

FILING OF FORM 60 AND 61 UNDER INCOME TAX

Rule 114B

(w.e.f 1 April 2016 – Quoting of PAN)



Every person shall quote his permanent account number in all documents pertaining to the transactions specified with bank in the below: (as per Rule 114B)

1. Opening an account, other than a time-deposit and/or a basic savings bank deposit account*] with a banking company or a co-operative bank.
2. Application for issue of debit card or credit card.
3. Deposit in cash of over Rs.50,000 with a banking company or a co-operative bank.



4. Purchase of bank drafts or pay orders or banker's cheques from a banking company or a co-operative bank with cash payment of over Rs.50,000 in a single day.
5. A time-deposit Deposit of amount exceeding Rs.50,000 or aggregating to more than Rs.5,00,000 during a financial year with a banking company or a co-operative bank.



If a person does not have PAN, then PAN should be obtained or Form 60 must be filed.

* basic savings bank deposit account- As notified in terms of Govt of India notification dated December 16, 2010, BSBDA-Small Accounts would be subject to the following conditions:

1. Total credits in such accounts should not exceed one lakh rupees in a year.
2. This account shall not have the requirement of any minimum balance.
3. While there will be no limit on the number of deposits that can be made in a month, account holders will be allowed a maximum of four withdrawals in a month, including ATM withdrawals.
4. The above facilities will be provided without any charges. Further, no charge will be levied for non-operation / activation of in-operative 'Basic Savings Bank Deposit Account'.
5. Maximum balance in the account should not exceed fifty thousand rupees at any time
6. The total of debits by way of cash withdrawals and transfers will not exceed ten thousand rupees in a month
7. Foreign remittances can not be credited to Small Accounts without completing normal KYC formalities
8. Small accounts are valid for a period of 12 months initially which may be extended by another 12 months if the person provides proof of having applied for an Officially Valid Document.
9. Small Accounts can only be opened at CBS linked branches of banks or at such branches where it is possible to manually monitor the fulfilments of the conditions



FORM 60

Form 60 is a declaration to be filed by an individual or a person (not being a company or firm) who does not have a PAN and who enters into any transaction specified in rule 114B. Form 60 has to be filled up and ID Proof and address proof is to be submitted.



Form 60 contains a declaration that the estimated total income is below the taxable limit. If the amount in column 22b i.e. the estimated total income (other than agricultural income) is more than the taxable limit i.e Rs. 250,000 then the person accepting the declaration shall not accept the declaration unless PAN is applied for and column 21 (giving the acknowledgement no. of the PAN application) is duly filled in.

NOT ACCEPTED

Before signing Form 60 declaration, the declarant should satisfy himself that the information furnished in this form is true, correct and complete in all respects. Any person making a false statement in the declaration shall be liable to prosecution under section 277 of the Income-tax Act, 1961 and on conviction be punishable as under:

- In a case where tax sought to be evaded exceeds twenty-five lakh rupees, with rigorous imprisonment which shall not be less than six months but which may extend to seven years and with fine;
- In any other case, with rigorous imprisonment which shall not be less than three months but which may extend to two years and with fine.





FORM 61

Filing of Form 61 electronically containing particulars of form 60 by the Banks

Every Bank, who has received any declaration in Form No. 60, on or after the 1st day of January, 2016, in relation to a transaction specified in rule 114B, shall-

- 1- furnish a statement in Form No. 61 containing particulars of such declaration to the Director of Income-tax (Intelligence and Criminal Investigation) or the Joint Director of Income-tax (Intelligence and Criminal Investigation) through online transmission of electronic data to a server designated for this purpose and obtain an acknowledgement number; and
- 2- Retain Form No. 60 for a period of six years from the end of the financial year in which the transaction was undertaken.

Further the date of furnishing Form No. 61 shall be

- (i) Where the declarations are received by the 30th September, be furnished by the 31st October of that year; and
- (ii) Where the declarations are received by the 31st March, be furnished by the 30th April of the financial year immediately following the financial year in which the form is received.



Note: The changes made to the Rules have been notified through S.O. No. 3545(E) dated 30th December, 2015. These changes will take effect from 1st January, 2016. The Notification is available on the website of the Department www.incometaxindia.gov.in. Further this is prepared only for information purpose. Please refer full notification/Provision for any applicability.