

2.2

RETURN OF INCOME

SYNOPSIS

SUB-DIVISION	PARTICULARS
2.2.1	<i>General</i>
2.2.2	<i>Obligation to File Return of Income</i>
2.2.3	<i>Due Date for filing Income Tax Return</i>
2.2.4	<i>Consequences for non-compliance of due dates of Sec. 139(1)</i>
2.2.5	<i>Return of Income of Specified Persons</i>
2.2.6	<i>Loss Return u/s. 139(3)</i>
2.2.7	<i>Belated Return u/s. 139(4)</i>
2.2.8	<i>Revised Return u/s. 139(5)</i>
2.2.9	<i>Defective Return u/s. 139(9)</i>
2.2.10	<i>Income Tax Returns : Forms</i>
2.2.11	<i>Electronic filing of Returns</i>
2.2.12	<i>Annexure-less Returns of Income</i>
2.2.13	<i>Tax Return Preparers</i>
2.2.14	<i>Who to Sign the Return u/s. 140?</i>

For case studies, please refer Division 22.

2.2.1 RETURN OF INCOME - GENERAL

(a) Commencement of assessment proceedings

- ◆ Interestingly, 1922 Act provided for publication of a general notice in the press calling for filing of return of income each year.

- ◆ The present Act does not provide for any public notice at all. Therefore, assessment proceeding commences under this Act -
 - When a return of income is filed under section 139;
 - or
 - When a notice under section 142(1) calling for a return is served upon a person.

(b) Relevant provisions

- ◆ The relevant provisions are contained in sections 139, 140 and 142(1)(i) and also in Rule 12.
- ◆ Extracts from section 139(1), establishing relationship with Rule 12, are reproduced below :

“139. (1) every person, shall, on or before the due date, furnish a return of his income or the income of such other person during the previous year, in the prescribed form and verified in the prescribed manner and setting forth such other particulars as may be prescribed; ”

- ◆ Section 139 of the Act makes filing of return of income mandatory for different categories of persons in certain circumstances. Filing of return of income is an annual requirement of law. Rule 12 of the Income-tax Rules, 1962 prescribes different Forms for returns of income. The return has to be submitted in a prescribed form as applicable in his case.

2.2.2 OBLIGATION TO FILE RETURN OF INCOME

(a) As per Section 139(1)

- ◆ Every Person
 - Being a Company or a Firm
 - or person other than Company or a firm whose total income exceeds basic exemption limit
- ◆ In case of deceased by his legal heir
- ◆ In case of a Non-resident by his agent appointed u/s 163 of the IT Act
- ◆ Shall on or before due date file return in prescribed form and Verified in prescribed manner.

(b) Fourth Proviso to Section 139(1) with effect from Assessment Year 2016-17

- ◆ Every
 - person being resident in India
 - other than not ordinarily resident in India
 - who is not required to furnish a Return of Income under section 139(1)
- ◆ Shall furnish a Return in respect of his income or loss on or before the due date in respect of the previous year in which he
 - Holds any asset (including any financial interest in any entity) as a Beneficial Owner located outside India
 - Has signing authority in any account located outside India
 - Is Beneficiary of any asset (including any financial interest in any entity) located outside India
- ◆ ROI Filing is not mandatory for the Beneficiary of such asset if income arising from such asset is includible in income of the beneficial owner of the asset

(c) Sixth Proviso to Section 139(1)

- ◆ Every
 - Individual
 - HUF
 - AOP/BOI
 - An artificial juridical person
- ◆ Whose Total Income or the total income of any other person in respect of which he is assessable under the IT Act during the previous year before giving effect to
 - Sec.10(38) with effect from Assessment Year 2017-18
 - Sec.10A
 - Sec.10B
 - Sec. 10BA or
 - Chapter VI-A (i.e. deductions u/s. 80C to 80U)
- ◆ Exceeds basic exemption limit shall on or before the due date furnish Return of Income.

(d) Seventh proviso to section 139(1) have been inserted w.e.f. 1-4-2020

- ◆ Person other than Company or a firm whose total income not exceeds basic exemption limit during the previous year, required to furnish return of income on or before the due date, if satisfies following conditions -
 - has deposited aggregate amount exceeding 1 crore rupees in one or more current accounts maintained with a banking company or a co-operative bank; or
 - has incurred expenditure of aggregate amount exceeding 2 lakh rupees for himself or any other person for travel to a foreign country; or
 - has incurred expenditure of aggregate amount exceeding 1 lakh rupees towards consumption of electricity; or
 - fulfils such other prescribed conditions

2.2.3 DUE DATE FOR FILING INCOME TAX RETURN

Sl. No.	Status of Assessee	Due Date
1.	Any Company	31st October
2.	Assessee liable to gets his/her/its accounts audited under the Income-tax Act or under any other law for the time being in force.	31st October
3.	A partner of a Firm whose accounts are required to be audited under the Income-tax Act or under any other law for the time being in force.	31st October
4.	Assessee who are required to furnish a report in Form 3CEB referred u/s. 92E	30th November
5.	Person not covered under 1 to 4 above	31st July

2.2.4 CONSEQUENCES FOR NON-COMPLIANCE OF DUE DATES OF SEC. 139(1)

(a) Denial of benefits -

- ◆ Exemptions or deductions under sections 10A, 10B and 80-IA to 80-IE shall not be allowed to the assessee; and
- ◆ Loss (other than loss under the head "Income from house property") cannot be carried forward.

(b) Penalty for not filing Return of Income within Assessment Year

- ◆ If, assessee liable to file Return of Income u/s 139(1) or its proviso, fails to furnish such return before the end of the relevant

assessment year, a penalty of ₹ 5,000 may be levied on him by AO u/s. 271F

- ◆ However, Section 273B states that no penalty u/s. 271F shall be imposable if the assessee proves that there was reasonable cause for the said failure.

(c) Interest for default in filing Return of Income

Where the assessee defaults in furnishing return u/s. 139(1) or 139(4) or in response to notice u/s. 142(1), he shall be liable to pay mandatory interest u/s. 234A at the rate of 1% for every month or part of a month.

(d) Fees for default in filing Return of Income - Section 234F

- ◆ ₹ 5,000 if the Return of Income is furnished on or before 31st December of the Assessment Year
- ◆ ₹ 10,000 in other case
- ◆ However, if the total income of the assessee does not exceed ₹ 5,00,000 the fees payable shall not exceed ₹ 1,000.

2.2.5 RETURN OF INCOME OF SPECIFIED PERSONS

(a) Return of Income of Charitable or Religious Trust or Institution - Section 139(4A)

- ◆ If the income of Trust exceeds basic exemption limit before giving effect to the provisions of sections 11 and 12 then such trust is liable to file its Return of Income
- ◆ Tax Rates shall be the rates applicable to an Individual
- ◆ As per Sec. 12A(1)(b) of the Income-tax Act, audit is compulsory for trust whose Total Income before giving effect to section 11 and 12 exceeds basic exemption limit and therefore due date for filing the return for such trust would be 31st October
- ◆ Return of Income filed u/s 139(4A) is deemed to be furnished u/s 139(1)
- ◆ If trust fails to furnish return within the time limit and in the manner u/s 139(4A) or if no return of Income is furnished then assessee shall pay, by way of penalty u/s 272A(2), a sum of ₹ 100 per day during which the failure continues
- ◆ No Penalty u/s 271F can be levied in this case as Section 272A is a specific provision.
- ◆ Fee u/s 234F can be levied.

- ◆ However, Section 273B states that no penalty u/s. 272A(2) shall be imposable if the assessee proves that there was reasonable cause for the said failure.

(b) Return of Income of Political Party - Section 139(4B)

- ◆ If the total income of a political party exceeds basic exemption limit before giving effect to the provisions of section 13A then such political party is liable to file its Return of Income
- ◆ Tax Rates shall be the rates applicable to an Individual
- ◆ As per first proviso to Sec. 13A political parties are required to get their accounts audited therefore due date for filing the return for political parties would be 31st October
- ◆ Return of Income filed u/s 139(4B) is deemed to be furnished u/s 139(1)
- ◆ Penalty u/s 271F (i.e., ₹ 5,000) can be levied.
- ◆ Fee u/s 234F can be levied.

(c) Return of Income of Certain Specified Institution - Section 139(4C)

- ◆ If the total income of Institution etc. referred u/s. 139(4C) exceeds the basic exemption limit before giving effect to Section 10 then such institution etc. is liable to file its Return of Income
- ◆ “Specified Institution” for the purpose of Sec. 139(4C) means:
 - (a) Research Association u/s. 10(21)
 - (b) News Agency u/s. 10(22B)
 - (c) Association or Institution u/s. 10(23A)
 - (d) Person referred u/s. 10(23AAA)
 - (e) Institution for Khadi or Village Industries u/s. 10(23B)
 - (f) Trust or Institution u/s. 10(23C)(iv) or (v)
 - (g) University, etc. approved u/s. 10(23C)(iiiab), (iiiac), (iiid), (iiiae), (vi) or (via)
 - (h) Mutual Fund u/s. 10(23D)
 - (i) Securitization Trust u/s. 10(23DA)
 - (j) Investor Protection Fund u/s. 10(23EC) or 10(23ED)
 - (k) Core Settlement Guarantee Fund u/s. 10(23EE)
 - (l) Venture Capital Company or Venture Capital Fund u/s. 10(23FB)

(m) Trade Union or association u/s. 10(24)(a) or (b)

(n) Body or Authority u/s. 10(29A)

(o) Body, Authority, Board, Trust or Commission u/s. 10(46)

(p) Infrastructure Debt Fund u/s. 10(47)

- ◆ Tax Rates for Trust as applicable to Individual
- ◆ Return of Income filed u/s 139(4C) is deemed to be furnished u/s 139(1)
- ◆ Penalty u/s 272A can be levied. (₹ 100 per Day)
- ◆ Fee u/s 234F can be levied.

(d) Return of Income of Scientific Research Institution, University or College - Section 139(4D)

- ◆ Every University, college or other institution referred u/s. 35(1) (i)/(iii), which is not required to file return of income or loss under any other provisions of section 139 shall furnish return of income or loss in every previous year.
- ◆ Return of Income filed u/s 139(4D) is deemed to be furnished u/s 139(1)
- ◆ Penalty u/s 271F can be levied (₹ 5,000)
- ◆ Fee u/s 234F can be levied.

(e) Return of Income of Business Trust - Section 139(4E)

- ◆ Every Business Trust, which is not required to file return of income or loss under any other provisions of Section 139 shall furnish return of income or loss in every previous year.
- ◆ Return of Income filed u/s 139(4E) is deemed to be furnished u/s 139(1)
- ◆ Penalty u/s 271F can be levied. (₹ 5,000)
- ◆ Fee u/s 234F can be levied.

(f) Return of Income of Investment Fund - Section 139(4F)

- ◆ Every Investment Fund referred u/s. 115UB, which is not required to file return of income or loss under any other provisions of Section 139 shall furnish return of income or loss in every previous year.
- ◆ Return of Income filed u/s 139(4F) is deemed to be furnished u/s 139(1)

- ◆ Penalty u/s 271F can be levied. (₹ 5,000)
- ◆ Fee u/s 234F can be levied.

2.2.6 LOSS RETURN U/S 139(3)

(a) Section 139(3) read with section 80

If a person has sustained a loss under -

- ◆ Profit and Gains from Business and Profession (whether speculation or not) or
- ◆ Capital Gains (whether long term or short term) or
- ◆ Loss from owing and maintaining race horses
- ◆ Loss from specified business u/s. 35AD with effect from Assessment Year 2016-17

and claims to carry forward such loss then the Return of Income has to be filled within time limit of Sec. 139(1)

(b) However, this does not apply to carry forward of -

- ◆ Unabsorbed depreciation
- ◆ House property loss

(c) Loss Return - Certain Issues

- ◆ Losses can be Set-off if return of income filed after due date u/s. 139(1) as only carry forward is prohibited.
- ◆ There is no provision which makes mandatory filing return of income within due date in case of Carry forward and set off of unabsorbed depreciation. Hence, carry forward of unabsorbed depreciation is possible even if return of income is not filed.

CIT v. Haryana Hotels Ltd. (2005) 148 Taxman 373/276 ITR
521 (Punj. & Har.)

- ◆ Losses cannot be carried forward even if return of income filed against notice u/s 142(1) as Sec.80 says to file it within time limit of sec.139(1). However, unabsorbed depreciation and house property loss can be carried forward.

2.2.7 BELATED RETURN U/S. 139(4) -

If a person fails to file his return within the time allowed to him -

- ◆ u/s 139(1) or
- ◆ under a notice issued u/s. 142(1)

then he may file belated return of income

Assessment Year	Time Limit
Upto 31-3-2017, i.e., Assessment Year 2016-17	Earlier of - <ul style="list-style-type: none"> ◆ Within 1 year from the end of relevant Assessment Year, or ◆ Before completion of assessment
From 1-4-2017, i.e., Assessment Year 2017-18	Earlier of - <ul style="list-style-type: none"> ◆ Before the end of relevant Assessment Year, or ◆ Before completion of assessment
<i>Taxation and Other Laws (Relaxation of Certain Provisions) Ordinance, 2020 has extended last date for income tax returns for FY 2018-19 from 31st March, 2020 to 30th June, 2020.</i>	

2.2.8 REVISED RETURN U/S. 139(5)

- (a) Any Person who has filed his return within the time allowed to him
- ◆ u/s 139(1) or
 - ◆ U/s 139(4) with effect from Assessment Year 2017-18
 - ◆ under a notice issued u/s. 142(1) upto Assessment Year 2016-17

and discovers any omission or misstatement then he may furnish revised return -

Assessment Year	Time Limit
Upto 31-3-2017, i.e., Assessment Year 2016-17	Earlier of - <ul style="list-style-type: none"> ◆ Within 1 year from the end of relevant Assessment Year, or ◆ Before completion of assessment
From 1-4-2017, i.e., Assessment Year 2017-18	Earlier of - <ul style="list-style-type: none"> ◆ Before the end of relevant Assessment Year, or ◆ Before completion of assessment

(b) Revised Return - Certain Issues

- ◆ The revised return steps into the shoes of Original Return. It substitutes the original return from the date when it was filed -
Dhampur Sugar Mills Ltd. v. CIT (1973) 90 ITR 236 (All.)
- ◆ If Income is increased in a Revised Return furnished after receipt of notice u/s 143(2) but before the completion of assessment

then revised return is a valid return provided it is furnished at any time before the end of the relevant assessment year or before the completion of the assessment, whichever is earlier.. However, penalty for concealment of income can be levied on the additional Income.

2.2.9 DEFECTIVE RETURN U/S. 139(9)

- (a) There are provision u/s. 139(9) dealing the cases where returns are treated as defective. Criteria on which returns can be considered defective are given under the *Explanation* to section 139(9). Such criteria in general, requires from the assessee to furnish certain supporting documents alongwith his return of income.
- (b) As per said *Explanation*, return is regarded as defective if any of the following conditions are not satisfied -
1. Return in prescribed form, duly filled in.
 2. Computation of tax payable is attached to it.
 3. Tax Audit Report u/s 44AB or where the report has been earlier furnished, copy of such report together with proof of furnishing the report is attached to it.
 4. Proof of TDS/TCS, advance tax, self assessment tax, amount of compulsory deposit made in Compulsory Deposit Scheme if any, claimed to have been paid are attached to it. (However, if such TDS or TCS certificates are not furnished to the person submitting the return and he provides them within two years from the end of the assessment year u/s. 155(14), such return shall not be regarded as defective).
 5. In case were regular books of Account are kept copies of Manufacturing, Trading, Profit and Loss Account/Income & Expenditure Account and Balance Sheet, Partners Capital A/c, Members Personal A/c, Proprietors Capital A/c, etc. are attached to it.
 6. Copy of Audited Profit and Loss Account, Balance Sheet along-with Auditor's Report and where cost audit is conducted u/s. 148 of Companies Act, 2013 in the case of the assessee, the copy of such Report is attached to it.
 7. Where regular books of account are not maintained and assessee carries business or profession then a statement disclosing the following *in toto* shall be submitted -
 - ◆ Turnover or Gross Receipt as the case may be

- ◆ Gross Profit
 - ◆ Expenses
 - ◆ Net Profit (including basis on which such amount is computed)
 - ◆ Sundry Debtors
 - ◆ Sundry Creditors
 - ◆ Stock in trade
 - ◆ Cash balance
- (c) However, Section 139C was newly inserted by the Finance Act, 2007 with retrospective effect from 1.6.2007 empowering the CBDT to make rules for a class or classes of persons who may not be required to furnish documents alongwith their return of income. Consequent amendments were made in Rule 12 and all the forms of Return were replaced with new series of forms.
- (d) Procedural Requirement before declaring the return defective -
- ◆ If AO considers a return defective, he shall intimate the defect to the assessee giving him an opportunity to rectify the defect within 15 days from the date of the intimation.
 - ◆ AO may allow further period in excess of 15 days on an application made by the assessee in this behalf.
 - ◆ If the assessee rectifies the defect within the time given by the AO, it shall be considered as a valid return.
 - ◆ If the Assessee does not rectify the defect then the return is *void-ab-initio* (invalid return) and provisions of the Income-tax Act shall apply as if the assessee had failed to furnish the return.
 - ◆ However, if the assessee rectifies the defect after the time period allowed in this respect by the AO but before the completion of assessment, AO may condone the delay and treat the return valid.
- (e) However, an unsigned return cannot be considered as defective but is *void-ab-initio*.

2.2.10 INCOME TAX RETURNS : FORMS

- (a) With IT (Fourth Amendment) Rules, 2017 and IT (Second Amendment) Rules, 2019 few changes have been made in forms for return of income. Amended position for return of income applicable for Assessment year 2019-20, is as under:

Status	Sources of Income	New Form No.
<p style="text-align: center;">INDIVIDUAL</p> <p style="text-align: center;">Except</p> <ul style="list-style-type: none"> ◆ Resident other than not ordinarily resident in India who has asset or account located outside India or income from source outside India ◆ Individual who has claimed foreign tax credit ◆ Individual whose agricultural income exceeds ₹ 5,000 ◆ Individual who is director of a company or held any unlisted share of a company or assessable for the whole or part of income on which tax has been deducted at source in the hands of person other than the assessee. ◆ Individual having total income exceeding rupees fifty lakhs or having income taxable under section 115BBDA or 115BBEE 	<ul style="list-style-type: none"> ◆ Salary (including Family Pension); ◆ Income from house property (if only one house and no brought forward loss under the head) and ◆ Other Sources (excluding lottery winning and race horses income) and no brought forward loss under the head 	<p style="text-align: center;">SAHAJ (ITR-1)</p>
<p style="text-align: center;">INDIVIDUAL</p>	<p>Any income but no business income</p>	<p style="text-align: center;">ITR-2</p>
<p style="text-align: center;">and HUF</p>	<p>Income from profits and gains of business or profession</p>	<p style="text-align: center;">ITR-3</p>
<p>RESIDENT INDIVIDUAL, HUF and FIRMS (other than LLP)</p>	<p>Total Income upto ₹ 50 lakhs and having income from Business and Profession which is computed under sections 44AD, 44ADA or 44AE</p>	<p style="text-align: center;">ITR-4</p>
<p style="text-align: center;">ANY PERSON</p> <p style="text-align: center;">Except</p> <ul style="list-style-type: none"> ◆ Individual 	<p style="text-align: center;">Any Income</p>	<p style="text-align: center;">ITR-5</p>

Status	Sources of Income	New Form No.
<ul style="list-style-type: none"> ◆ HUF ◆ Company ◆ Person filing Form ITR-7 		
<p style="text-align: center;">COMPANIES</p> (Other than institutions covered by section 139(4A), (4B), (4C), (4D), (4E) or (4F))	Any Income	ITR-6
<p>CHARITABLE TRUSTS etc. including cases covered by section 139(4A), (4B), (4C), (4D)</p>	Any Income	ITR-7
Applicable to ALL	Verification Form for persons who have filed return electronically but without Digital Signature or electronic verification code	ITR-V

2.2.11 ELECTRONIC FILING OF RETURNS

(a) Gradually, we are moving to a paperless regime. PAN, TAN, TDS returns, Returns of income, Annual information returns etc. are being submitted in electronic mode.

(b) Text of Rule 12(3)

“(3) The return of income referred to in sub-rule (1) shall be furnished by a person mentioned in column (ii) of the Table below to whom the conditions specified in column (iii) apply, in the manner specified in column (iv) thereof:—

TABLE

Sl. No.	Person	Condition	Manner of furnishing return of income
(i)	(ii)	(iii)	(iv)
1	<i>Individual or Hindu undivided family</i>	(a) <i>Accounts are required to be audited under section 44AB of the Act;</i> (b) <i>Where total income assessable under the Act during the previous year of a person, being an individual of</i>	<i>Electronically under digital signature</i> (A) <i>Electronically under digital signature; or</i> (B) <i>Transmitting the data in the return electronically under electronic verification code; or</i>

<i>Sl. No.</i>	<i>Person</i>	<i>Condition</i>	<i>Manner of furnishing return of income</i>
(i)	(ii)	(iii)	(iv)
		<p><i>the age of eighty years or more at any time during the previous year, and who furnishes the return in Form number SAHAJ (ITR-1) or Form number SUGAM (ITR-4)</i></p>	<p>(C) <i>Transmitting the data in the return electronically and thereafter submitting the verification of the return in Form ITR-V; or</i></p> <p>(D) <i>Paper form;</i></p>
		<p>(c) <i>In any other case.</i></p>	<p>(A) <i>Electronically under digital signature; or</i></p> <p>(B) <i>Transmitting the data in the return electronically under electronic verification code; or</i></p> <p>(C) <i>Transmitting the data in the return electronically and thereafter submitting the verification of the return in Form ITR-V</i></p>
2	<i>Company</i>	<i>In all cases.</i>	<i>Electronically under digital signature.</i>
3	<i>A person required to furnish the return in Form ITR-7</i>	<p>(a) <i>In case of a political party;</i></p> <p>(b) <i>In any other case</i></p>	<p><i>Electronically under digital signature;</i></p> <p>(A) <i>Electronically under digital signature; or</i></p> <p>(B) <i>Transmitting the data in the return electronically under electronic verification code; or</i></p> <p>(C) <i>Transmitting the data in the return electronically and thereafter submitting the verification of the return in Form ITR-V.</i></p>

Sl. No.	Person	Condition	Manner of furnishing return of income
(i)	(ii)	(iii)	(iv)
4	Firm or limited liability partnership or any person (other than a person mentioned in Sl. 1 to 3 above) who is required to file return in Form ITR-5	(a) Accounts are required to be audited under section 44AB of the Act; (b) In any other case.	Electronically under digital signature; (A) Electronically under digital signature; or (B) Transmitting the data in the return electronically under electronic verification code; or (C) Transmitting the data in the return electronically and thereafter submitting the verification of the return in Form ITR-V.

Explanation.—For the purposes of this sub-rule “electronic verification code” means a code generated for the purpose of electronic verification of the person furnishing the return of income as per the data structure and standards specified by Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems)

- (c) Therefore, all companies required to furnish ITR-6 shall furnish their returns of income electronically with digital signature only.
- (d) Therefore, those firms, individual and HUF which are covered under section 44AB are required to furnish their returns of income electronically with digital signatures only.
- (e) If digital signatures are not used, a Verification Form in form number ITR-V, duly signed by the assessee of-course manually is to be submitted but without any enclosures or schedules.

2.2.12 ANNEXURE - LESS RETURNS OF INCOME

- (a) Rule 12(2) states that return of income required to be furnished in -
- ◆ Form SAHAJ (ITR-1) or
 - ◆ Form No. ITR-2 or
 - ◆ Form No. ITR-3 or
 - ◆ Form SUGAM (ITR-4) or
 - ◆ Form No. ITR-5 or

- ◆ Form No. ITR-6 or
- ◆ Form No. ITR-7
- shall not be accompanied by -
- ◆ Computation of tax payable on the basis of the return; or
- ◆ TDS or TCS certificates; or
- ◆ Advance tax or self-assessment Challans; or
- ◆ Any document or copy of any account or form or report of audit required to be attached with the return of income under any of the provisions of the Income-tax Act.

(b) Therefore, returns are Annexure-less and that too irrespective of the fact whether the same are submitted by an assessee in electronic mode or in physical mode.

2.2.13 TAX RETURN PREPARERS

CBDT has been empowered by Section 139B to prepare a scheme to authorize eligible individuals to act as Tax Return Preparer. Section 139B inserted with effect from 1.6.2006 enables an assessee being a person other than -

- ◆ a company or
- ◆ a person whose accounts are required to be audited u/s. 44AB of Income-tax Act or under any law for time being in force to furnish Income Tax Return through a Tax Return Preparer authorized to act as such under the Scheme.

2.2.14 WHO TO SIGN THE RETURN U/S. 140?

- (a) The Return of Income shall be signed in case of individual, himself -
- ◆ In case he is outside India then -
 - himself or
 - other person duly authorized by him in this behalf
 - ◆ If he is mentally incapable -
 - his guardian or
 - any other person competent to act in his behalf
 - ◆ If not possible to sign himself for any other reason then -
 - any person duly authorized by him in this behalf

In case a representative signs the return, a copy of power of attorney should be attached with return.

- (b) In case of HUF -
- ◆ By the Karta
 - ◆ If Karta is outside India or mentally incapable -
 - Any adult member of the family
- (c) In case of a Company,
- ◆ If company is resident in India -
 - Managing Director; or
 - If not possible for any reason any director thereof
 - ◆ If Company is non-resident -
 - Person duly authorized by power of attorney
 - ◆ If company is being wound up or where any person has been appointed as the receiver of any assets of the company -
 - Liquidator referred u/s. 178(1)
 - ◆ Where the management of the company has been taken over by the Government under any law - Principal officer thereof
- (d) In case of Partnership Firm -
- ◆ Managing Partner
 - ◆ If not possible for any reason -
 - Any partner of the firm, not being a minor partner
- (e) In case of Limited Liability Partnership -
- ◆ Designated Partner
 - ◆ If not possible for any reason - Any partner of the LLP
- (f) In case of Local Authority, Principal Officer thereof may sign the return.
- (g) In case of a Political Party, Chief Executive Officer thereof may sign the return.
- (h) In case of AOP/BOI, Principal Officer thereof may sign the return.
- (i) In case of any other person -
- ◆ Himself or
 - ◆ Person competent to act on his behalf