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SECTION 3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(Department of Revenue)

(CENTRAL BOARD OF DIRECT TAXES)

Notification

New Delhi, the 24th October, 2011

INCOME-TAX

S.O. 2429 (E).- In exercise of the powers conferred by section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1962, namely:-

1. (1) These rules may be called the Income-tax (Eighth Amendment) Rules, 2011.

(2) They shall come into force on the 1st day of November, 2011.

2. In the Income-tax Rules, 1962, –

(A) in rule 31A –

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2) Statements referred to in sub-rule (1) for the quarter of the financial year ending with the date specified in column (2) of the Table below shall be furnished by –

(i) the due date specified in the corresponding entry in column (3) of the said Table, if the deductor is an office of Government; and

(ii) the due date specified in the corresponding entry in column (4) of the said Table, if the deductor is a person other than the person referred to in clause (i).

Table

Sl. No.	Date of ending of the quarter of the financial year	Due date	Due date
(1)	(2)	(3)	(4)
1.	30th June	31st July of the financial year	15th July of the financial year
2.	30th September	31st October of the financial year	15th October of the financial year
3.	31st December	31st January of the financial year	15th January of the financial year
4.	31st March	15th May of the financial year immediately following the financial year in which deduction is made	15th May of the financial year immediately following the financial year in which deduction is made”

(b) in sub-rule (4), after clause (vi), the following clause shall be inserted, namely:-

“(vii) furnish particulars of amount paid or credited on which tax was not deducted in view of the furnishing of declaration under sub-section (1) or sub-section (1A) or sub-section (IC) of section 197A by the payee.”

(B) in rule 37BA, in sub-rule (2), for clause (i), the following clause shall be substituted, namely:-

“(i) where under any provisions of the Act, the whole or any part of the income on which tax has been deducted at source is assessable in the hands of a person other than the deductee, credit for the whole or any part of the tax deducted at source, as the case may be, shall be given to the other person and not to the deductee:

Provided that the deductee files a declaration with the deductor and the deductor reports the tax deduction in the name of the other person in the information relating to deduction of tax referred to in sub-rule (1).”

[Notification No. 57 /2011/F. No.142/23/2011-SO(TPL)]

(RAJESH KUMAR BHOOT,
Director (Tax Policy and Legislation)

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), vide number S.O. 969(E), dated the 26th March, 1962 and last amended by the Income-tax (7th Amendment) Rules, 2011 vide number S.O.2394(E), dated the 17th October, 2011