

F. No. 275/01/2023-IT(B)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

New Delhi, the 07th March, 2024

Sub: Ex-post facto extension of due date for filing Form No. 26QE which was required to be filed during the period 01.07.2022 to 28.02.2023 (pertaining to F.Y. 2022-23) – reg.

As per section 194S of the Income-tax Act, 1961 (hereinafter referred to as "the Act"), any person responsible for paying to any resident person any sum by way of consideration for the transfer of a virtual digital asset is required to deduct an amount equal to 1% of such sum as income tax thereon. Further, as per sub-rule (4D) of rule 31A, a 'specified person' is required to report such deductions in a challan-cum-statement electronically in Form No. 26QE within thirty days from the end of the month in which such deduction is made.

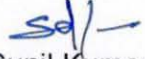
2. It has come to the notice of the Central Board of Direct Taxes ('the Board') that specified persons who deducted tax under section 194S of the Act during the period from 01.07.2022 to 31.01.2023, could not file Form No. 26QE and pay corresponding TDS on or before the due date, due to unavailability of Form No. 26QE. This has resulted in consequential levy of fee under section 234E and interest under clause (ii) of sub-section (1A) of section 201 of the Act. Further, the specified persons who deducted tax under section 194S during the period from 01.02.2023 to 28.02.2023 had insufficient time to file Form No. 26QE and pay corresponding TDS thereon.

3. In order to address the grievances of such specified persons and in exercise of the powers conferred under section 119(2)(a) of the Act, the Board has decided to, *ex-post facto*, extend the due date of filing of Form No. 26QE for specified persons who deducted tax under section 194S but failed to file Form No. 26QE. The due date is hereby extended to 30.05.2023 in those cases where the tax was deducted by specified persons under section 194S of the Act during the period from 01.07.2022 to 28.02.2023. Fee levied under section 234E and/or interest charged under section 201(1A)(ii) of the Act in such cases for the period upto 30.05.2023, shall be waived.



4. It is clarified that the above extension is a one-time exception in view of the circumstances referred to above.

5. Hindi version shall follow.


(Sunil Kumar)

Under Secretary to Government of India

Copy to:-

1. PS to FM/OSD to FM/PS to MoS (R)/OSD to MoS(R)
2. PPS to Secretary (Revenue)
3. The Chairman, CBDT & all Members, CBDT
4. All Pr.CCsIT, CCsIT/Pr.DGsIT/DGsIT.
5. All Joint Secretaries/CsIT, CBDT.
6. Pr. Commissioner of Income-tax (Media & TP) and official Spokesperson, CBDT, New Delhi.
7. ADG (PR,P&P) for necessary action.
8. JCIT, Database Cell, with a request to upload the order on the website www.irsofficersonline.gov.in.
9. Web Manager, O/o DGIT(Systems) with request to upload on the departmental website of incometaxindia.gov.in.
10. The Institute of Chartered Accountants of India, IP Estate, New Delhi
11. All Chambers of Commerce.
12. The Guard File.


(Sunil Kumar)

Under Secretary to the Government of India