



Question 1:

From which Assessment Year re-notified Form 10B is applicable?

Resolution:

Form 10B notified vide Notification No. 7/2023 dated 21st February 2023 is applicable from Assessment Year 2023-24 onwards i.e. for A.Y. 2023-24 and upcoming years.

Question 2:

Form 10B which was being filed prior to issuance of Notification No. 7/2023, is still available on e-Filing portal?

Resolution:

Yes, old Form 10B is also available on portal and is applicable till Assessment Year 2022-23 only.

For filings upto Assessment Years 2022-23, Form 10B is available on e-Filing portal and can be accessed at–

“e-File ----> Income Tax Forms ----> File Income Tax Forms ---> Persons not dependent on any Source of Income----> Form 10B” for assignment to CA.

or

Alternatively, the form can be assigned using “My CA” functionality as well.

Question 3:

When is an auditee required to file Form 10B notified vide Notification No. 7/2023?

Resolution:

From A.Y. 2023-24 onwards, re-notified Form 10B shall be applicable where any of the below mentioned conditions are satisfied-

(I) The total income of *auditee*, without giving effect to the provisions of mentioned clause/section, as applicable-

a) sub-clauses (iv), (v), (vi) and (via) of clause 23C of section 10

b) sections 11 and 12 of the Act,

exceeds rupees five crores during the previous year

(I) *Auditee* has received any foreign contribution during the previous year

(II) *Auditee* has applied any part of its income outside India during the previous year.

For more details, you may refer Rule 16CC and Rule 17B of Income tax Rules, 1962.

Question 4:

What is the process to file Form 10B (A.Y. 2023-24 onwards) on e-Filing portal?

Resolution:

Please Follow the below steps for filing Form 10B:

Step-1: Taxpayer can assign Form 10B (AY 2023-24 onwards) to CA, from E-file form mode or MY CA ---->.

Step-2: CA can check the assignment in “For your action tab” under worklist---->

Step 3: CA can either accept or reject the assignment---->

Step 4: In case CA accepts the assignments, he/she needs to upload the JSON along with PDF attachments under offline mode of filing----->

Step 5 : Once CA submits the JSON, with valid attachments, taxpayer either has to accept/reject the form uploaded by CA through the Worklist's "For Your Action" tab

Question 5:

Who is an "auditee" as referred in Question No. 3 above?

Resolution:

Any fund or institution or trust or any university or other educational institution or any hospital or other medical institution referred to in sub - clauses (iv), (v), (vi) or (via) of clause (23C) of section 10 of the Act or any trust or institution referred to in sections 11 or 12 of the Act shall be referred as "auditee" in this form.

Question 6:

What is the due date for filing of Form 10B (A.Y. 2023-24 onwards) ?

Resolution:

The due date of the form is on or before the specified date referred to in section 44AB i.e. date one month prior to the due date for furnishing the return of income under sub-section (1) of section 139 of income tax act, 1961.

Question 7:

How offline utility for new form 10B can be downloaded?

Resolution:

Visit <https://www.incometax.gov.in>-----> Go to download section-----> Income tax forms-----> Form 10B (A.Y.2023- 24 onwards) -----> click on form utility.

Alternatively, this CA can access this path by clicking on download button under offline utility option at the time of uploading form.

Note: Please make sure you always use the latest version of utility, available on E-filing portal to download and upload the json.

Question 8:

What are the modes available to verify the form 10B on system?

Resolution:

CA is required use only DSC option is available for uploading of Form 10B. In case taxpayers (auditee) other than companies, both DSC and EVC options are available to verify the form and for Companies, only DSC option is available to verify the form uploaded by CA.

Question 9:

What is the meaning of "foreign contribution" as mentioned in Question No. 3 in reference of re-notified Form 10B?

Resolution:

For Rule 16CC and Rule 17B, the word "foreign contribution" shall have the same meaning assigned to it in clause (h) of sub-section (1) of section 2 of the Foreign Contribution (Regulation) Act, 2010 (42 of 2010).

Question 10:

How to provide records for Schedules having Table i.e. “Add Details” option and “Upload CSV” option together?

Resolution:

For the Schedules having “Add details and “Upload CSV” both options together, please note the following:-

- a) For number of records upto 50: Either of table or CSV option can be used. In both cases, data will be reflected in table.
- b) For number of records more than 50: Only CSV option can be used. The data will appear as CSV attachment only.
- c) While using upload CSV option, followings steps to be followed:-
“Download Excel template →Add Records →Convert Excel template into .csv file →upload .csv file
- d) Whenever a CSV file is uploaded, it will overlap the existing records/data, if any. Old records will be deleted and records uploaded through latest CSV will prevail.

Question 11:

Is there any Instruction or guidance available for filling of Form?

Resolution:

Yes, CA can download the instruction file in the utility of the form 10B (A.Y.2023-24 onwards). Instruction file will assist user to filing out the utility.

Question 12:

Where to upload the Balance Sheet, Profit and loss statement and tax audit report, as applicable in new form 10B?

Resolution:

Auditor is required to upload the Balance Sheet, Profit and Loss account and audit report under 3CA/3CB in PDF or zip file at the time of submission of form on e-filing portal under supporting documents.

Please note that size of each document shall not exceed 5 MB and all the attachments together should not exceed 50MB. Also all the attachments should be in PDF/ZIP format only and all the files in ZIP folder should contain files in PDF format only.

Question 13:

Can filed Form 10B (A.Y. 2023-24 onwards) be revised?

Resolution:

The assessee has to get its accounts audited before the specified date as referred to in section 44AB and the report of such audit is to be furnished by that date in prescribed Form 10B. Yes, Revision functionality is available for filed Form 10B.

Question 14:

When filing of form 10B is considered to be completed?

Resolution:

Filing of form is considered to be completed only when taxpayer accepts the form submitted by CA and verify the same with active DSC or EVC registered on e-filing portal.

Question 15:

When panels of schedules will be available to fill in the offline utility of form 10B?

Resolution:

When user will complete other panels in the form then only the panels of schedules will be available to fill.

Question 16:

User has filed form 10B last year, which form, either 10B or 10BB is required to file from A.Y.2023-24 onwards?

Resolution:

Income-tax Amendment (3rd Amendment) Rules,2023 has amended Rule 16CC and Rule 17B. Irrespective of the fact, which form was filed in the previous assessment years, applicability of the form 10B and 10BB from A.Y. 2023-24 onwards shall be decided based on amended Rule 16CC and Rule 17B.

Question 17:

Where to view the filed form details after filing of Form 10B (A.Y. 2023-24 onwards)?

Resolution:

Filed form details can be viewed under e-File tab--->Income Tax Forms--->View Filed Forms under CA and Taxpayer's login.

Question 18:

Whether to file Form 10B even if my income is not exceeding the maximum amount which is not chargeable to tax?

Resolution:

Please refer to the relevant provisions of clause (b) of the tenth proviso to clause (23C) of section 10 and sub clause (ii) of clause (b) of section 12A(1) of the Income Tax Act, 1961 read along with Rule 16CC and Rule 17B of the Income Tax Rules, 1962 for applicability of Form 10B.

Question 19:

While filing the form 10B, I am getting errors like submission failed OR "Please fix the following issues and try submit again: Invalid format for Full name, Invalid Flag, Invalid input, please enter a valid percentage, Invalid flat, Invalid Address, Line, Please enter valid PIN code." etc. How to resolve such kind of issues?

Resolution:

Before initiating the filing, you may ensure the following steps that will helps you in successful submission of form,

1. Profile of the CA and taxpayer should be updated with all mandatory details.
2. Key person details should be updated, if applicable.
3. JSON shall be download from the utility without any error in the JSON.
4. Always use the latest utility available in the download section to generate and upload the valid JSON on the e-Filing portal.

Question 20:

Whether the details of specified persons as referred In Section 13(3) of Income Tax Act,1961 is mandatory to provide in S.no 41 of the Form 10B even if there is no transactions year with such specified persons during the previous?

Resolutions:

Details of specified persons required in SI.No. 41 are mandatory to be provided. You may further refer to circular No. 17/2023 dated 9th October 2023 and the details if the persons as available may be provided.

Question 21:

How to generate UDIN for Form 10B for A.Y. 2023-24?

Resolutions:

For re-notified Form 10B, applicable from A.Y. 2023-24 onwards, UDIN can be generated by selecting Form name "Form 10B- Tenth proviso to section 10(23C)(b)(iv)/(v)/(vi)/(via) and section 12A(1)(b)(ii)" on UDIN portal.

Question 22:

Whether the renotified form 10B can be filed through a third party software?

Resolutions:

Yes, Form renotified form 10B can be filed using third party software.

Question 23:

What are electronic modes of transaction that are referred in the form?

Resolutions:

As referred in rule 6ABBA of the Income-tax Rules, 1962, Electronic modes shall be the following modes:

- (a) Credit Card,
- (b) Debit Card,
- (c) Net Banking,
- (d) IMPS (Immediate Payment Service)
- (e) UPI (Unified Payment Interface),
- (f) RTGS (Real Time Gross Settlement),
- (g) NEFT (National Electronic Funds Transfer),
- (h) BHIM (Bharat Interface for Money) Aadhar Pay.