales – Market value of 70% of sugarcane produce – Manufacturing expenses |
|---------------------|---|
| | = ₹25 lacs – ₹22 lacs - ₹1.5 lacs = ₹1.5 lacs. |
| Agricultural income | = Market value of sugarcane produce – Cost of cultivation |
| | = [₹10 lacs + ₹22 lacs] – [₹5 lacs + ₹14 lacs] |
| | = ₹32 lacs – ₹19 lacs |
| | = ₹13 lacs. |

<u>**Illustration 4:**</u> Mr. X is engaged in growing and manufacturing of rubber. These are then sold in the market for $\gtrless 30$ lacs. The cost of growing rubber plants is $\gtrless 10$ lacs and that of manufacturing rubber is $\gtrless 8$ lacs. Compute his total income.

Solution:

The total income of Mr. X comprises of agricultural income and business income.

| Total profits from the sale of rubber | $= 30 \operatorname{lacs} - 10 \operatorname{lacs} - 8 \operatorname{lacs} = 12 \operatorname{lacs}.$ |
|---------------------------------------|---|
| Agricultural income | = 65% of ₹12 lacs. = ₹7.8 lacs |
| Business income | = 35% of ₹12 lacs. = ₹4.2 lacs |
| | |

Illustration 5: Mr. X has estates in rubber, tea and coffee. He derives income from them. He has a nursery wherein he grows and sells the plants. For the previous year ending 31.03.2024, he furnishes the following particulars of his income from estates and sale of plants. You are requested to compute the taxable income and tax liability for the assessment year 2024-25: ₹

| (i) Growing and manufacturing of rubber | 5,00,000 |
|---|----------|
| (ii) Sale of coffee grown and cured | 3,50,000 |
| (iii) Growing and manufacturing of tea | 7,00,000 |
| (iv) Sale of plants from nursery | 1,00,000 |

He has long term capital gain on the sale of agricultural land in Delhi ₹3,13,500. He has received rent of ₹9,000 p.m. by letting out one farm house near Delhi and he has incurred ₹20,000 on the repairs of the farm house. He has not paid municipal taxes for the last ten years in connection with farm house and MCD has issued him a notice for selling of farm house, hence he has paid municipal tax of ₹90,000.

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 217 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

PRACTICE PROBLEMS TOTAL PROBLEMS 6

Problem 1.

Mr. X (non-resident, aged 68 years) has incomes as given below:

- (i) Income under the head Salary ₹3,00,000
- (ii) Income under the head House Property ₹1,20,000
- (iii) Income from long term capital gains ₹50,000
- (iv) Casual income ₹30,000
- (v) Agricultural income ₹60,000
- (vi) Deductions under chapter VI-A ₹1,40,000
- (vii) He has invested ₹40,000 in Kisan Vikas Patra, ₹20,000 in equity shares of infrastructure development companies.

Compute his total income and tax liability for the assessment year 2024-25.

Answer: Total Income: ₹5,00,000; Tax Liability: ₹26,000

Problem 2.

Mrs. X (aged 58 years) has income and losses as given below:

- (i) Income from growing and manufacturing of Rubber ₹3,00,000
- (ii) Income from growing and curing coffee ₹2,00,000
- (iii) Income under the head Salary ₹2,40,000
- (iv) Income under the head House Property ₹1,00,000
- (v) Income from short term capital gains ₹40,000
- (vi) Income from long term capital gains ₹50,000
- (vii) Casual income ₹60,000
- Compute her total income and tax liability for the assessment year 2024-25.

Answer: Total Income: ₹6,45,000; Tax Liability: ₹27,560

Problem 3.

Mrs. X (resident but not ordinarily resident) have incomes as given below:

- (i) Income from growing and manufacturing of Tea in India ₹10,00,000
- (ii) Income from house property situated outside India ₹3,50,000, received outside India.
- (iii) Income from agriculture in Nepal ₹1,50,000, received in India
- (iv) Income from business in Paris and received in Paris ₹ 1,00,000
- Compute her total income and tax liability for the assessment year 2024-25.

Answer: Total Income: ₹5,50,000; Tax Liability: ₹13,000

Problem 4.

Mr. X (resident but not ordinarily resident) have incomes and losses as given below:

- (i) Income from house I in India ₹80,000
- (ii) Income from house II in India ₹1,00,000
- (iii) Carried forward loss assessment year 2012-13 from house III in India ₹50,000
- (iv) Income under the head Business/Profession in India ₹2,20,000
- (v) Royalty received in the UK for use of formula in U.K. ₹30,000
- (vi) Long term capital gains in India ₹1,00,000
- (vii) Income from agriculture in Indonesia but received in India and subsequently invested it in Indonesia ₹50,000
- (viii) Income from agriculture in India ₹2,00,000

Compute his total income and tax liability for the assessment year 2024-25.

Answer: Total Income: ₹5,50,000; Tax Liability: ₹5,200

Problem 5.

A partnership firm XY has agricultural income ₹2,00,000, income under the head business/profession ₹1,00,000 and long term capital gains ₹10,000.

Compute its tax liability for the assessment year 2024-25.

CORRECTION IN INCOME TAX VOLUME 1 (49th Edition) PAGE NO. 220 (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

| Normal income ₹5,35,000 | |
|---|----------|
| Tax on $(5,35,000 + 3,45,000)$ at slab rate | 43,000 |
| Tax on $(3,00,000 + 3,45,000)$ at slab rate | (19,500) |
| Tax on normal income (43,000 – 19,500) | 23,500 |
| Tax before Rebate u/s 87A | 51,500 |
| Less: Rebate u/s 87A | (25,000) |
| Tax before health & education cess | 26,500 |
| Add: HEC @ 4% | 1,060 |
| Tax Liability | 27,560 |

Solution 3:

| Solution 5. | Agricultural Income | Business Income |
|---|---------------------|------------------------|
| Income from growing and manufacturing of Tea {Rule 8} | | 4 0 0 0 0 0 |
| Agricultural income 60% and business income 40% | 6,00,000 | 4,00,000 |
| Total | 6,00,000 | 4,00,000 |
| | | ₹ |
| Income under the head business/Profession | | 4,00,000 |
| Income from agriculture in Nepal but received in India | | 1,50,000 |
| Income under the head Other Sources | | 1,50,000 |
| Gross Total Income | | 5,50,000 |
| Less: Deductions under Chapter VI-A | | Nil |
| Total Income | | 5,50,000 |
| Agricultural income | | 6,00,000 |
| Computation of Tax Liability | | 02 500 |
| Tax on $(5,50,000 + 6,00,000)$ at slab rate | | 82,500 |
| Tax on $(3,00,000 + 6,00,000)$ at slab rate | | (45,000) |
| Tax on normal income (82,500 – 45,000) | | 37,500 |
| Less: Rebate u/s 87A | | (25,000) |
| Tax before Education and Health cess | | 12,500 |
| Add: HEC @ 4% | | 500 |
| Tax Liability | | 13,000 |
| Solution 4: | | ₹ |
| Income from House I | | 80,000 |
| Income from House II | | 1,00,000 |
| Income under the head House Property | | 1,80,000 |
| Income under the head Business/Profession | | 2,20,000 |
| Income under the head Capital Gains (LTCG) | | 1,00,000 |
| Income under the head Other Sources | | |
| {Income from agriculture in Indonesia, received in India} | | 50,000 |
| Gross Total Income | | 5,50,000 |
| Less: Deduction under Chapter VI-A | | Nil |
| Total Income | | 5,50,000 |
| Agricultural Income | | 2,00,000 |
| Computation of Tax Liability | | |
| Tax on Long term capital gain ₹1,00,000 @ 20% u/s 112 | | 20,000 |
| Normal income ₹4,50,000 | | |
| Tax on $(₹4,50,000 + ₹2,00,000)$ at slab rate | | 20,000 |
| Tax on $(₹3,00,000 + ₹2,00,000)$ at slab rate | | (10,000) |
| Tax on normal income (20,000 – 10,000) | | 10,000 |
| Tax before Rebate u/s 87A | | 30,000 |
| Less: Rebate u/s 87A | | (25,000) |
| Tax before health & education cess | | 5,000 |
| Add: HEC @ 4% | | 200 |
| Tax Liability | | 5,200 |
| | | |

(CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) (ii) ABC Ltd. has to pay interest of ₹12,00,000 to Mr. X in connection with listed debentures, amount of TDS shall be ₹1,20,000

(iii) ABC Ltd. has to pay interest of ₹5,000 to Mr. X, no tax shall be deducted at source in this case.

<u>**Illustration 1:**</u> Mr. X has invested some amount in ABC Ltd. and the company has paid him interest of ₹5,40,000 after deducting tax at source @ 10%. The cheque was collected by the bank and the bank charges were 1%. He has income under the head house property ₹ 10,00,000

Compute his tax liability and tax refund for assessment year 2024-25.

| Solution: | ₹ |
|--|--------------|
| Income under the head House Property | 10,00,000.00 |
| Gross interest (5,40,000 x 100 /90) | 6,00,000.00 |
| Less: bank charges u/s 57 (1% of 5,40,000) | (5,400.00) |
| Income under the head Other Sources | 5,94,600.00 |
| Gross Total Income | 15,94,600.00 |
| Less: Deductions u/s under Chapter VI-A | Nil |
| Total Income | 15,94,600.00 |
| Computation of Tax Liability | |
| Tax on ₹15,94,600 at slab rate | 1,78,380.00 |
| Add: HEC 4% | 7,135.20 |
| Tax Liability | 1,85,515.20 |
| Less: TDS | (60,000.00) |
| Tax Payable | 1,25,515.20 |
| Rounded off u/s 288B | 1,25,520.00 |
| | |

<u>Illustration 2</u>: Mr. X has invested some amount in ABC Ltd. and the company has paid him interest of ₹3,60,000 after deducting tax at source @ 10%. The cheque was collected by the bank and the bank charges were 1%.

Compute his tax liability and tax refund for assessment year 2024-25.

| Solution: | ₹ |
|--|-------------|
| Gross interest (3,60,000 x 100 /90) | 4,00,000.00 |
| Less: bank charges u/s 57 (1% of 3,60,000) | (3,600.00) |
| Income under the head Other Sources | 3,96,400.00 |
| Total Income | 3,96,400.00 |
| Computation of Tax Liability | |
| Tax on ₹3,96,400 at slab rate | 4,820.0 |
| Less: Rebate u/s 87A | (4,820.00) |
| Tax Liability | Nil |
| Less: TDS | (40,000.00) |
| Refund | 40,000.00 |
| Assesse can take benefit of section 197 (not 197A) | |

Illustration 3: Mr. X has invested some amount in ABC Ltd. and the company has paid him interest of ₹1,80,000 after deducting tax at source @ 10%. The cheque was collected by the bank and the bank charges were 1%.

| Compute his tax liability and tax refund for assessment year 2024-25. | |
|---|-------------|
| Solution: | ₹ |
| Gross interest (1,80,000 x 100 /90) | 2,00,000.00 |
| Less: bank charges u/s 57 (1% of 1,80,000) | (1,800.00) |
| Income under the head Other Sources | 1,98,200.00 |
| Total Income | 1,98,200.00 |
| Computation of Tax Liability | |
| Tax Liability | Nil |
| Less: TDS | (20,000.00) |

(CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) programme for telecasting as per the specifications given by the channel. The copyright of the programme is also transferred to Moon TV. Would such payment be liable for tax deduction at source under section 194C? Discuss.

Also, examine whether the provisions of tax deduction at source under section 194C would be attracted if the payment was made by Moon TV for acquisition of telecasting rights of the content already produced by the production house.

SOLUTION:

In this case, since the programme is produced by the production house as per the specifications given by Moon TV, a television channel, and the copyright is also transferred to the television channel, the same falls within the scope of definition of the term 'work' under section 194C. Therefore, the payment of ₹50 lakhs made by Moon TV to the production house would be subject to tax deduction at source under section 194C.

If, however, the payment was made by Moon TV for acquisition of telecasting rights of the content already produced by the production house, there is no contract for "carrying out any work", as required in section 194C. Therefore, such payment would not be liable for tax deduction at source under section 194C.

Question 10: Write a note on TDS in case of payment of Insurance Commission. Answer: <u>TDS in case of payment of Insurance Commission</u> <u>Section 194D</u>

Every person responsible for making payment for insurance commission to a resident insurance agent shall deduct tax at source (a) 5% provided the amount paid or payable during a particular year to a particular agent is exceeding ₹15,000 e.g. If LIC has to pay commission of ₹5,00,000 to one of the agent Mr. X, amount of TDS shall be ₹5,00,000 x 5% = 25,000. If payment is being given to a domestic company, rate of TDS shall be 10%.

Question 11: write a note on Payment on maturity of life insurance policy.

Answer: <u>Payment on maturity of life insurance policy</u> <u>Section 194DA</u>

In general payment on maturity of Life policy is exempt from income tax under section 10(10D) however sometimes the amount is taxable (if premium paid has exceeded the prescribed percentage (i.e. 10% / 15% / 20%)) and in that case tax has to deducted at source (a) <u>5% on the amount of income</u> provided the amount paid or payable to any resident during a particular financial year is ₹1,00,000 or more.

Example

Examine the applicability of the provisions for tax deduction at source under section 194DA in the following cases -

(i) Mr. X, a resident, is due to receive \gtrless 4.50 lakhs on 31.03.2024, towards maturity proceeds of LIC policy taken on 01.4.2021, for which the sum assured is \gtrless 4 lakhs and the annual premium is \gtrless 1,25,000.

(ii) Mr. Y, a resident, is due to receive \gtrless 3.25 lakhs on 31.03.2024 on LIC policy taken on 31.03.2012, for which the sum assured is \gtrless 3 lakhs and the annual premium is \gtrless 3,000.

(iii) Mr. Z, a resident, is due to receive ₹95,000 on 01.8.2023 towards maturity proceeds of LIC policy taken on 01.08.2014 for which the sum assured is ₹ 90,000 and the annual premium was ₹ 12,000. **Answer**

Answer

(i) Since the annual premium exceeds 10% of sum assured in respect of a policy taken on 01.04.2021, the maturity proceeds of ₹ 4.50 lakhs are not exempt under section 10(10D) in the hands of Mr. X. Therefore, tax is required to be deducted @ 5% under section 194DA on the amount of income of ₹75,000 (₹4,50,000-3,75,000).

(ii) Since the annual premium is less than 20% of sum assured in respect of a policy taken before 01.04.2012, the sum of ₹3.25 lakhs due to Mr. Y would be exempt under section 10(10D) in his hands. Hence, no tax is required to be deducted at source under section 194DA on such sum payable to Mr. Y.

(iii) Even though the annual premium exceeds 10% of sum assured in respect of a policy taken after 31.03.2012, and consequently, the maturity proceeds of ₹95,000 due on 01.08.2023 would not be exempt under section 10(10D) in the hands of Mr. Z, the tax deduction provisions under section 194DA are not attracted since the maturity proceeds are less than ₹ 1 lakh.

(CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) The above provisions are not applicable for TDS under other sections like 192, 192A, 193, **194**, 194B, 194BB, 194DA, 194DA, 194E, 194G, 194-IA, 194-IB, 194LA, **194LBA**, **194K**, **194M**, **194N**, **194O**, 195.

Question 30: Write a note on Deduction of tax at Lower Rate.

Answer: Deduction of tax at Lower Rate Section 197

If on income of any person, income-tax is required to be deducted at the time of payment under section 192, 193, 194, 194A, 194C, 194D, 194G, 194H, 194I, 194J, 194K, 194LA, **194M**, **194O** and 195 and the Assessing Officer is satisfied that the total income of the recipient justifies the deduction of income-tax at any lower rates or no deduction of income-tax, as the case may be, the Assessing Officer shall, on an application made by the assessee in this behalf, give to him such certificate as may be appropriate.

Application should be given in Form No. 13.

(Section 197 is not applicable in case of TDS under section 192A, 194B, 194BB, 194DA, 194E, 194-IA, 194-IC, 194N)

Question 31: Write a note on self declaration for not deducting tax at source.

Answer: <u>Self declaration for not deducting tax at source</u> <u>Section 197A</u>

<u>As per section 197A</u>, if any individual or Hindu Undivided Family has total income not exceeding the exemption limit and also his tax liability is nil, such individual or HUF can furnish a declaration in Form No. 15G to the person making payment of interest and in that case no tax shall be deducted at source. A senior citizen can give a declaration in Form No 15H if his tax liability is nil.

Similar provision shall be applicable in case of section 192A, 193, 194, 194A, 194D, 194DA & 194I.

Question 32: Write a note on time period for depositing tax deducted at source.

Answer: <u>Time period for depositing tax deducted at source</u> <u>Section 200 / Rule 30</u>

As per Rule 30, the payment is to be made in general within 7 days from the last day of the month in which the deduction is made.

If the tax has been deducted in the month of March, tax should be deposited on or before 30th April. In certain cases, Assessing Officer may permit the payments on quarterly basis.

Question 33: Write a note on filing of quarterly statement of TDS.Answer: Filing of quarterly statement of TDSSection 200 / Rule 31A

Every person deducting tax at source has to submit quarterly statement containing details of the tax deducted at source. The statement should be submitted latest by 31st of the month succeeding the relevant quarter but statement for the quarter ending March can be submitted upto 31st May. e.g. Statement for quarter ending March, 2024 can be submitted upto 31st May, 2024.

Question 34: Write a note on Consequences of Failure to Deduct or Pay. Answer: Consequences of Failure to Deduct or Pay Section 201

1. <u>If any person has failed to deduct tax at source</u>, interest shall be charged <u>(a) 1% p.m. or part of a month</u> for the period of delay. E.g. ABC Ltd. has made one payment on 03.01.2024 but tax was deducted at source on 20.01.2024, in this case interest shall be charged (a) 1% for one month.

2. <u>If person has deducted tax at source but tax was not deposited within the time allowed</u> under section 200, interest shall be charged <u>@ 1.5% p.m. or part of a month</u> from date of deducting tax at source upto the date of depositing the amount

Example

Assessee deduct TDS on 10.10.2023 but pays TDS on 31.12.2023, Interest under section 201 shall be charged from 10.10.2023 to 31.12.2023 @ 1.5% per month i.e., for 3 months.

If in the above case assessee has not deducted tax at source on 10.10.2023 rather assessee deducted TDS on 31.12.2023 and assessee pays TDS on 17.01.2025, interest shall be charged in the manner given below:

- (i) Interest under section 201 shall be charged for 3 months @ 1% for the period 10.10.2023 to 31.12.2023.
- (ii) Interest under section 201 shall be charged @ 1.5% per month for one month from 31.12.2023 to 17.01.2024.
 - 3. Assessee shall also be considered to be assessee in default and penalty may be imposed equal to the

(CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED) amount which he has failed to deduct or pay but in following two situations he will not be considered to be assessee in default

1. If there were sufficient reasons for not deducting tax at source

2. Payment was made to a *payee* and such *payee* has shown the amount in his income and has paid tax and also return has been filed and it has been confirmed by a Chartered Accountant.

In this case assessee shall pay interest from the date when tax was to be deducted upto the date of filing the return.

Example

ABC Ltd. paid certain amount on 05.01.2024 to Mr. X and tax was not deducted at source but Mr. X himself has paid his tax and return was filed on 31.07.2024, in this case interest shall be charged @ 1% p.m. for a period of 7 months i.e. from 05.01.2024 to 31.07.2024.

<u>**Illustration 12:**</u> An amount of ₹40,000 was paid to Mr. X on 01.07.2023 towards fees for professional services without deduction of tax at source. Subsequently, another payment of ₹50,000 was due to Mr. X on 29.02.2024, from which tax @ 10% (amounting to ₹9,000) on the entire amount of ₹ 90,000 was deducted. However, this tax of ₹ 9,000 was deposited only on 22.06.2024.

Compute the interest chargeable under section 201.

Solution:

Interest under section 201 would be computed as follows -

| Particulars | ₹ |
|--|-----|
| 1% on tax deductible but not deducted i.e., 1% on ₹ 4,000 for 8 months | 320 |
| (01.07.2023 to 29.02.2024) | |
| 1 ¹ / ₂ % on tax deducted but not deposited i.e. 1 ¹ / ₂ % on ₹ 9,000 for 4 months | 540 |
| (29.02.2024 to 22.06.2024) | 860 |

Question 35: Write a note on Certificate for Tax Deducted. Answer: <u>Certificate for Tax Deducted</u> <u>Section 203/ Rule 31</u>

TDS Certificate

Every person deducting tax at source shall issue a certificate to the person with regard to whom tax has been deducted at source. In case of payment of salary, certificate shall be issued in Form No. 16 and in other cases it will be in Form No. 16A.

The certificate in Form No. 16 should be given upto **31st May 15th June** of the succeeding year in case of an employee and it will be an annual certificate.

In other cases certificate in Form No. 16A should be issued on quarterly basis and it should be issued within 15 days from the last date of submitting the quarterly statement under section 200.

Question 36: Write a note on Tax Deduction Account Number (TAN). Answer: <u>Tax Deduction Account Number (TAN)</u> <u>Section 203A</u>

Every person, deducting tax at source shall apply for allotment of tax deduction account number and application has to be given in Form No.49B within one month from the end of the month in which tax was deducted for the first time.

Application for allotment of a tax deduction and collection account number.

114A. An application under section 203A for the allotment of a tax deduction and collection account number shall be made in duplicate in Form No. 49B and application should be given within one month from the end of the month in which tax was deducted or collected for the first time

Question 37: Write a note on Requirement to Furnish Permanent Account Number. Answer: <u>Requirement to Furnish Permanent Account Number</u> <u>Section 206AA</u>

Every person on whose behalf, tax is being deducted at source shall submit his PAN to the person deducting tax at source otherwise rate of TDS shall be the actual rate or 20% whichever is higher. The person deducting tax at source has to mention such PAN in the quarterly statement. *However, if the assessee,*

CORRECTION IN ANSWER NOV-2008 PAGE NO.26 DEDUCTION FROM GROSS TOTAL INCOME ASSIGNMENT (CORRECTED PART IS GIVEN IN BOLD ITALICS AND COLOURED)

NOV – 2008 (4 Marks)

| 110 V - 2000 (4 Marks) | |
|--|---|
| Mr. X declares gross total income ₹4,00,000 for the assessment year 2 | e |
| taxable long term capital gain ₹ 65,000 and short term capital gain | • |
| section 111A of the Income-tax Act, 1961. The details of fund invest | |
| | ₹ |
| (i) Medical insurance premium paid by cheque – | 4.000 |
| (a) in the name of Mr. X | 4,000 |
| (b) in name of Mrs. X | 5,000 |
| (ii) Contribution made to – | 7.000 |
| (a) Indira Gandhi Memorial Trust by cheque (b) Dalhi University (declared as an institution of national and | 7,000 2,000 |
| (b) Delhi University (declared as an institution of national en | ninence) by cheque 3,000 5,000 |
| (c) Zila Saksharta Samiti by cheque(d) An approved charitable institute by cheque | 30,000 |
| (e) Government by cheque for the purpose of promoting family | |
| (f) Hanuman Temple in Mohalla by cheque | 20,000 20,000 |
| Compute the total income of Mr. X chargeable to tax for the Assessm | |
| tax liability. (Optional Regime) | tient year 2024-25 and also compute ins |
| Answer. | (₹) |
| Computation of Total Income of Mr. X for the A.Y. 2024-25 | |
| Gross Total Income | 4,00,000.00 |
| Less : Deduction | ., |
| Section 80D | |
| Medical insurance premium paid by cheque | |
| (i) in the name of Mr. Prasad | (4,000.00) |
| (ii) in name of Mrs. Prasad | (5,000.00) |
| Section 80G | |
| Donation to Indira Gandhi Memorial trust | Nil |
| Donation to Delhi University @ 100% | (3,000.00) |
| Donation to Zila Saksharta Samiti @ 100% | (5,000.00) |
| Other donations u/s 80G | (19,550.00) |
| Working Note: | |
| Donation to approved Charitable Institute 30,000 | |
| Donation to Government for promoting family planning <u>10,000</u> | |
| 40,000 | |
| AGTI = GTI - LTCG - STCG u/s 111A - Deduction u/s | |
| 80C to 80U (Except 80G) | |
| =4,00,000-65,000-35,000-9,000=2,91,000 | |
| Qualifying amount = 10% of AGTI or donation whichever is less | |
| = 29,100 or 40,000 | |
| = 29,100 | |
| Deduction for family planning ₹10,000 | |
| 50% of balance amount (i.e. $19,100$) = 9,550 | |
| Total deduction = $10,000 + 9,550 = 19,550$ | |
| Total Income | 3,63,450.00 |
| Computation of Tax Liability | 12 000 00 |
| Tax on LTCG ₹65,000 @ 20% u/s 112 | 13,000.00 |
| Tax on STCG ₹35,000 @ 15% u/s 111A | 5,250.00 |
| Tax on ₹2,63,450 at slab rate | 672.50 (12.500.00) |
| Less: Rebate u/s 87A | (12,500.00) |
| Tax before health & education cess | 6,422.50 255 00 |
| Add: HEC @ 4% Tax Liability | 256.90 6,679.40 |
| Rounded off u/s 288B | 6,680.00 |
| Kounueu 0JJ U/S 200D | 0,000.00 |