

Notice for CIL Website

Action points for preparing data of executives towards Contribution to CIL Executive Defined Contribution Pension Scheme-2007 as per Income Tax Act 1961

1. Taxability of Contribution:

As per section 17(2)(vii) of the Income Tax Act, the amount of any contribution to an approved superannuation fund by the employer in respect of the assessee, to the extent it exceeds one lakh and fifty thousand rupees from AY 2017-18 (up to Rs. 1,00,000/- from AY 2010-11 to AY 2016-17) will be treated as perquisites in the hands of employee.

For the FYs 2006-07 to 2008-09, such contribution is however exempted from tax.

2. Contribution to be considered

Contribution to pension fund trust may be considered at 9.84% of basic plus DA in pre-revised scale from 1.1.2007 to 31.12.2016 and on revised scale from 1.1.2017 to 30.9.2017.

3. Relief u/s 89 of the Income Tax Act,1961:

According to section 89 of the Income Tax Act, 1961, where an assessee is in receipt of a sum in the nature of salary, being paid in arrears or in advance or is in receipt, in any one financial year, of salary for more than twelve months or a payment which under the provisions of clause (3) of section 17 is a profit in lieu of salary, or is in receipt of a sum in the nature of family pension as defined in the Explanation to clause (ii) (a) of section 57, being paid in arrears, due to which his total income is assessed at a rate higher than that at which it would otherwise have been assessed, the Assessing Officer shall, on an application made to him in this behalf, grant such relief as may be prescribed.

It may be noted that for the purpose of calculation 10E, estimated income for January and February 2019 may be considered.

4. Employees to submit form 10E for claiming relief u/s 89 of the Income Tax Act,1961:

For claiming relief under section 89 employees have to submit Form 10E duly authenticated by them so that while making contribution to the superannuation fund appropriate relief under section 89 as per form 10E submitted by the employees can be provided to the employees.

Therefore, it is necessary that all the executives should submit Form 10E (duly authenticated by them), so as enable CIL/Subsidiaries to provide relief under section 89 of the Income Tax Act, 1961. The employee has to submit Form 10E from FY 2006-07 to FY 2008-09(for claiming exemption) and from FY 2009-10 to FY 2017-18(for claiming relief u/s 17(2)(vii)) along with supporting documents.

The draft format of Form 10E to be furnished by the executives in order to avail relief under section 89 of the Income Tax Act 1961 is attached herewith.

5. When employees fail to submit form 10E:

It may also be informed that if an employee fails to provide Form 10E then CIL/Subsidiaries will consider the contribution to the superannuation fund as contribution of the current year and accordingly the relief u/s 17(2)(vii) for Rs. 1,00,000/- from AY 2010-11 to AY 2016-17 and Rs. 1,50,000/- from AY 2017-18 will not be provided and tax will be deducted considering the entire contribution to be that of the current year.

6. Action to be taken for implementation

Considering the above, all executives, existing as well as retired from Coal India Ltd, are requested to submit 10E along with supporting documents, duly authenticated, to Shri Arindra Dey, OS, Finance Dept (Email Id: pensiontrust.cil@coalindia.in). In order to facilitate the submission of 10E, a format (downloadable) attached as Annexure A may be filled in by the respective executive for the purpose of calculation 10E, which thereafter may be authenticated by the executive concerned.

Executives retired from Subsidiaries are requested to submit Form 10E at their respective subsidiary companies from where they had superannuated.

7. Declaration

Executives are to submit declaration as applicable (format of declaration –I and Declaration-II attached) along with form 10E for the purpose of deduction of applicable TDS.

8. Timeline for Submission

All executives(existing/retired) are requested to submit Annexure A within 10th January, 2019 and Form 10E(along with Declaration I), or Declaration II within 15th January,2019

ANNEXURE 'A'

Statement to be submitted by Executives
for the purpose of calculation of Pension contribution u/s 89(1) of IT Act

Name:

EIS Code

YEAR	Total Taxable Income (From ITR/ Form 16)	Tax incl Edu Cess (From ITR/ Form 16)	*Pension Contribution (9.84%) upto 30.9.2017
2006-07			
2007-08			
2008-09			
2009-10			
2010-11			
2011-12			
2012-13			
2013-14			
2014-15			
2015-16			
2016-17			
2017-18			
2018-19 (Estimated figure to be submitted)			

*Pension Contribution data can be obtained from following link:-
[172.16.1.108:8080/apex/f?p=168:2:7570714039125::NO:RP::](https://www.apex.gov.in/apex/f?p=168:2:7570714039125::NO:RP::)

(Signature of the Executive)

FORM NO. 10E

[See rule 21AA]

Form for furnishing particulars of income under section 192(2A) for the year ending 31st March, 2019 for claiming relief under section 89(1) by a Government servant or an employee in a company, co-operative society, local authority, university, institution, association or body

- 1 Name and address of the employee : _____
 2 Permanent account number : _____
 3 Residential status : R _____

Particulars of income referred to in rule 21A of the Income tax Rules, 1962, during the previous year relevant to assessment year 2019-20

- 1 (a) Salary received in arrears or in advance in accordance with the provisions of sub-rule Rs. _____ (2) of rule 21A
 (b) Payment in the nature of gratuity in respect of past services, extending over a period of not less than 5 years in accordance with the provisions of sub-rule (3) of rule 21A _____
 (c) Payment in the nature of compensation from the employer or former employer at or in connection with termination of employment after continuous service of not less than 3 years or where the unexpired portion of term of employment is also not less than 3 years in accordance with the provisions of sub-rule (4) of rule 21A _____
- 2 Detailed particulars of payments referred to above may be given in Annexure I, II, IIA, III or IV, as the case may be Annexure I

Signature of the employee

Verification

I, _____ do hereby declare that what is stated above is true to the best of my knowledge and belief.

Verified today, the _____ day of _____

Place _____
 Date _____

Signature of the employee

ANNEXURE I
 [See item 2 of Form No. 10E]
ARREARS OR ADVANCE SALARY

- 1 Total income (excluding salary received in arrears or advance) _____ 0
 2 Salary received in arrears or advance _____
 3 Total income (as increased by salary received in arrears or advance) [Add item 1 and item 2] _____
 4 Tax on total income (as per item 3) _____
 5 Tax on total income (as per item 1) _____
 6 Tax on salary received in arrears or advance [Difference of item 4 and item 5] _____
 7 Tax computed in accordance with Table "A" [Brought from column 7 of Table "A"] _____
 8 Relief under section 89(1) [Indicate the difference between the amounts mentioned against items 6 and 7] _____

TABLE "A"
 [See item 7 of Annexure I]

Previous year(s)	Total income of the relevant previous year (Rs.)	Salary received in arrears or advance, relating to the relevant previous year as mentioned in column(1) (Rs.)	Total income (as increased by salary received in arrears or advance) of the relevant previous year mentioned in column(1) [Add columns (2) and (3)] (Rs.)	Tax on total income [as per column(2)] (Rs.)	Tax on total income [as per column(4)] (Rs.)	Difference in tax [Amount under column (6) minus amount under column (5)] (Rs.)
1	2	3	4	5	6	7
2006-07	0	0	0	0	0	0
2007-08	0	0	0	0	0	0
2008-09	0	0	0	0	0	0
2009-10	0	0	0	0	0	0
2010-11	0	0	0	0	0	0
2011-12	0	0	0	0	0	0
2012-13	0	0	0	0	0	0
2013-14	0	0	0	0	0	0
2014-15	0	0	0	0	0	0
2015-16	0	0	0	0	0	0
2016-17	0	0	0	0	0	0
2017-18	0	0	0	0	0	0
Total						0

Declaration-I

I hereby declare that the information given in the Form 10E for availing relief under section 89 of the Income Tax Act, is true and correct to the best of my knowledge and belief. In case any information given in this application proves to be false or incorrect, I shall be responsible for the consequences.

Further, I also authorize CIL to deduct the tax relating to contribution to approved superannuation pension fund from the amount of contribution and deposit the net amount in the pension fund.

Dated:

(Signature)

Name:

Designation:

EIS No.:

Encl: Form 10E along with supporting documents

Declaration-II

I hereby declare that the I will not submit Form 10E for availing relief under section 89 of the Income Tax Act and authorize CIL to deduct the tax relating to contribution to approved superannuation pension fund from the amount of contribution and deposit the net amount in the pension fund.

Dated:

(Signature)

Name:

Designation:

EIS No.: