



# All India Federation of Tax Practitioners

(Direct Tax Representation Committee)

(An Association of Advocates, Chartered Accountants & Tax Practitioners of India)

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Ref. No. ....

Date.....23.10.2020.....

**Hon'ble Smt. Nirmala Sitharaman**  
Union Finance Minister  
Government of India  
Ministry of Finance, North Block,  
New Delhi- 110001

Respected Madam,

Sub: **Extension of time for certain compliances under the Income-tax Act, 1961 due to Covid-19 – Request – Regarding**

Kindly refer to the letter of the All India Federation of Tax Practitioners (the Federation in short) dated 04.09.2020 in the context of Notification No. 35/2020//F.No. 370142/23/2020-TPL dated 24.06.2020, issued by the Department of Revenue, Ministry of Finance, Central Board of Direct Taxes, New Delhi, whereby the due date for filing the tax audit reports has been extended upto 31<sup>st</sup> October, 2020 and that for filing the returns of income upto 30<sup>th</sup> November, 2020.

- In this connection, the Federation had requested for extension of time to file the tax audit reports for the A.Y. 2020-21 by three months i.e. from 31<sup>st</sup> October, 2020 to 31<sup>st</sup> January, 2021 and to file the income tax returns by four months i.e. from 30<sup>th</sup> November, 2020 to 31<sup>st</sup> March, 2021.
- This was followed by the Federation's reminder dated 10.10.2020. Copies of both the letters are attached for ease of reference.
- We have not received any reply so far to our request for extension and in the meantime, the difficulties in completing the tax audits and consequent filing of tax returns have increased as will be evident from the following:-



- (i) The corona pandemic has been widely spreading affecting everyone of us.
- (ii) Parts of the nation are still in partial lock down.
- (iii) In view of directions issued by the Ministry of Home Affairs, there are restrictions in working of offices of chartered accountants, advocates and other connected professionals. Their offices are working with partial/skelton staff.
- (iv) Information has to be gathered from clients by visiting their offices by the audit staff. Restrictions on travelling and non availability of public transport pose a major impediment for the conduct of tax audit.
- (v) The Ministry of Corporate Affairs (MCA) vide Circular No. 28/2020 issued on 17th August, 2020 has advised the Registrar of Companies (ROC) to liberally consider the applications for extension of time for holding Annual General Meetings (AGMs) by 31<sup>st</sup> December 2020 instead of 30<sup>th</sup> September 2020. Consequently, the MCA has advised ROC to grant extension of time to hold AGMs, even if an application for extension is not made. Many companies have not even issued notices calling for AGMs due to non-completion of their audits.
- (vi) The Tax Audit Report is generally based on the audited accounts which are approved in the AGM by the shareholders. A copy of these accounts is also required to be attached to the Tax Audit Report.
- (vii) In the absence of accounts duly approved by the shareholders in the AGM, tax audit shall have to be conducted for accounts which are not approved by them and the Tax Audit Report shall have to be amended/revised on the basis of accounts approved by the shareholders, thus duplicating the work and causing loss of time and money all around.
- (viii) Amendment of Form 3CD – Form 3CD was amended by Notification No. 82 / 2020 issued on

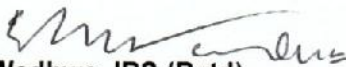


1st October, 2020. Reporting on certain new issues has been introduced which has added to the work load in conducting the tax audit.

- (ix) Some additional information in respect of options exercised for the A.Y. 2020-21 has to be provided. This can be complied with only at the stage of filing the income tax return.
  - (x) The software for uploading the Tax Audit Report has still not been provided by the CBDT making it difficult to upload the reports in the computer system.
5. In view of the above, the Federation requests for extension of time to file the tax audit reports for the A.Y. 2020-21 by three months i.e. from 31<sup>st</sup> October, 2020 to 31<sup>st</sup> January, 2021 and to file the income tax returns by four months i.e. from 30<sup>th</sup> November, 2020 to 31<sup>st</sup> March, 2021.
6. Needless to submit that the requested extension will not cause any loss of revenue because the tax on the basis of unaudited figures of income is being deposited voluntarily by the taxpayers since the extension of time for the aforementioned compliances does not exempt them from the payment of interest on the amount of income tax due for the F.Y. 2019-20.
7. An early action on Federation's request for extension of time is requested.

With my most respectful regards,

Yours *Sincerely,*

  
**S.R. Wadhwa, IRS (Retd)**  
**Advocate**