MINISTRY OF FINANCE

(Department of Revenue)

(CENTRAL BOARD OF DIRECT TAXES)

NOTIFICATION

New Delhi, the 11th March, 2021

G.S.R. 170(E). —In exercise of powers conferred by sections 200 and 203 read with 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. Short title and commencement** (1) These rules may be called the Income-tax (3rd Amendment) Rules, 2021.
 - (2) They shall come into force on the 1st day of April, 2021.
- 2. In the Income-tax Rules, 1962, in Appendix II,-
 - (i) For Form No. 12BA, the following shall be substituted, namely:-

"FORM NO. 12BA

[See rule 26A(2)(b)]

Statement showing particulars of perquisites, other fringe benefits or amenities and profits in lieu of salary with value thereof

1.	Name and address of employer	:	
2.	TAN	:	
3.	TDS Assessment Range of the employer	:	
4.	Name, designation and Permanent Account Number of employee	er or Aadhaar Number :	
5.	Is the employee a director or a person wit the company (where the employer is a company)	hsubstantial interest in :	
6.	Income under the head "Salaries" of the employe (other than from perquisites)	e :	
7.	Financial year	:	
8.	Valuation of Perquisites	:	
			1

S. No.	Nature of perquisites (see rule 3)	Value of perquisite as per rules (Rs.)	Amount, if any, recovered from the employee (Rs.)	Amount of perquisite chargeable to tax Col. (3) - Col. (4) (Rs.)
(1)	(2)	(3)	(4)	(5)
1.	Accommodation			
2.	Cars/Other automotive			
3.	Sweeper, gardener, watchman or personal attendant			
4.	Gas, electricity, water			
5.	Interest free or concessional loans			
6.	Holiday expenses			
7.	Free or concessional travel			
8.	Free meals			
9.	Free education			
10.	Gifts, vouchers, etc.			
11.	Credit card expenses			
12.	Club expenses			
13.	Use of movable assets by employees			
14.	Transfer of assets to employees			
15.	Value of any other			
	benefit/amenity/service/privilege			
16.	Stock options allotted or			
	transferred by employer being an			
	eligible start-up referred to in section 80-IAC.			
17.	Stock options (non-qualified			
1,.	options) other than ESOP in col 16 above.			
18.	Contribution by employer to fund and scheme taxable under section 17(2)(vii).			
19.	Annual accretion by way of interest, dividend etc. to the balance at the credit of fund and scheme referred to in section 17(2)(vii) and taxable under section 17(2)(viia).			
20.	Other benefits or amenities			
21.	Total value of perquisites			
22.	Total value of profits in lieu of salary as per section $17(3)$			

9)	Details of ta	x,—
	(a)	Tax deducted from salary of the employee under section 192(1)

- Tax paid by employer on behalf of the employee under section 192(1) Tax paid by employer on behalf of the employee under section 192(1 A) (b) 192(1A)
- (c)
- Total tax paid
 Date of payment into (d)

on behalf of the employee under section	
Government treasury	
Government deasary	

DECL	ARAT	ON	BY	EMPI	OYER

I,, s/o	working as	(designation) o	do hereby	declare on	behalf of
(name of the employer) that	the information given a	above is based on	the books	of account, o	documents
and other relevant records or information a	available with us and t	he details of valu	e of each	such perqui	site are in
accordance with section 17 and rules framed	thereunder and that suc	ch information is t	rue and cor	rect.	

Place Full Name
Date Designation

Signature of the person responsible for deduction of tax.";

(ii) In Form No. 16, for Part B (Annexure), the following shall be substituted, namely:-

"PART B (Annexure)

	Details of Salary Paid and any other	income an	d tax deduc	eted
A	Whether opting for taxation u/s 115BAC?		[YES/NC	
1.	Gross Salary			
(a)	Salary as per provisions contained in section 17(1)		Rs	
(b)	Value of perquisites under section 17(2) (as per Form No. 12BA, wherever applicable)		Rs	
(c)	Profits in lieu of salary under section 17(3) (as per Form No. 12BA, wherever applicable)		Rs	
(d)	Total			Rs
(e)	Reported total amount of salary received from other employer(s)		Rs	
2.	Less: Allowances to the extent exempt under section 10			
(a)	Travel concession or assistance under section 10(5)		Rs	
(b)	Death-cum-retirement gratuity under section 10(10)		Rs	
(c)	Commuted value of pension under section 10(10A)		Rs	
(d)	Cash equivalent of leave salary encashment under section 10(10AA)		Rs	
(e)	House rent allowance under section 10(13A)		Rs	
(f)	Amount of any other exemption under section 10			
	clause	Rs		
		Rs		
(g)	Total amount of any other exemption under section 10		Rs	
(h)	Total amount of exemption claimed under section 10 $[2(a)+2(b)+2(c)+2(d)+2(e)+2(g)]$			Rs
3.	Total amount of salary received from current employer [1(d)-2(h)]			Rs
4.	Less: Deductions under section 16	•	•	•
(a)	Standard deduction under section 16(ia)		Rs	
(b)	Entertainment allowance under section 16(ii)		Rs	
(c)	Tax on employment under section 16(iii)		Rs	
5.	Total amount of deductions under section 16 $[4(a)+4(b)+4(c)]$			Rs
6.	Income chargeable under the head "Salaries" [(3+1(e)-5]			Rs
7.	Add: Any other income reported by the employee under as	per section	192 (2B)	
(a)	Income (or admissible loss) from house property reported by employee offered for TDS		Rs	

(b)	Income under the head Other Sources offered for TDS		Rs	
8.	Total amount of other income reported by the employee $[7(a)+7(b)]$			Rs
9.	Gross total income (6+8)			Rs
10.	Deductions under Chapter VI-A			
			Gross Amount	Deductible Amount
(a)	Deduction in respect of life insurance premia, contributions to provident fund etc. under section 80C		Rs	Rs
(b)	Deduction in respect of contribution to certain pension funds under section 80CCC		Rs	Rs
(c)	Deduction in respect of contribution by taxpayer to pension scheme under section 80CCD (1)		Rs	Rs
(d)	Total deduction under section 80C, 80CCC and 80CCD(1)		Rs	Rs
(e)	Deductions in respect of amount paid/deposited to notified pension scheme under section 80CCD (1B)		Rs	Rs
(f)	Deduction in respect of contribution by Employer to pension scheme under section 80CCCD (2)		Rs	Rs
(g)	Deduction in respect of health insurance premia under section 80D		Rs	Rs
(h)	Deduction in respect of interest on loan taken for higher education under section 80E		Rs	Rs
		Gross Amount	Qualifying Amount	Deductible Amount
(i)	Total Deduction in respect of donations to certain funds, charitable institutions, etc. under section 80G	Rs	Rs	Rs
(j)	Deduction in respect of interest on deposits in savings account under section 80TTA	Rs	Rs	Rs
(k)	Amount deductible under any other provision(s) of Chapter	VI-A		
	section	Rs	Rs	Rs
	section	Rs	Rs	Rs
	section	Rs	Rs	Rs
	section	Rs	Rs	Rs
	section	Rs	Rs	Rs
	section	Rs	Rs	Rs
		Rs	Rs	Rs
(1)	Total of amount deductible under any other provision(s) of Chapter VI-A	Rs	Rs	Rs
11.	Aggregate of deductible amount under Chapter VI-A [10(a)+10(b)+10(c)+10(d)+10(e)+10(f)+10(g)+10(h)+10(i) 10(j)+10(l)]			Rs
12.	Total taxable income (9-11)			Rs
13.	Tax on total income			Rs
14.	Rebate under section 87A, if applicable			Rs
15.	Surcharge, wherever applicable			Rs
15.				

17.	Tax payable (13+15+16-14)		Rs			
18.	Less: Relief under section 89 (attach details)		Rs			
19.	Net tax payable (17-18)		Rs			
Verification						
	, son/daughter of	fy that the information given a	above is true, complete and			
	e	(Signature of person responsible for deduction of tax)				
Date		Full Name:				

Notes:

- 1. Government deductors to fill information in item I of Part A if tax is paid without production of an income-tax challan and in item II of Part A if tax is paid accompanied by an income-tax challan.
- 2. Non-Government deductors to fill information in item II of Part A.
- 3. The deductor shall furnish the address of the Commissioner of Income-tax (TDS) having jurisdiction as regards TDS statements of the assessee.
- 4. If an assessee is employed under one employer only during the year, certificate in Form No. 16 issued for the quarter ending on 31st March 2021 of the financial year shall contain the details of tax deducted and deposited for all the quarters of the financial year.
- 5. (i) If an assessee is employed under more than one employer during the year, each of the employers shall issue Part A of the certificate in Form No. 16 pertaining to the period for which such assessee was employed with each of the employers.
- (ii) Part B (Annexure) of the certificate in Form No.16 may be issued by each of the employers or the last employer at the option of the assessee.
- 6. In Part A, in items I and II, in the column for tax deposited in respect of deductee, furnish total amount of tax, surcharge and health and education cess.
- 7. Deductor shall duly fill details, where available, in item numbers 2(f) and 10(k) before furnishing of Part B (Annexure) to the employee.";

(iii) in Form No. 24Q, for "Annexure II", the following Annexure shall be substituted, namely:-

	"Annexure II												
	Details of salary paid or credited during the financial yearand net tax payable												
iumber.		Name of the employee.	opting for taxation	type (Senior Citizen, Super Senior Citizen,	Date from and date up to employed with current employer in the current financial year (dd/mm/yyyy).	Salary as per provisions contained in section 17(1).	perquisites under section 17(2) (as per FormNo.12BA, wherever	(c) Profits in lieu of salary under section 17(3) (as per Form No.12BA, wherever applicable).	Total amount of gross salary received from current employer (see Note 1 for definition of Salary).				
(330)	(331)	(332A)	(332B)	(333)	(334)	(335)	(336)	(337)	(338)				

Reported	Travel	Death-	Commuted	Cash	House rent	PAN of	Amount	Total amount of	Total
total	concession	cum-	value of	equivalent	allowance	landlord, if	of any	exemption claimed	deduction
amount of	or	retirement	pension	of leave	under	exemption	other	under section 10	under
salary	assistance	gratuity	under	salary	section	is claimed	exemption	(340+341+342+343	section
received	under	under	section	encashment	10(13A).	under	under	+344+346).	16(ia).
from other	section	section	10(10A).	under		section	section 10.		
employer(s)	10(5).	10(10).		section		10(13A)			
(see Note 1				10(10AA).		(see Note			
for						3).			
definition									
of Salary).									
(339)	(340)	(341)	(342)	(343)	(344)	(345)	(346)	(347)	(348)

under section	under section	head	(or admissible loss) from	interest on housing	other	income (351+352+	to provident fund etc.	contribution to certain	contribution
16(ii).	16(iii).	[338+339- (347+348+ 349+350)].	property reported by employee	under section	sources offered for TDS as per section 192 (2B).		under section 80C.	pension funds under section 80CCC.	by taxpayer to notified pension scheme under section 80CCD(1)
(349)	(350)	(351)	(352)	(353)	(354)	(355)	(356)	(357)	(358)

Deduction in	Deduction in	Deducti	Deduction in	Total	Deduction	Amount	Total amount deductible	Total	Income-
respect of	respect of	on in	respect of	deduction in	in respect of	deductible	under Chapter VI-A	taxable	tax on
amount paid	contribution by	respect	interest on	respect of	interest on	under any	[356+357+358 (limited	income	total
or deposited	employer to	of health	loan taken	donations to	deposits in	other	to Rs. 1,50,000) +359	(355-366)	income.
under	notified	insuranc	for higher	certain	savings	provision	+360+361+362+363+36		
notified	pension	e premia	education	funds,	account	(s) of	4+365].		
pension	scheme under	under	under	charitable	under	Chapter			
scheme	section 80CCD	section	section 80E.	institutions,	section	VI-A.			
under section	(2).	80D.		etc. under	80TTA.				
80CCD(1).				section 80G.					
(359)	(360)	(361)	(362)	(363)	(364)	(365)	(366)	(367)	(368)

Rebate	Surcharge,	Health	Income-tax	Net tax liability	Total amount of tax	Reported amount	Total	Shortfall in
under	wherever	and	relief under	[368+370+371-	deducted at source	of tax deducted at	amount of	tax deduction
section	applicable.	education	section 89,	(369+372)].	by the current	source by other	tax	(+) or excess
87A, if		cess.	when		employer for the	employer(s) or	deducted at	tax deduction
applicable.			salary, etc.		whole year	deductor(s)		(-) (373-
			is paid in		[aggregate of the	(income in respect		376).
			arrear or			of which included	-	
			advance.			in computing total	(374+375).	
					for all the quarters	taxable income in		
					in respect of each	column 339).		
					employee].			
(369)	(370)	(371)	(372)	(373)	(374)	(375)	(376)	(377)

Notes:

- 1. Salary includes wages, annuity, pension, gratuity (other than exempted under section 10(10), fees, commission, bonus, repayment of amount deposited under the Additional Emoluments (Compulsory Deposit) Act, 1974 (37 of 1974), perquisites, profits in lieu of or in addition to any salary or wages including payments made at or in connection with termination of employment, advance of salary, any payment received in respect of any period of leave not availed (other than exempted under section 10 (10AA), any annual accretion to the balance of the account in a recognised provident fund chargeable to tax in accordance with rule 6 of Part A of the Fourth Schedule of the Income-tax Act, 1961, any sums deemed to be income received by the employee in accordance with sub-rule (4) of rule 11 of Part A of the Fourth Schedule of the Income-tax Act, 1961, any contribution made by the Central Government to the account of the employee under a pension scheme referred to in section 80CCD or any other sums chargeable to income-tax under the head 'Salaries'.
- 2. Where an employer deducts from the emoluments paid to an employee or pays on his behalf any contributions of that employee to any approved superannuation fund, all such deductions or payments should be included in the statement.
- 3. Permanent Account Number of landlord shall be mandatorily furnished where the aggregate rent paid during the previous year exceeds one lakh rupees.
- 4. Permanent Account Number of lender shall be mandatorily furnished where the housing loan, on which interest is paid, is taken from a person other than a Financial Institution or the Employer.".

[Notification No. 15/2021/F.No. 370142/04/2019-TPL]

ANKIT JAIN, Under Secy. (Tax Policy and Legislation)

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 969(E) dated the 26th of March, 1962 and were last amended *vide* notification number G.S.R No. 162(E) dated the 09th of March, 2021.