Western India Regional Council of The Institute of Chartered Accountants of India





TDS – Salary & TDS in respect of Residents

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TDS – INTRODUCTION

> Income is earned over a period of time but the assessment/ determination of tax liability takes place much later. To avoid a liquidity problem for the tax payer and also to ensure a regular flow of revenue for the government, the Income tax Act has provided for periodic recovery of tax from income liable to tax by requiring the tax to be deducted at source from certain income/payments as and when such income/payments are credited.

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4

TDS deduction & Ascertain of TDS Liabilities

<u>Ascertain of TDS Liabilities</u> – As Per Provisions Of Ch. XVII-B

Any person responsible for making certain specified payments is required to deduct tax at the prescribed rates from the payments made to a specified recipient in accordance with the provisions of Of Ch. XVII-B Income Tax Act. <u>Note - Specified Person in the Provision mean All</u> <u>persons other than individual and HUF whose accounts</u> <u>are not subject to audit u/s 44AB of the Act during the</u> <u>preceding financial year</u>

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5

Section 192 - Salary

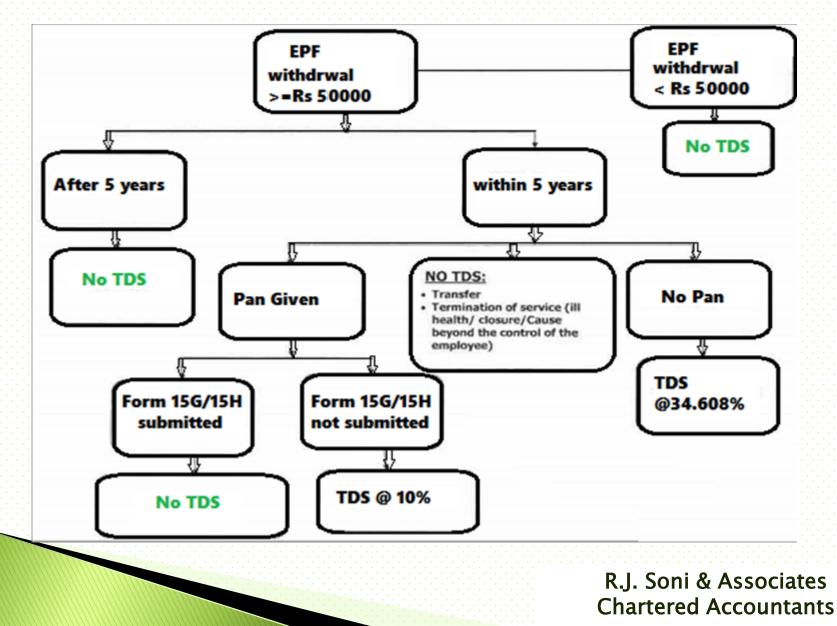
Payer – Any Person Recipient -**Any Person** Nature income chargeable under the head "Salaries" **Time of TDS** – At the time of payment average of income-tax Rate – computed on the basis of the rates in force for the financial year increase or reduce the amount to **Exception** be deducted under this section for the purpose of adjusting any excess or deficiency

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Section 192A – Accumulated Provident Fund Any Person Payer – Recipient – Any Person accumulated provident fund Nature balance (01/06/2015) **Time of TDS** – At the time of payment 10% / No PAN – maximum Rate – marginal rate ({.e. 34.608%) **Exemption**-Rs 50000/- or with service more than 5 years **Exception** - Transfer / Termination of service (ill health /closure /cause beyond the control of the Employee

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Section 192A – Accumulated Provident Fund



Section 193 – Interest on securities Any Person Payer – Recipient – Resident Nature -Interest of Securities(defined under clause 28B of Section 2) **Time of TDS** – At the time of credit / Payment, whichever is earlier 10% Rate – Exemption-Rs 5000/-**Exception** - any interest payable on such security as the Central Government may, by notification specify

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Section 194A- Interest other than interest on securities **Specified Person** Payer – Recipient – Resident Interest other than interest on Nature -Securities **Time of TDS** – At the time of credit / Payment, whichever is earlier Rate – 10% **Exemption**- Rs 5000/- For Banks Rs 10000/-Exemption-If a person (not being a company or firm) furnishes a declaration in form no.15G or 15H(for senior citizens). Quoting of PAN by the payee is mandatory in the declarations. **R.J. Soni & Associates**

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Section 194A-Exception

- to any banking company or co-operative society carrying on the business of Banking / insurance,
 Financial Corporation established by or under a
 - Government Act (LIC, UTI)

- by a firm to a partner of the firm
- by a co-operative society (other than a cooperative bank) to its member thereof or to any other co-operative society
- in respect of deposits under any scheme framed by the Central Government
- in respect of deposits other than time / recurring deposits with a banking company
 Institutions whose income is unconditionally exempt u/s.10

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Section 194A-Exception

in respect of deposits with a primary agricultural credit society or a primary credit society or a co-operative land mortgage bank or a co-operative land development bank or with a co-operative society other than a cooperative society bank

Paid by the Central Government under various Act

interest on the compensation not exceeding Rs 50000/- amount awarded by the Motor Accidents Claims Tribunal

by an infrastructure capital company or infrastructure capital fund or a public sector company or scheduled bank in relation to a zero coupon bond

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Section 194B– Winnings From Lottery, Crossword Puzzle Etc.

- Payer Any Person
- Recipient Resident Nature – Winnings from lottery, crossword puzzle
- Time of TDS At the time of Payment
- **Rate** 30%
- Exemption- Rs 10000/-
- Other- Where prize money is in kind, or partly in cash and partly in kind before releasing the prize, the payer should ensure the tax has been paid in respect of the winnings.

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Section 194BB- Winnings from horse race.

Payer -Any PersonRecipient -ResidentNature -Winnings from horse raceTime of TDS -At the time of PaymentRate -30%Exemption-Rs 5000/-

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Section 194C – Payments to Contractors **Specified Person** Payer – Resident Recipient – Nature – for carrying out any working pursuance of a contract **Time of TDS** – At the time of credit / Payment, whichever is earlier 1% for Individual & HUF; 2% Rate – **Other Person** Exemption-Rs 30000/- Single Payment; & Rs 100,000/- in a year

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Section 194C- Payments to Contractors - Exception

Deduction should be based on the gross payment without excluding the cost of materials if such value is not mentioned separately in the invoice. Contract for sale of Goods is exempt from TDS u/s.194C

- The NIL rates will be applicable if transporter provide his PAN along with declaration that he does not owns more than ten goods carriages at any time during the previous year. (hiring of goods carriages). Details of such cases should be reported in the quarterly returns.
- No individual / HUF shall be liable to deduct income-tax on the sum credited or paid to the account of the contractor where such sum is credited or paid exclusively for personal purposes

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Section 194D-Insurance commission

- Payer Any Person.
- Recipient Resident.
- Nature Commission for soliciting or procuring insurance business.
- Time of TDS At the time of Credit / Payment, whichever is earlier.
- Rate 5% Exemption – Rs 15,000/–

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Section 194DA- Life Insurance Policy

- Payer –Life Insurance Company.Recipient –Resident.
- Nature any sum under a life insurance policy, including bonus.
- Time of TDS At the time of Payment.
- **Rate** 1% **Exemption** – Rs 100,000/–
- Exception sum paid under life insurance policies which are exempted under section 10(10D) of the Act

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Section 194EE- Payment in Respect of NSS Post office Payer – Resident Individuals and HUF. Recipient :::::: any sum referred to in clause (a) Nature of of section 80CCA(2). Time of TDS – At the time of Payment. 20% Rate – Rs 2500/-Exemptionsum paid to the heirs of the Exception – assessee.

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Section 194F- Repurchase Of Units By Mutual <u>Fund</u>

- Payer Mutual Fund or Unit Trust of India
- Recipient Resident Individuals and HUF. Nature – any sum referred to in section 80CCB(2).
- **Time of TDS** At the time of Payment. **Rate** – 20%
- Exemption NIL/–

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Section 194G- Commission on Sale of Lottery Tickets

- Payer Any Person.
- Recipient Resident.
- Nature Any Income by way of Commission, Remuneration or Prize.
- Time of TDS At the time of Credit / Payment, whichever is earlier.
- Rate 5% Exemption – Rs 15,000/–

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Section 194H- Commission or Brokerage

- Payer Specified Person.
- Recipient Resident.
- Nature Commission or Brokerage.
- Time of TDS At the time of Credit / Payment, whichever is earlier.
- **Rate** 5%
- Exemption Rs 15,000/– Exception – Paid by BSNL / MTNL to their public call office franchisees

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Section 194J- Fees for Professional or **Technical Services** Specified Person. Payer – Recipient – Resident. Any Income by way of Nature – Professional Services, Technical Services, Remuneration to Director or Royalty. Time of TDS - At the time of Credit / Payment, whichever is earlier. Rate – 10% **Exemption**- Rs 30,000/-

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Section 194LA- Payment of Compensation on Acquisition of Immovable Property

- Payer Any Person.
- Recipient Resident.
- Nature Compensation on Acquisition of certain immovable property.
- Time of TDS At the time of Payment.
- **Rate** 10% **Exemption** – Rs 200,000/–
- Exception agricultural land

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Section 1941 - Rent

- Payer –Specified Person.Recipient –Resident.Nature –Rent.
- Time of TDS At the time of Credit / Payment, whichever is earlier.
- Rate 2% for Plant, Machinery or Equipment
- 10% for Land & Building or Furniture & Fittings **Exemption**- Rs 180,000/-

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Section No	Nature	Threshold Total Payment	Payment to		Payer	Lower /
			Individua I or HUF	Others		Nil Deductio
192	Income from Salaries	-	Average	rate	Any Person	197
192 A	Accumulated Provident Fund	Rs.50000/-	10%	NA	Any Person	197/197A
193	Interest on Debentures	Rs. 5000/-	10%	10%	Any Person	197/197A
194	Deemed Dividend		10%	10%	Any Person	197/197A
194 A	Interest by banks (Other than interest on securities)	Rs. 10000/- for Banks & Rs .5000/- for others	10%	10%	Specified Person	197/197A
194 B	Winnings from Lotteries / Puzzle / Game	Rs. 10000/-	30%		Any Person	
194 BB	Winnings from Horse Race	Rs. 10000/-	30%	30%	Any Person	<u>-</u>
194 C	Payment to Contractors	Rs. 30000/- Full Year Rs.100000/-	1%	2%	Specified Person	197
194 D	Payment of Insurance Commission	Rs. 15000/-	5%	5%	Any Person	197
194 04	Sum under a life insurance policy, including bonus.	Rs. 1,00,000	1%		Life Insuranc e Company	197A
194 EE	Out of deposits under NSS	Rs. 2500/-	10%	NA R.J. S Chart	oni & Ass	

Section No	Nature	Threshold Total Payment	Payment to		Payer	Lower /
			Individua I or HUF	Others		Nil Deductio
194 F	Repurchase Of Units By Mutual Fund	- T	20%	20%	Any Person	
	Commission on Sale of				Any	
194 G	Lottery tickets	Rs. 15000/-	5%	5%	Person	19
					Specified	
194 H	Commission or Brokerage	Rs. 15000/-	5%		Person	
	Rent of Land, Building or				Specified	
194 I	Furniture	Rs. 180000/-	10%	10%	Person	197/1974
					Specified	
194	Rent of Plant & Machinery	Rs. 180000/-	2%	2%	Person	197/1974
	Professional / technical				Specified	
194 J	services, royalty	Rs. 30000/-	10%	10%	Person	
	w.e.f. 01 .07.2012, Any remuneration / fees / commission to a director of a company, other than those on which tax is deductible under section				Specified	
194 J (ba)	192.	<u>-</u>	10%	10%	Person	19
194 LA	Compensation on acquisition of certain immovable property	Rs. 2,50,000/-	10%		Any Person	19
194 IA	Compensation on transfer of certain immovable property other than	Considerati on is Rs. 50 Lakh or more.	1%	10/	Any Person	
1941A	Interest on certain bonds & Sovt. securities (w.e.f. 01.06.2013)		5%	sk.	Any	Associat

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Case Law

- Where assessee-hospital under an agreement was availing services of doctors who fixed their own OPD hours etc. and there was no control of hospital by way of direction to doctors
- Accumulated Provident fund of Rs 45000 is paid to Employee
- Employee who have join the company in April 2005
- Employee who have join the company in April 2014? What if he doesnot have PAN ? What if the employee has left the company due to poor health ?

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Case Law

- Assessee has paid the interest but doesnot want to claim the same as expenses
 Interest Paid to Kotak Finance on purchase of Motor Car
- Interest paid by Cooperative bank to its member
 Interest paid by bank on Term Deposit, Saving Account and Recurring Deposits
 Win Gold Coin on purchase of Soap (Eg Lux)

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Case Law

- Commission charges paid by General Insurance company to National Insurance in case of reinsurance
 Truck hire charges what if charges include driver charges, local maintenance charges etc
 Rent paid to joint owner A, B, C, D of Rs 120000 each
- Life insurance proceed received from LIC

TDS Remittance

TDS Payment within due date

In case of Government deductors :

- on the same day when tax is paid without production of an IT challan (book adjustment)
- within 7 days from end of the month, when tax paid is accompanied by an IT challan. & In the month of March Deposit on or before 30th April
 In case of Others

within 7 days from end of the month in which tax is deducted & In the month of March Deposit on or before 30th April

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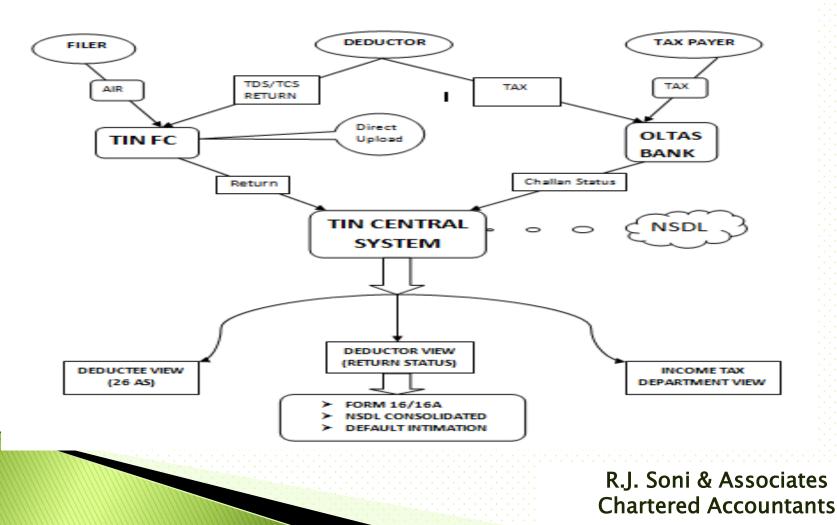


By Filing E-TDS Return

Form No.	Particulars	Due date for furnishing statement		
		New Date	Old Date	
24Q	Quarterly return of TDS from <i>"Salaries</i> "	July 31st	July 15 th	
26Q	Quarterly return of TDS in respect of all payments other than "Salaries"	October 31st	October 15 th	
		January 31st	January 15 th	
27Q	Quarterly return in respect of payments made to Non resident	May 31st	May 15 th	
27EQ	Quarterly Return of TCS	July 15 ^{th,} October 15 ^{th,} January 15 th , May 15 th R.I. Soni & Associa		
			Chartered Account	

Processing of TDS Return before 31st October, 2012

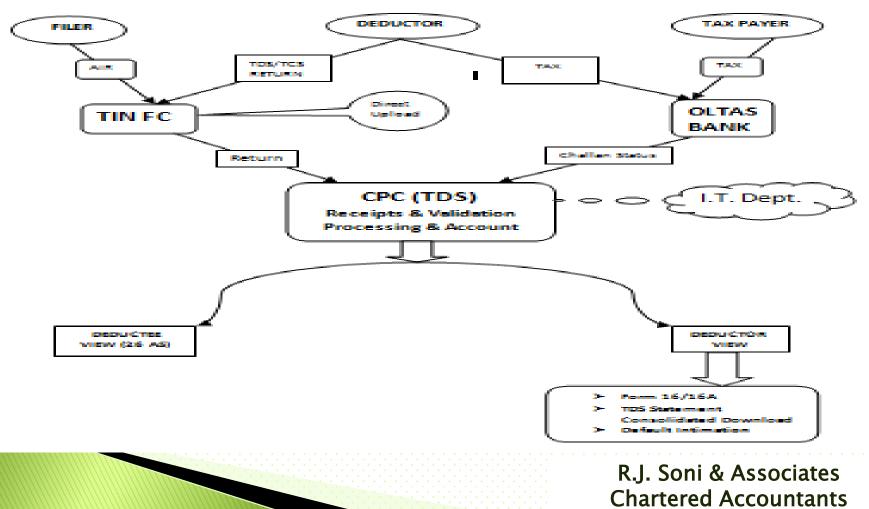
Processing of TDS Return before 31st October, 2012



33

Processing of TDS Return after 31st October, 2012

Processing of TDS Return after 31st October, 2012



34

Matching of Challan

Following Payment details of TDS deposited in bank by deductor should matched with the payment details mentioned in the TDS statement filed by the deductors

- TAN Number
- Financial Year (However one Challan can be use for two consecutive Year)
- BSR Code
- Challan Identification Number
- Challan Date
- Amount (More Than or Less Than Oltas Amt)

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Correction in Challan

	Type of Correction	Procedure
No.	on Challan	
	TAN - Invalid TAN is	Submit an application (Both in Hard & Soft Copy) for
	Mentioned	correction of TAN Number in Challan along with an
		Indemnity Bond and Bank statement reflecting the
		payment has been done.
	TAN - Valid TAN of	Submit an application (Both in Hard & Soft Copy) for
	Other deductor	correction of TAN Number in Challan along with an
	Mentioned	Indemnity Bond and No Objection Letter from other
		Deductor plus Bank statement from which the payment
		has been done.
	Assessment Year	Online Correction
4	Major Head	Not Required - Just mention the correct Details in the
		Statement
	Minor Head	Not Required - Just mention the correct Details in the
		Statement
6	Nature of Payment	Not Required - Just mention the correct Details in the
		Statement
		36

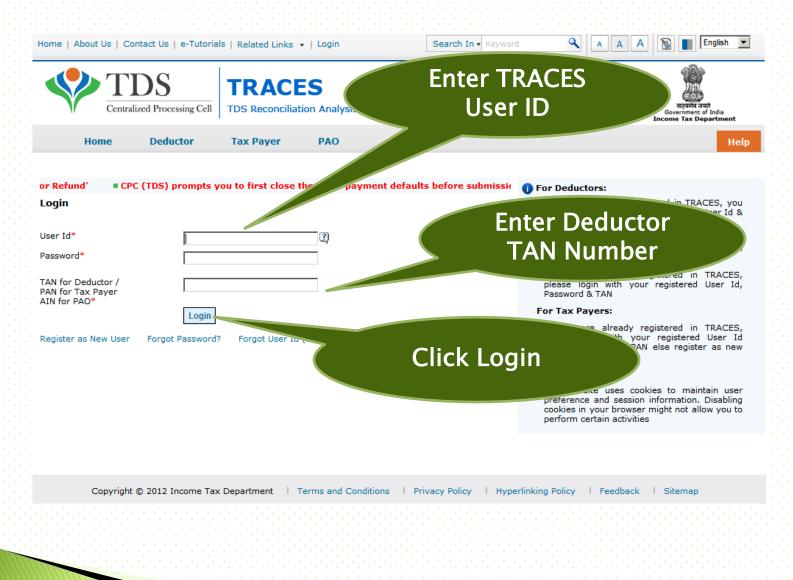
Scheme for Online Filing of TDS

<u>returns</u>

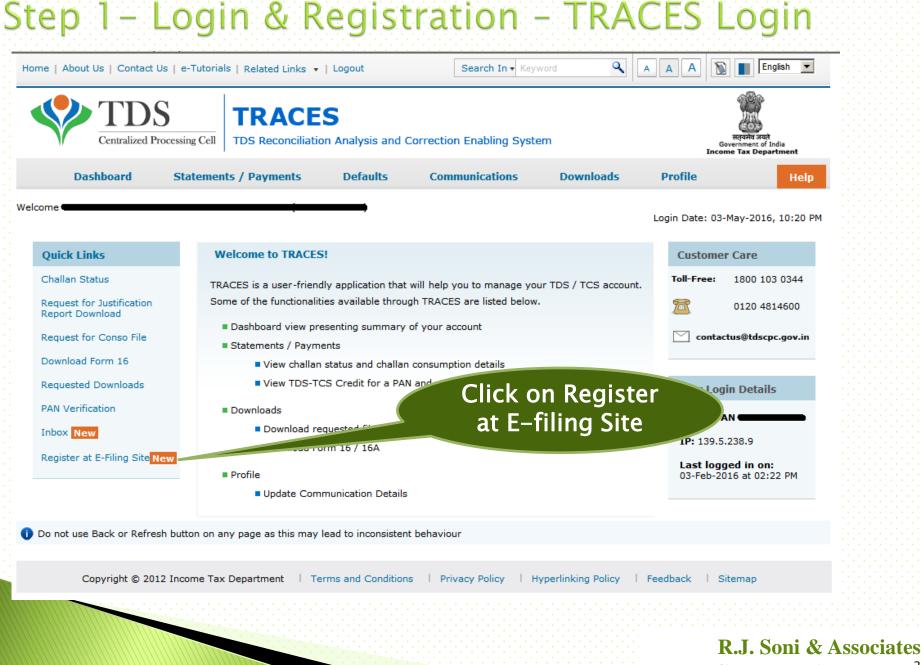
- Online upload of electronic statement facility can be used for upload of quarterly e-TDS/TCS statements (F.Y. 2011-12 Onwards). To avail this facility one should posses following things.
 - Valid TAN
 - Digital Signature Certificate(DSC)TRACES Login ID of the DeductorPAN Based Efiling Login ID and Password onIncomeTaxEfilingsite(incometaxindiaefiling.gov.in)

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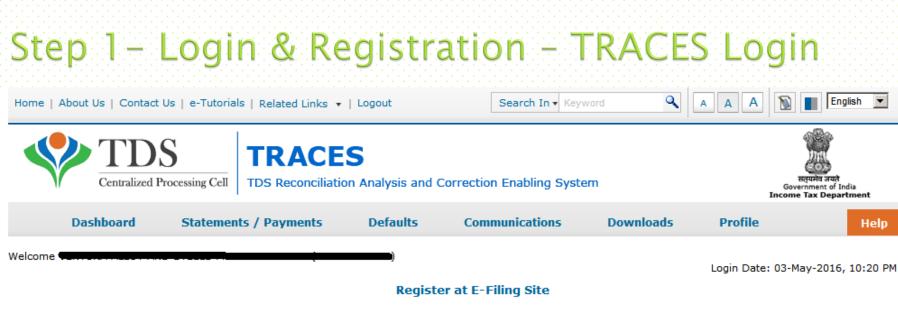
Step 1 - Login & Registration - TRACES Login



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TAN of Organisation	
PAN of Organisation	A COMMENT
PAN of Authorised Person	

Please click on below button to navigate to E-Filing Website to register your TAN.

Redirect

Please check if Pop up blocker is disabled in your browser settings or not. If not please disable the same for using this functionality

Click on Redirect

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Step 1 - Login & Registration - Submit Form

Zero Len

osei	10.	
Pase	sword	Deta

Password *

Confirm Password *

Primary	Secret	Que	stior

ils

Primary Secret Answer *

Secondary Secret Question *

Secondary Secret Answer *

Authorized person Details

				n

Surname *

Middle Name

First Name

Date of Birth *

Aadhaar Number

Mobile Number of the Principal Contact *

Secondary Mobile Number

E-mail ID of the Principal Contact *

Secondary E-mail ID

Organization Details

Organization Name

Date of TAN Allotment (DD/MM/YYYY)

PAN of the Organization

Organization Name / Surname (As in PAN)

Reasons if PAN not Available *

AIN /BIN *

Please select the files to upload *
TAN allotment letter .
Letterhead authorizing DDO for



+91

+91

User ld will be TAN Number

Authorizes Person will be the Individual whose DSC is registered on TRACES

> In Case of Government Deductor who does not have PAN

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Step 1 - Login & Registration - Submit Form

Please select the files to upload *
TAN allotment letter .
Letterhead authorizing DDO for

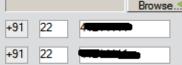
this purpose.

(PAN card copy of Authorized Officer) (PAN card copy of Authorized person OR Passport copy of Authorized person)

Attachment in PDF Format *

Landline Number *

Fax Number *



Corporate Office Postal Address

Flat/Door/Building *	
Road/Street	
Area/Locality *	
Town/City/District *	
Pincode *	
State *	
Country *	INDIA
Subscribe to E-mail and Alerts	
	Enable Alerts
	Subscribe to Mailing List
Captcha Code	
Image	2007 e 🗉
Enter the number as in above image *	025187 Submit

In Case of Government Deductor it is compulsory to Upload Copy of TAN Allotment Letter or DDO Authorization letter

Click on Submit

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Step 1 - Login & Registration - Submit Form

Registration Form - Tax Deductor and Collector Registration

Step 1: Enter Basic Details

Step 2: Registration Form

Step 3: Registration Successful

Thank you for registering in e-Filing. Your Transaction ID is 2955913131.

Your Registration request has been forwarded to the PAN of the Organization

PAN of the Organization must login. Navigate to Work list and approve the request.

On approval, a link to activate your account will be emailed to

To activate your e-Filing account Please click on activation link and enter the OTP PIN received in your mobile number.

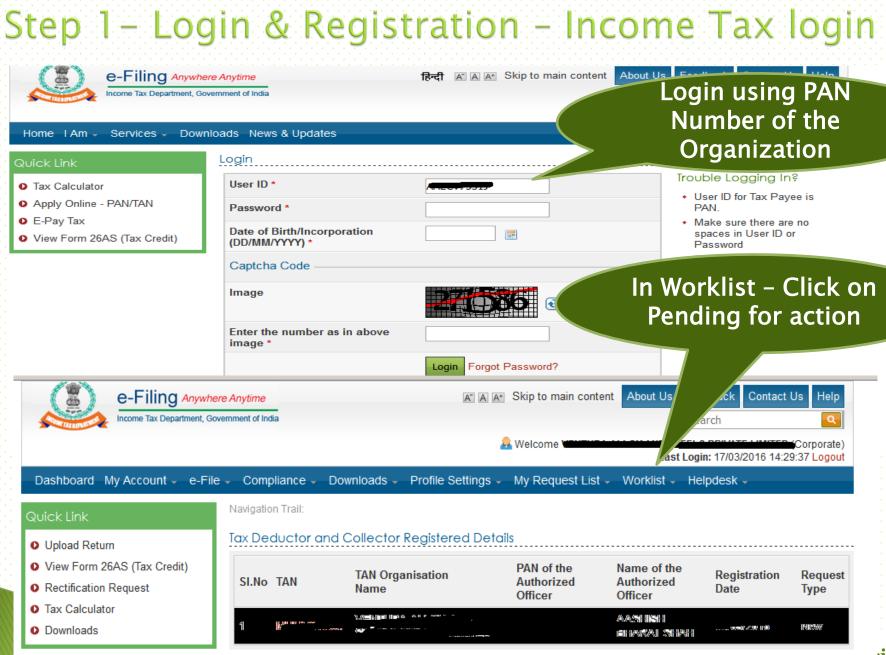
To Login to the e-Filing, you must activate your account. In case of any queries, please contact 1800-4250-0025.

Always Remember

- Your User ID to access the application will be your TAN.
- Do not share your User ID and Password with anyone.
- In case you notice any fraudulent activity, please call 1800 4250 0025

On successful Registration the Request is send for Approval from Organization PAN Efiling Login

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Step 1 – Login & Registration – Income Tax login

Tax	Deductor	and Collec	ctor Register	red Details

Reject

Approve

Back

Details o PAN Name Date of B Aadhaar Designati Mobile N Seconda

Details of Authorized person		
PAN	DD-F-391-JJC	
Name		Verify the detail of
Date of Birth	15/10/1978	Authorize Person, Enter
Aadhaar Number		
Designation	Director	the Comment and Click
Mobile Number	+3	on Approve
Secondary Mobile Number		
-mail ID	VENTURAENTOCMAIL COM	
Secondary E-mail ID		
Details of Organization		
Organization Name		
Date of TAN Allotment	29/01/2014	
andline Number		
ax number	101.02.1404111	e-Filing Anywhere Anytime
Postal Address of Organization		Income Tax Department, Covernment of India
Tat/Door/Building		Dashboard My Account - e-File - Compliance - Downloads - Profile Settings - My Request List - Worklist - Helpdesk -
load/Street		Quick Link Prangation frail. • Upload Return Tax Deductor and Collector Registered Details
rea/ Locality		View Form 26AS (Tax Credit) Request has been approved successfully. Request has been approved successfully.
Fown/City/District	MUMBAI	O Tax Calculator O Downloads
Pin code		
State	MAHARASHTRA	On Successful approval activation link
Comments *	Approve	will be email to the authorize person

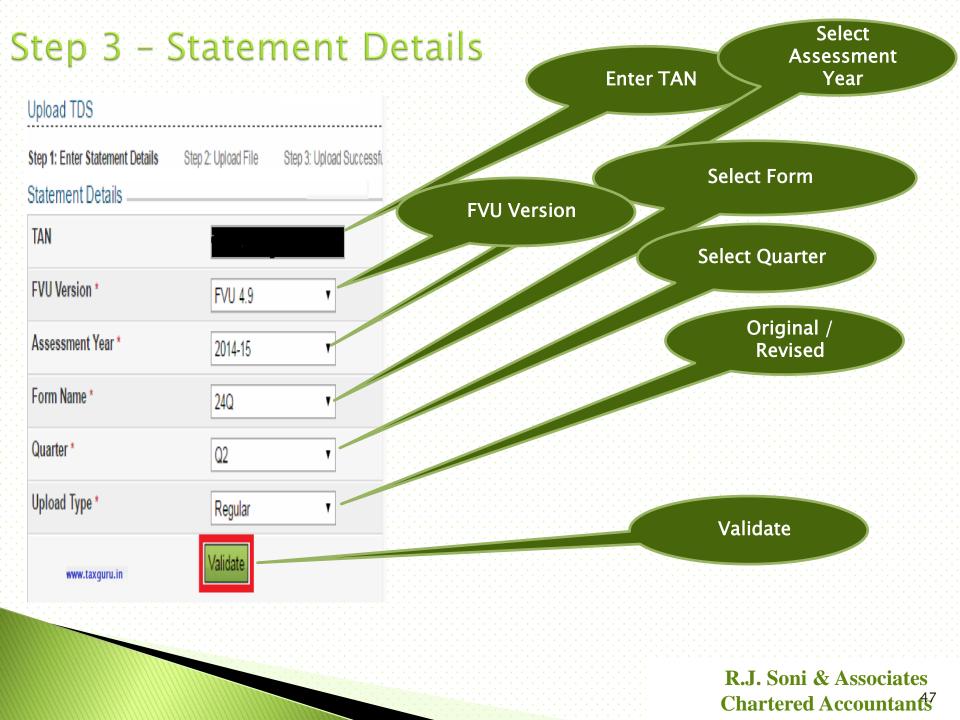
will be email to the authorize person and PIN will be send via SMS

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Step 2 - Post Login - Select Upload TDS

			click Upload TDS
Dashboard My Account - e-File	e - Profile Settings - Worklist -	TDS -	
Quick Link Change Password Update Contact Details Change Secret Cuestion/Answer	Navigation Trail: Dashboard	Upload TDS View Filed TDS	
	 Please make sure you have	IMPORTANT !!! a the correct Email ID and Mobile Number against	vour profile. These
	details are important and v	vill be used for all communications. se go to the menu "Profile Settings/My Profile"	

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Step 4 - Generation of Signature

ctions Register/Reset Password using DSC Upload XML Submit ITR / FORM Online		Browse the FV
	Upload XML	file
elect the XML file to be signed *	Browse XML file	
		Select USB
	DSC Details	Token and
elect the type of Digital Signature Certificate *	pfx fileUS8 token	Enter Token
elect your certificate keystore file(.PFX/P12) *	Browse DSC file	PIN
ter the password for your private key *	Input Password	
lect USB token Certificate *	Select Certificate	*
		Signature File
		R.J. Soni & Associa

Step 5 - Upload TDS Return

TAN	TANS12345A
FVU Version	FVU 4.9
Assessment Year	201415
Form Name	24Q
Quarter	Q2
Upload Type	R
Upload TDS(.zip) File *	Choose File No file chosen

- Download the "ITD e-Filing DSC Management Utility".
- · Generate the signature file. Follow the instructions in the Utility.
- · Attach the generated signature file.

Note: The generated signature file is valid only for one transaction.

Upload

Attach the Signature file *

Choose File No file cho

Browse TDS FVU

Browse Signature File

Click Upload

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Step 6- View Filed TDS Return Details

Upload TDS Successful

Step 1:	Enter	Statem	nent	Details
---------	-------	--------	------	---------

Step 2: Upload File

Step 3: Upload Successful

Your TDS return have been uploaded successfully and the Transaction ID is: 10000090063. In case of any queries, please contact 1800 4250 0025.

An e-mail confirming the successful upload of your e-filing has been sent to demo@gmail.com

Upload TDS

View Filed TDS

Kindly login after 24 hours to check the status of your Filing using the token number 3111111415

Cashboard My Account - e-File - Profile Settings - Worklist - TDS -

Quick Link	Navigation Trail
O Change Password	Dashboard
O Update Contact Details	

O Change Secret Guestion/Answer

View Filed TDS Returns

TAN	TA NO 400 454	
Assessment Year *	Select	•
Form Name *	Select	•
Quarter *	Select	•
	View Details	

TANS12345A TAN Assessment Year 201617 Form Name 24Q Q1 Quarter S.No Transaction No. Filed On Upload Type **Token Number** Status 10000060045 16/03/2016 R 3111111317 Accepted

Status of Statement Filed

Click View Filed

TDS

Statement Details

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Question?

R. J. Soni & Associates | Chartered Accountants | Corporate Office: MUMBAI Kamla Niwas | Plot No. 136/141 | Gorai-1 | Borivali (W) | Mumbai-400 091. Offices:- MUMBAI | JAIPUR | PUNE | AHEMDABAD Email: info@rjsa.in, web: rjsa.in Tel phone. 08097090024/25/26/27/28, 022-28672008, 022- 28673458 R.J. Soni & Associates R.J. Soni & Associates Chartered Accountants⁵¹



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