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DIRECTORATE OF INCOME TAX (SYSTEMS)
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नई दिल्ली - 110055, **New Delhi – 110055**

F.No. System/ITBA/Recovery/Reconciliation & Dossier/188/2018-19   Dated: 31.07.2018

To

All Principal Chief Commissioners of Income-tax/ CCsIT,
All Principal Director Generals of Income-tax/ DGsIT,
All Principal Commissioner of Income-tax/CsIT/CsIT(Admin & TPS)

Sir/Madam,

Subject: Launch of functionality for Demand Analysis in Income Tax Business Application (ITBA) – Reg.

Kindly refer to the above subject.

2.   Functionality for demand analysis in Recovery Module is now available in ITBA. The current demand as well as arrear tax demand has to be acted upon by the jurisdictional Assessing Officer. In AST, the data on current and arrear demand was available in IRLA module. Further, the AO had to access CPC-AO Portal for details of CPC demand as well as arrear demand uploaded by AO in CPC-AO Portal. Now, all arrear and current demand that were available on AST as well as CPC-FAS system has been consolidated in CPC and made available to the AO in ITBA through the demand analysis screen.

3.   In Demand Analysis functionality, the jurisdictional Assessing Officers (AO)/ AO Staff have the facility to analyse the demand and enter the details regarding recoverability status and dispute status of the demand. Certain additional facilities like viewing notices issued by CPC-ITR u/s 245 to assessee, response of assessee to outstanding demands, view of 360 profile of case etc are also provided. Once recoverability status and related data is updated in demand analysis functionality, the same will be updated in the ITBA as well as communicated to CPC for action when refund is required to be issued. Data updated in the demand analysis will be auto populated in Dossier report from 1st quarter of current Financial Year. In addition to Dossier cases, once all AOs update the correct recoverability status and data in Demand analysis functionality the same will be auto populated in future in various other statistical reports like CAP-1 etc. It will be possible to derive the CAP 1 report from system only once this exercise is completed. Therefore, this is an important functionality for all AOs to use so that correct data may flow to Dossier and other reports.

The facility has also been provided to AO to initiate Dossier Report from this screen. The detailed description of the functionality is in subsequent paras.

3.   Recoverability Status:

Recoverability status in demand analysis screen are broadly corresponding to parameters provided in column 4 and 6 of existing Dossier report and Column 9 of CAP-1 report which are briefly as under-

- Pending Write Off
- Assessee not traceable (to the extent it is likely to affect recovery)
- No assets/inadequate assets for recovery (to extent of inadequacy)
- Protective Demand
- Cases where the Department has lost the appeal but the demand is outstanding for other years or is continuing to be raised to keep issue alive as the Department is in further appeal
- Notified persons under the special court (Trial of Offences relating to securities) Act, 1992
- Cases admitted Cases pending before NCLT under IBC-2016
- Companies in Liquidation
- Cases before Settlement Commission
- Demand stayed by Courts/ ITAT
- Demand stayed by IT Authorities(only to the extent not recoverable during the month)
- Demand covered by instalments (only to the extent not recoverable during the month)
- Demand covered by instalments
- Demand, the recovery of which is not being pursued on account of assessee's stay petition pending considered by I.T. authorities
- TDS/ Prepaid taxes mismatch
- Demand not enforceable as Bank Guarantees obtained under MAP process
- Rectification pending on account of duplication of entries
- Assets jointly attached with other agencies except BIFR
- Insolvency proceedings
- Appeal pending against attachment of properties
- Any other reason (to be specified in a separate Annexure) for which the demand is considered difficult to recover

Certain additional details can be provided by AO for manual arrear demand order that AO may have uploaded to CPC-AO Portal which may be determined by AO to be in error as under and the same will be sent from ITBA to CPC-FAS for correction-
- Duplicate entry
- Does not exist (in case of erroneous manual order data entry)

4.   Demand Analysis:

Users: AO & AO Staff, (Available to supervisory Authority in view mode along with search facility)

  i.   Demand Analysis screen will display the all open demands for PANs lying in jurisdiction of AO. Sum total of all the outstanding demand will be displayed in this screen.

 ii.   The outstanding demand amount will be considered for the purpose of updating the demand analysis details.

       Path to access the screen is: ITBA Portal →Login → Modules → Recovery → Demand Analysis

iii.   Demand details displayed in this screen will be from CPC –FAS under the following five heads :

   • CPC processed demand u/s 143(1) and consequential Rectification orders passed by CPC-ITR
   • ITBA passed/processed 143(1), Assessment, Rectification, Give effect, Penalty orders
   • Demand updated through Manual Order Upload functionality in ITBA
   • Legacy AST passed orders after 01.04.2010.
   • CPC- AO Demand Portal demand (Manually uploaded by AO- Legacy demand before 01.04.2010 including those passed in AST or otherwise were required to be uploaded by AO in CPC-FAS).

       Note:

       The Demands details are in-warded/synchronized through regular interface between ITBA with CPC-ITR on scheduled daily basis today, therefore any modification in demand made though rectification or other processes will be visible next day in the analysis screen. In case modified demand does not reflect then user may click on "Refresh Summary" button on Demand Summary screen for selected PAN. If it still does not get reflected, then ticket may be raised in ITBA helpdesk.

iv.   On click of "**ITBA Portal →Login → Modules → Recovery → Demand Analysis**" the Demand Analysis summary screen will open and display PAN Wise total demand. List will be shown based on demand amount in descending order. Search filter as per below have been provided on fields:

   • PAN
   • Total Demand
   • Dossier Amount Range
   • Recoverability Status: Search on recoverability status will show result if action of analysis is carried out on the concerned PAN under selected recoverability status.
   • Assessee Response - Through this functionality the user can verify the response of assessee to demand outstanding against him as being shown in the e-filing portal. It will be dropdown with possible values as per response of assessee on e-filing -
       o Demand is correct

                  o   Demand is partially correct
                  o   Disagree with demand
                  o   Demand is not correct but agree for adjustment

- Whether dossier initiated – to indicate if dossier has been initiated for this case for previous quarter
- 245 Notice Issued: to indicate if 245 notice has been issued by CPC-ITR or not.

v. Above list of cases can be downloaded in excel on click of "Export to excel" button on demand summary screen.

vi. On click of particular PAN user will be navigated to detailed demand analysis screen where AO can view A.Y wise demand. AO will be able to select the demand and enter recoverability status for selected demands.

5.   **Salient features of Demand Analysis Details functionality:**

i. Facility has been provided to the user to select the recoverability status as described in para 3 above and enter the relevant information based on selected recoverability status.

ii. Facility to upload the attachment pertaining to each recoverability status is also available. This can be used to upload and save copy of stay order or any other relevant information

iii. AO can select the demand and click on DIN to view details entered for all recoverability status and can edit or delete the available recoverability status details.

iv. AO can enter recoverability status for single or multiple demands.   There can be multiple recoverability status for any demand. This implies that for a single demand there can be stay for certain amount, some amount may be covered by instalment, some amount may be collectible etc. Details pertaining to each recoverability status can be entered one by one. **It may be noted that for any demand if there is any special attribute such as stay, instalment etc, only the balance amount will be treated as Net Collectible Demand**

v. If analysis of a particular demand has been made with details of Stay or Instalment and subsequently the demand amount is modified through any process like rectification, appeal effect, collection etc then, demand difficult to recover will be changed to the amount minimum to the latest outstanding demand or amount difficult to recover entered earlier, whichever is less. However, if multiple categories of parameter against the same demand are entered, then amounts in these multiple categories will be reset to 0 and user will have to apportion the relevant portions afresh. The user is therefore required to enter the portion of Stay or instalment as per the fresh demand again.

    For Ex.: In case demand DIN1 has recoverability status as "Company in liquidation " and outstanding demand amount gets updated then amount against Company in liquidation will be auto updated with minimum of amount difficult to recover as entered earlier and current outstanding demand amount.

For Ex.: In case demand DIN1 has multiple categories of recoverability status attributable to that demand such as partial due to "Protective Demand" and partial due to "TDS Prepaid Taxes mismatch" and outstanding demand amount gets updated due to rectification, then amounts in these two categories will be reset to 0. The user will be required to update the portion relating to Protective Demand and portion relating to TDS Tax Mismatch (as applicable) again or update/delete any category that may no longer be applicable.

vi. AO will also be having the facility to mark the demand as "Does not exist" or "Duplicate" for CPC-AO portal demands (only manual demands uploaded by AO – NOT system demands which can only be changed by passing a fresh order etc). On click of Submit; information will be shared to CPC-ITR for auto reducing the demand.

vii. In case AO found that rectification needs to be carried out in a particular demand entry, a quick link "Initiate Rectification" option is provided on the screen. A request will be created in the Control Register of Rectification and user can complete the rectification proceedings in the Rectification Module of ITBA. However, if rectification/Give effect is required to be carried out in legacy AST System (At present earlier to AY 2014-15 for ITR, assessment) the rectification will be required to be initiated and completed in legacy AST. The demand will be reduced at CPC and the reduction will flow through to this screen.

viii. Any demand created through manual order will not available in system, if the order was not uploaded in system or demand was not uploaded in CPC-FAS. In such cases user are advised to upload the orders through manual order upload functionality in ITBA as described in **ITBA-Assessment Instruction No 9 dated 07.05.2018**. For this purpose a quick link to "Manual Order Upload" functionality is provided in demand analysis screen. The user will be navigated to Manual Order Upload screen for completing the work and relevant demand will be available in system.

ix. **All orders passed in ITBA or AST must be rectified in AST or ITBA only. The Roadmap for phase-out of AST will be intimated in due course.**

x. Another important facility proposed is for AOs communication to CPC w.r.t "Demand to be adjusted". The AO will be able to provide his input on any particular demand to CPC as under-.

a. Click on the "Demand to be adjusted" button will prompt AO to select values from dropdown which are **Yes, No, Partial and Amount of demand to be adjusted**

b. In case value selected is "No" then CPC-ITR will not generate notice u/s 245 on selected demand and demand will not be adjusted

c. In case of "Yes", demand will be adjusted by CPC-ITR irrespective of assessee response

d. In case of "Partial", AO will have to enter Amount of demand to be adjusted. Partial amount of demand will be adjusted by CPC-ITR in case of partial adjustment

e. These details will be shared with CPC-ITR for taking necessary action and adjustment.

This functionality is under construction and will be intimated to field formation once ready.

xi. AO will also be able to enter disputed demand details for selected demand through a button named as "**disputed demand details"** provided in the Demand analysis screen. On Click of this button, the user can select the demand and enter the details of appeals, revision petitions, rectification applications pending against the selected demands. **The disputed demand status will be auto-populated to the respective field of Dossier report. It may be noted that no direct data entry is permitted in Dossier for this section and the details will have to be entered here only.**

xii. User will be able to check prior history of the demand (if there exists any) through previous demand trail field. In case any prior closed demand exists for the same PAN-AY, the same will be displayed to AO

xiii. AO will be able to view response of assessee in e-filing for selected demand in "assessee response" column. Click on assessee response will take the user to view assessee response. AO should take necessary action based on the Assessee response in case of any disagreement by taxpayer.

xiv. Facility to view 360 degree profile of the defaulter is also provided to AO.

xv. Facility has also been provided to download the demand analysis details in pdf format.

6. The User Manual, step by step, FAQs relating to this functionality are available on ITBA Portal. Users are advised to contact helpdesk in case of any issues in respect of the ITBA.

a. URL of helpdesk - http://itbahelpdesk.incometax.net
b. Help desk number – 0120-2811200
c. E-mail ID – itba.helpdesk@incometax.gov.in
d. Help desk Timings – 8.30 A.M. – 7.30 P.M. (Monday to Friday)

The following Officers/Officials of the Directorate may be contacted for any issue with regard to the functioning of this module:

Sh. B. M. SINGH, JDIT(S)	RAVINDRA H CHAWAN, ADIT(S)	Sh. Ashok Singh, ITI
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7.   It is again reiterated that this is very important functionality and data from it will be populated to Dossier Reports and in future to CAP-1 and other statistical Reports. Therefore It is requested to kindly bring this Instruction to the notice of all officers and staff under your charge for information and necessary action so that the Dossier for 1st Qtr FY 2018-19 (Apr to June) is completed by AO and submitted on or before August 31st 2018 as instructed by Chairman CBDT in the VC held on 27th July 2018.

8. This instruction is issued with the prior approval of Pr DGIT (Systems).

Yours sincerely,

(Ramesh Krishnamurthi)
Addl.DG (S)-3, CBDT, New Delhi

Copy to:
1. The PPS to Chairperson, Member(L)/Member(Inv.)/Member(IT&C)/Member(R)/ Member(A&J)/Member(Admin) CBDT for information
2. Pr. DGIT(Systems), New Delhi
3. The Database Cell with request to upload instruction on www.irsofficersonline.gov.in
4. ITBA Publisher with request to upload instruction on http://itba.incometax.gov.in

Ramesh Krishnamurthi)
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