

## Help Please

### TIOL-DDT 148

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Friday

Today Central Excise officers all over the country are busy inaugurating their help centres. Several such schemes had been launched earlier and all of them allowed to die after the initial euphoria. See our editorial on the issue for more details.

### Service Tax -Centralised registration procedure

The DG, Service Tax has issued guidelines on the procedure for centralised registration of assesseees located in the jurisdiction of more than one Chief Commissioner. Based on the DGST's letter, many commissioners have issued Trade Notices. A look at the elaborate procedure will convince an applicant that it is not worth the trouble. Every simplification and facilitation in Central Excise invariably results in inexplicable complications and tons of wasted paper. Here are the basic requirements according to the DG.

1. A Check list along with the application for registration.
2. All the conditions prescribed in the check list to be complied which is to be verified by the Assistant Commissioner/Deputy Commissioner and Commissioner before sending it to the DG.
3. The applicants should send their applications to their Jurisdictional Assistant Commissioner/Deputy Commissioner which will ultimately reach the DG.
4. The Commissioner should send the application to the DG under intimation to his Chief Commissioner.
5. The DG will examine the application and grant permission for registration.
6. The Commissioner would then issue the registration certificate under intimation to the DG and his Chief Commissioner.

Just see how many copies are to be made and how many trips the papers will go to and from many levels of officers. For a simple registration! And is there any time frame for the registration process to be completed? It takes about 15 days for a paper to reach from one section to another in a Commissionerate. When will the application reach the DG and come back? And when the department is talking so much about computerisation, why can't the DG take the application online and give the registration within a few minutes?

The check list requires the applicant to give information on

1. Residential address of proprietors/partners/directors.
2. Proof of address of the registered premises.
3. Bank account numbers.
4. List of branches, offices or premises of the assessee along with the names of persons.
5. Details of the accounting systems adopted and the method to ensure that no transaction remains unaccounted.
6. An undertaking that information records and data will be made available within ten days to the audit team.
7. Separate lists of records maintained at the branches and the registered premises.
8. List of reports submitted by branch offices to the head office.
9. A recapitulation statement showing service wise quantum of service rendered.
10. Information on how Data/Information is transmitted from branches to head office.
11. Information as to whether recoveries are affected through Credit/Debit notes.
12. Whether penal interest is collected.
13. Branches wise series of invoices with a few sample copies of invoices.

All this information is to be certified as correct by the Managing Director and the concerned Chartered Accountant. The field formations are to verify annually that the information is correct and valid. The DG does not clarify as to who should certify if there is no Chartered Accountant or MD. Maybe registration will be refused.

**Source: [DGST's letter as communicated by Madurai 2 Commissioner's TRADE NOTICE NO. 52 / 2005- STU - DATED: 13-06-2005](#)**

### **Quarterly return of non-deduction of tax at source**

As per the newly inserted (with effect from 1.6.2005) Section 206A of the Income Tax Act, a banking company, co-operative society or public company paying interest less than Rs. 5000/- are required to file a quarterly return with the prescribed authority. Now the Board has prescribed the form (26QA) and has designated DGI(systems) as the authority to receive the returns.

**[CBDT NOTIFICATION NO. 176/ 2005, Dated: June 28, 2005](#)** (pdf file, right click and choose save target as to download)

### **Exemption to person with disability and severe disability.**

As per Section 80DD of the Income Tax Act, an assessee is eligible for deduction up to Rs.75000/- if he has a dependent person with severe disability. A similar exemption is available if the assessee himself is a person with severe disability under Section 80U. This is of course subject to the mandatory medical certificate. Now Board has prescribed the authorities competent to give the certificates and the forms of the certificate.

**[CBDT NOTIFICATION NO. 177/ 2005, Dated: June 29, 2005](#)** (pdf file, right click and choose save target as to download)

### **Filing of returns of TDS and TCS at Source on Computer Media**

The CBDT wants those filing TDS and TCS return to ensure that

1. Form No. 27A (TDS) or Form No. 27B (TCS) is duly filled in, verified and enclosed in paper format with the return on computer media.
2. Tax deduction and collection account number (TAN) of the person responsible for deducting/collecting tax at source is clearly mentioned in Form No. 27A or Form No. 27B,
3. The particulars relating to deposit of tax at source in bank are correctly and properly filled in
4. The data structure of the return prepared on computer readable media conforms to the data structure prescribed by the e-filing Administrator authorized under the scheme for electronic filing.
5. The Control Totals of the amount paid and the tax deducted at source as mentioned tally

In case the return on the computer readable media is found to be corrupted or does not fulfill any of the above guidelines, the computer readable media shall be returned to the deductor for appropriate correction and resubmission.

### **Lalu with CBI – katora cut**

The CBI was on the rampage yesterday and must have left many a tough guy panting for breath. But there is one person who is not ruffled by CBI interrogation- Railway Minister Lalu Prasad Yadav. Seven years ago CBI wanted to interrogate Lalu. He went to the CBI office in a cycle rickshaw. Later he recounted the CBI queries and his answers. Referring to CBI queries about the saloon where he had his hair dressed, he described his hair style as “katora (bowl) cut” which does not need a comb and requires trimming only after six months. On the investigating agency's query regarding the agency which supplied him cooking gas, the irrepressible Lalu said “our food is cooked on cow dung cake or on firewood”.

**Until Monday with more DDT**

**Have a nice weekend.**

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