

- Log into insight with insight.gov.in
  - If not opening IP modification may be required.
     For this network staff may be contacted
  - Login credentials: ITBA Username and Password
  - OTP received on registered mobile number as per HRMS or name based E-mail ID















 Extracting Case specific underlying information Go to Verification tab->Proceedings->Pending Cases
 A List of All Pending cases appear





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- Extracting Case specific underlying information
  - Enter PAN and Go

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	AAACP1995N	GREATWHITE HARDWARE PRIVATE LIMITED	143(2)	Computer Aided Scrutiny Selection (CASS)	2018-19	Pending	View Details
05	AAACP7088Q	PRECISION AUTOWARES PRIVATE LIMITED	143(2)	Computer Aided Scrutiny Selection (CASS)	2018-19	Pending	View Details
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- Extracting Case specific underlying information
  - Click View Details (slide 12)
    - This opens window providing issue wise underlying information.(slide 13)
    - Click on view to see complete information on a particular issue available with the department
    - Click on the name of the assessee in case of hyperlink to see transaction wise details(slide 14)
    - Underlying case specific information can also be downloaded in PDF format using the PDF link on top (slide 13 and 16)

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Q i-Search	1518001746233	RCPTS-194H	Total receipts on which TDS has been deducted u/s 194H (Form- 26AS)	MANTHRAPOYIL SURESH BABU (Filer TAN CHNM02789D)	1,50,22	4
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	Profiles	TSN	5000 002771	SCISHIND2708D	Page 1 of	30,04,443	HOSPI		Is		
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PAN	ACVPB0277F	Case Type		Computer Scrutiny S (CASS)	Aided Selection	n A.Y	2018-19
Name	MANTHRAPOYIL	SURESH BABU		•			
Nature of Scrutiny	Limited	Time Barri Date	ng 01-(	01-1960	Initia	ation Date	17-09-2019
ITR Form	16	ITR Acknowled No.	lgment	200			
Issue No. 1: Verifica	tion of Genuineness	of contract expe	nses				
Scenario Code	Scenario Descript	ion		Rationale			
TX23.02	Large payments ma persons who have comparison to total corresponding to P code 194H	ade under section not filed return of payments on TAI AN in Form 26Q f	194H to income in N or section	The asses commissio returns of Year.	ssee ha on to pe income	s shown largersons who f for the relevent	ge payment as have not filed vant Assessment
Information Details							
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- Information on an assessee for particular year is also available under Taxpayer Profile tab
  - Useful for complete scrutiny cases
  - Import export and cash deposit cases : transaction data can be obtained from here.
- Path : Profiles-> Taxpayer Profile view







- Information on an assessee for particular year is also available under Taxpayer Profile tab
- Path : Profiles-> Taxpayer Profile view-> Enter PAN
   -> Click on PAN hyperlink

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	Search Taxpayer Profile		
Modules	Enter PAN	ADEPK7002M	
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Profiles	Search Results for "ADEPK7002M"		
Q	PAN	ADEPK7002M	
-Search	Name Esther's Name	KOTHARI DARSHAN JITENDRA	
Verification	Date of Birth / Incorporation	18-08-1973	
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- Information on an assessee for particular year is also available under Taxpayer Profile tab
- Path : Profiles-> Taxpayer Profile view-> Enter PAN
   -> Click on PAN hyperlink-> Enter latest FY> filter
- All information available on the assessee for particular year (information available on ITS and more) appears.



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B	Information Code	Description	EV 2047 40	EV 2049 40	EV 2049 20	EV 2020 24
Verification	Exe and	Description	PT 2017-18	FT 2018-13	PT 2013-20	FT 2020-21
B	EXC-002	Bill of entry for imports for assessable value exceeding Rs. 5 lakh (Custom -	224.85	2 072 70		
Data	ENC-004	Import)	334.00	4,813,70	-	-
Management	FRM-15CA (R)	Receipt of remittance by a non-resident or by a foreign company (15CA)		2 07	278	-
and a	FRM-15CC (R)	Statement filed by authorized dealers- Receipt of foreign remittance		<u>u</u> 2,27	3.94	-
Business	SFT-005	Time deposits (other than a time deposit made through renewal of another time deposit)	-	<u>333.48</u>	<u>3.835.21</u> <u>177.88</u>	120
Intelligence	TDS-194A	TDS Statement - Interest other than interest on securities (Section 194A)	0.16	2.47	5.38	-
	TDS-194C	TDS Statement - Payments to contractors (Section 194C)	22.97	26.76		
Operations	TDS-194I(a)	TDS Statement - Rent on plant & machinery (Section TDS-194I)	163.32	622.30	436.88	123
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- Information on an assessee for particular year is also available under Taxpayer Profile tab
- Individual information elements are hyperlinks which can be clicked on for greater details
  - For instance clicking on value of imports during the year opens window providing more details regarding imports
  - Clicking on count on the next window gives transactional data which can be compared with assessee's submission

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1	Master Profile (TM	MP) Return Profile (TRP) Information Profile (TI	P) Financial Profile (TFP) Asset Det	tails (TAD) Rela	ationships (RTL) Annual Summ	ary (TAS) Annual Summar	у 📆
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Q i-Search	Third Party	Confidential Others Aggregated TDS F	Payments Aggregated GST Transa	ctions			
Verification	FY 2018-19	▼ Info Code EXC-004 ▼					15
	Information Code	Information Description	Source	Count	Amount Description	Amount (Rs.)	
Data Management	EXC-004	Bill of entry for imports for assessable value exceeding Rs. 5 lakh (Custom - Import)	CBIC	<u>1021</u>	INVOICE VALUE	29,73,77,555	
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ormation Detail	for Info Code EXC-004	- Bill of entry for imports (	for assessable value ex	ceeding Rs. 5 lakh (Cu	ustom - Import) Repo	orted by: CBIC (CBIC	(			
tails for Financi	ial Year: 2018									1
Bill Date	Bill Number	Serial Number	Import Export Code No.	Licence No.	Name of the party	Country of origin code	Country of origin	Importer address	Invoice Value is Rupees	Assessible Value
2018-07-20	7298957		0314064664		ALSINA FORMWORK (INDIA) PRIVATE LIMITED	ES	SPAIN	C- 401,NEELKANT H BUSINESS PARK,VIDYAVI HAR RAILWAY STN,VIDYAVIH AR,W,MUMBAI, MAHARASHTR A,400086		139560
2018-08-20	6879390		0314084864		ALSINA FORMWORK (INDIA) PRIVATE LIMITED	CN	CHINA	C- 401,NEELKANT H BUSINESS PARK,VIDY,AVI HAR RAILWAY STN,VIDYAVIH AR,W,MUMBAI, MAHARASHTR A,400086		3488
2018-07-31	7448574		0314064664		ALSINA FORMWORK (INDIA) PRIVATE LIMITED	CN ES	SPAIN	C- 401,NEELKANT H BUSINESS PARK,VIDY,AVI HAR RAILWAYI STN,VIDYAVIH AR,W,MUMBAI, MAHARASHTR A,400088		114412
2018-05-15	6378796		0314064664		ALSINA FORMWORK (INDIA) PRIVATE LIMITED	cz	CZECH REPUBLIC	C- 401,NEELKANT H BUSINESS PARK,VIDY,AVI HAR RAILWAY STN,VIDYAVIH AR,W.MUMBAI, MAHARASHTR A,400086		195556



- Step 1: Draft Addition Order
  - Save the draft

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Request Details					
quest ID	10000013828052	Subject	Assessment Proceeding u/s 143(3)	Initiation Date	28/09/2019
4	AARFA8458F	Name	AANCHAL FASHION	AY	2018-19
ction	143(3)	Limitation Date of Order	31/03/2021	From	RANGE - Regional e-Assessment Unit
nding Since	04/09/2020	Status	Pending	Limited Scrutiny Flag	Yes
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PAN Order Section Free Text Order Details	AAVPA9582G 143(3) ∞ ⇔ ⊞ ≣ Ω ►=	Name Status	MANISH MERAMBHAI BANDHIYA Pending ✓ I <sub>x</sub>   j≣ :≣ ⊕ ⊕ ??	Proceedings Initiation Date	2018 - 19 28/09/2019	
PAN Order Section Free Text Order Details X C + +   + + + + + + + + + + + + + + + +	AAVPA9582G 143(3)	Name Status X   B I U S ×a × <sup>e</sup> -   <u>A</u> - [∆] -	MANISH MERAMBHAI BANDHIYA Pending	Proceedings Initiation Date	2018 - 19 28/09/2019	

5. The assessee firm furnished its reply to notice u/s 142(1) on 10.12.2019 in which the assessee claimed that the sum of Rs 1,01,625/- is bonus paid to employee who are not related to the firm and is therefore an allowable expense. The assessee firm was asked, therefore, to submit a clarification from the auditor regarding the noting of the sum of Rs 1,01,625/- as disallowable in the case of the assessee as sum paid to an employee as bonus or commission for services rendered, where such sum was otherwise payable to him as profits or dividend. [Section 36(1)(ii)] vide notice u/s 142(1) dated 27.02.2020 and again vide notice u/s 142(1) dated 20.07.2020.

mode of payment, their relation to the assessee firm, the ledger of bonus and commission expense as well as the reason for not disallowing the amount noted in the audit report.



• Step 2: Make adjustments in income computation and submit for computation to CPC

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- Step 3: Once computation received back from CPC:-
  - Fill case history notings
  - Submit DAO for approval making workflow notings

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18	26/08/2020	Draft Assessment Order approved	RANGE - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	The DAO is approved subject to the condition that there are system based auto populated figure which cannot $\checkmark$	A		
7	27/08/2020	Draft Show Cause Notice for Proceedings u/s 143(3) of Income Tax Act 1981 submitted.	AO - Regional e- Assessment Unit	AANCHAL FASHION	Hearing date fixed on or before 03-Sep-2020 by 11:54 AM.	n	View Attached Document	AARFA Cause N Proceed 143(3)_2
19	27/08/2020	For Approval of Proposal for Generate Show Cause Notice	AO - Regional e- Assessment Unit	RANGE - Regional e- Assessment Unit	Proposal for Generate Show Cause Notice Initiated Proposal for Generate Show Cause Notice Initiated		tiated	
9	27/08/2020	Approved - Proposal for Generate Show Cause Notice	RANGE - Regional e- Assessment Unit		Show cause notice with additions is approved. As per teh scheme requirement the taxpayer is provided an	n		
1	27/08/2020	Document sent for signing	AO - Regional e- Assessment Unit	National e-Assessment Unit	Pending for Signing	n		
	27/08/2020	Show Cause Notice for Proceedings issued u/s 143(3) of Income Tax Act 1981.	National e-Assessment Unit	AANCHAL FASHION	Hearing date fixed on or before 03-Sep-2020 by 01:52 PM.	n	View Attached Document	AARFA Cause N Proceed 143(3)_1 082020.0
2	28/08/2020	Response from Assessee	AANCHAL FASHION		Sir There are certain anomaly in the draft order dated	n		
8	03/09/2020	Approve Assessment Order	AO - Regional e- Assessment Unit	RANGE - Regional e- Assessment Unit	The draft assessment order is submitted hereby for approval for generation, if deemed fit after considering 💌	A		
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Section	143(3)	Limitation Date of Order	31/03/2021	From	AO - Regional e-Assessment (	Jnit	
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• Step 4: If approved, send to Risk Unit

• If clarification sought, furnish clarification
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• Step 5: If received back from RMS without reference to Review, next step is to send Show Cause Notice to the assessee (dealt with in step 6)

• If received back from RMS with review reference, the DAO has to be sent to review unit. Show Cause Notice will be prepared in such a scenario after Review Unit submits its report and concurs with DAO.



- Step 6:Show Cause Notice needs to be sent after DAO has been cleared by RMS or review.
  - Initiate Other Actions -> Generate Show cause notice
  - Paste the text of the DAO in the notice body
  - Attachments:- The draft assessment order, computation and Demand Notice can be downloaded from Assessment Order details by clicking preview in PDF format. The 3 PDF files can be stored in a folder and the folder can be zipped in single .zip file (needed because SCN allows only one file to be attached). The zip file can be attached using the "Add Attachment" option in SCN window.
  - Save and Submit for Approval.

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2. The presen	nt case was selected to scrut	inise the discrepancy between t	he remuneration paid by partners	hip firm and the remuneration de	eclared by the partner concerned, th	ne assessee, in his return	
of income. St	tatutory notice u/s 143(2) v	was issued and served upon th	e assessee via email and e-filing	account on 28.09.2019. Therea	fter, the assessee was asked specif	ic queries regarding the	
discrepancy r	related to remuneration rece	eived and remuneration declare	d in income-tax keturn via Notices	issued u/s 142(1) from time to t	me which are available on electroni	c recora.	
3. The assesse	ee is a partner in a partners!	hip firm by the name of B.B.Kar.	As per the Income-tax Return filed	d by the partnership firm B.B.Kar,	the assessee has been paid Remune	eration of Rs 28,10,064/-	
for the FY 201	17-18 relevant to Ar 2018-15	9. The assessee, nowever, has st	Iown total remuneration received	from partnership firm at KS 15,50	5,669/- only in his recurn of income	IOF AT 2018-19	
4. Accordingly	ly, the assessee was asked v	vide notice u/s 142(1) dated 0	4.03.2020 to show cause as to w	hy Rs 12,71,175/- should not be	e added to his income from busine	ss and profession being	
remuneration	n received from partnership	not declared in return of incom	e. The assessee furnished his reply	10 the hotice on 19.05.2020 who	erein the assessee has submitted th	2 TOHOWINg	
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along with the	e ledger of the assessee's ac	count in partnership firm B.B.K.	ar's books (available on electronic	record).			
5. It is appare	ent from the assessee's repl	y that there is no satisfactory e	xplanation for the discrepancy in	the remuneration claimed by the	e partnership firm in its return of in	come and remuneration	
offered by the	e assessee in his return of in	come. It is apparent that the as	sessee ought to have declared Rs 2	28,10,064/- as his income from re	emuneration instead of Rs 15,38,889	//- actually declared.	
6. Accordingly	y, Rs 12,71,175/- is hereby a	added to the income from busin	ess and profession of the assesse	e u/s 28 of Income-tax Act, 1961	being remuneration paid by partne	rship firm that remained	<b>•</b> •
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- Step 7: After the reply of the Assessee is received to SCN:-
  - Make modification in the DAO in the Assessment
     Order details incorporating the assessee's reply.
  - Save.



- Step 8: Initiating penalty u/s 270A
  - If penalty is initiated in the assessment order, the box for penalty u/s 270A has to be checked specifying the :-
    - The type of default: under reporting or underreporting arising from misreporting
    - Compliance date
- Save and submit the order for approval for generation from Assessment home page.

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- Step 9: After approval:-
  - Submit Feedback
  - Send income for computation again in case of change of month
  - Generate the order from Assessment Order
     Details tab

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Notice u/s 270A	Notice u/s 271A	Notice u/s 271AA(1)	Notice u/s 271AAC(1)	
Notice u/s 271B	Notice u/s 271BA	Notice u/s 271D	Notice u/s 271DA	
Notice u/s 271E	Notice u/s 271G	Notice u/s 271J	Notice u/s 272A(1)(a)	
Notice u/s 272A(1)(b)	Notice u/s 272A(2)(a)	Notice u/s 272A(2)(b)	Notice u/s 272A(2)(d)	
Select other documents forming part of	of the order			
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Demand Payment Period from Service Date(in Days) *	Select CIT(A) User *	CIT (A), Cuttack	Preview	
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## "Issues and Challenges-in AU and VU"

Group: Smt. Jaishree sharma, AddlCIT NeAC Shri. B.M. Singh AddlCIT ReAC AU Shri. Lakshmi Narayanan JCIT ReAC AU

# **Objectives**

- Role Description-AU/VU
- Workflow- Macro and Micro
- Issues in AU
- Issues in VU
- Questions/ Feedback

## Role of AU and VU in FAS Scheme Terms

- Assessment Unit Identify issues, seek information and analyse material to frame draft assessment order (DAO)
- Verification Unit to work in faceless eco system -
  - Conduct E-verification u/s 133C- Pre selection of cases for assessment.
  - Conduct enquiry, examination of books of account, examination of witnesses and recording of statement all through electronic mode.
  - Conduct Physical Enquiry only in a few instances and in a manner covered by Pr.CCIT NeACs issued under clause 12(vi) of the scheme and as approved by the Board.

# **Role of AU and VU in SOP terms**

- Assessment Unit How to handle various implementation aspects like
  - Structured specific questionnaire.
  - Adjournment.
  - Cases without reply
  - Non compliance penalty.
  - Reference to VU/TU.
  - Reference to VU-online/unresponsive.
  - Clarification from VU/TU.
  - Preparation of DAO.
  - Issue of SCN.
  - Final Assessment order.

#### • Verification Unit –

- Online enquiry referred by AU.
- Non responsive cases referred by AU.(High risk cases; Fraud Pan; Large tax evasion)
- Address Verification to designated VU.
- Untraceable cases referred by VU to other Designated VU.

## When VU role comes

- The trigger for verification comes from AU with specific request. Each item for verification has a definite and unique reference/tag number UVRN
- Scope of enquiry is set by AU reference . Depth can be decided by VU there but widening of scope is not encouraged.

# **AU /VU Trigger for VU/Designated VU**



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<ul> <li>Request Details</li> </ul>						
Request ID	100000013799398	Subject	Assessment Proceeding u/s 143(3)	Initiation Date	28/09/2019	
PAN	ABOPV4309G	Name	CHAMUNDESWARA NATH VANKINA	AY	2018-19	
Section	143(3)	Limitation Date of Order	31/03/2021	From	AO - Regional e-Assessment Unit	
Pending Since	18/10/2020	Status	Pending	Limited Scrutiny Flag	Yes	
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## Macro Workflow



### Life cycle of 142(1)/133(6)/Letter facility



### Life cycle of DAO without Addition: Up until Risk/ Review



#### Life cycle of DAO without Addition: After Risk/ Review



### Life cycle of DAO with Addition



Continued on 2/3

1/3



### Life cycle of DAO with Addition3/3





### **Standing Operating Procedure (SOPs)** 2/8

Procedure for passing Best Judgment Assessment u/s 144



### **Standing Operating Procedure (SOPs)** 5/8

#### Handling untraceable cases



# Issues in AU- specific questionnaire

- Insight Portal–Profile/ Verification.
- ITBA Portal-360 degree- ITS (Provides most of the details);

(Nearly 70% of the information is already available)

- E filing account- ITR/CPC computation.
- Other details from  $3^{rd}$  party can be obtained through 133(6) or letter.
- The AO can also validate the available data in Insight through 133(6).

# **Data Availability**

## 1/3

#### Modules

• ITBA Portal-360 degree

#### Data Set

- e-Filed Forms: e-Filed forms like Return may be viewed and downloaded from 360 degree tab
- e-Filed Non ITR forms: Audit Reports and other non ITR forms filed by the assessee may be viewed and downloaded from 360 degree tab
- Processing details: Details regarding processing result may be viewed from 360 degree
- ITS Details: ITS form providing various information available on the assessee for particular year may also be viewed and downloaded from 360 degree
- Details of Orders/Notices: Orders and Notices issued to the assessee by the department for past 3-4 years on ITBA may be viewed and downloaded

## ITBA- 360 Degree-ITS Details

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PAN Details						
PAN ADCPN5955E	Name	AMIT NARAIN	Residential Address	NARAIN HOUSE, DR MAHENE	RA NARAIN PATH, RAJENDI	RA NAGAR, PATNA
Status INDIVIDUAL	Present Jurisdiction	ITO WARD 4(1), PATNA	Office Address	GULAB BHAVAN, 6 BAHADUR	SHAH ZAFAR MARG, ITO, N	IEW DELHI
PAN Details ITR Details	Processing Details Tax F	Payment Details TDS Details	Details of order/letter/notices	E-Filed Non-ITR Forms	ITS Details Other	Details Click Here For Data Refresh 🍅
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# **Data Availability**

### 2/3

#### Modules

• e-Filing

#### Data sets

**Returns and Forms:** All forms filed by the assessee may be downloaded from E-filing like Returns, Audit Report, Form-67, Form 3CEB, Form-10 etc.

**Replies to Notices:** Under e-proceeding tab all relies furnished by the assessee to various notices like 142(1) etc may also be viewed here apart from ITBA.

**Processing:** Intimation u/s 143(1) for an assessee may be requested here which will be emailed to Official registered E-mail ID of the officer

# **Data Availability**

## 3/3

#### Module

Insight

- Verification Profile.
- Taxpayer Profile.

#### Data sets

<u>Macro details:</u> Case details that provide specific underlying information on the basis of which case has been selected.

### **Micro/Granular Details:**

Provides transaction level details of all information available on the assessee with the department for a particular year




#### Issues in AU/VU- 142(1);133(6) and letter issuance

- How to cancel approval for 142(1)/133(6)/letter facility?
  - ≻Range head can only cancel approved notices.
  - ➢Path for the same. ITBA- Assessment-Status Monitor-Request Type 142(1); Status Type-Approved-then Search-Hyperlink of specific case-then page for Cancel Post Approval).
  - ➤AO can cancel clarification sought notices(no special path- simply cancel notices where Range head asked clarifications if required).
  - ≻AO can change date of compliance even after Range head approval.
  - ➢ Replies to 142(1)- see it in case histoy notings- if it is in red? Not able to seedownload from e-filing portal.
  - ≻Grant of adjournment- AO can do it without range head approval.How?
    - (ITBA-Assessment-worklist-case history notings-adjournment-Hearing tab-reason( suo motto/Assessee request- then change date of compliance).
  - ➢ Avoid repetitive 142(1) instead finalize and proceed with DAO with addition or no addition.

Issues in AU/VU- 133(6) and letter issuance- continue

- When to issue133(6)?- PAN and email ID both are there( generally Pan there auto fetch email ID.
- When to issue letter?- only email ID certain banks or sub registrar office or third party.
- No replies from certain banks for 133(6) issued- may be NeAC can bulk procure such third party information through system support and feed it into concerned AU- especially cases where taxpayer denied third party information.
- No replies from sub registrar office for letter- may be NeAC can bulk procure such third party information through system support and feed it into concerned AU -especially cases where taxpayer denied third party information.

#### Issues in AU- TU reference

- Do we need to refer all cases?
  - > Not Mandatory it is discretionary in nature.
  - $\succ$  Use adequate amount of caution and restraint.
- How to Minimize reference-Judiciously?
  - $\succ$  If there are multiple cases with same reason code with similar fact pattern. Then refer only few cases.
    - ✤ For example in TU: CASS reason 56(2)(x) income from other sources- excess stamp duty on purchase of property. However taxpayer has taken date of agreement or entered into J/V which date should be considered for assigning the stamp duty value.
    - For example in TU : Interest on enhanced compensation of agricultural land acquisition- which case law to apply old land acquisition act order or new RCFTLLAR Act.
- Do all cases of TU reference need PCIT approval NO.
- When do we need PCIT approval for reference to TU?
  - ➤ Select TPO reference cases.
  - ➤ Special audit.
  - > Valuation- Tangible/intangible assets.
  - ➢ Forensic analysis.
- Do all cases of TPO reference need PCIT approval- YES (it was wrongly mentioned). Do We need PCIT approval for TP reference in certain cases- Yes-But when?- where instruction number 3/2016 is planned to be invoked.
- We need functionality for PCIT approval.
- Translation is the work assigned to TU- Need to identify designated TU not job of AU( Yesterday work allocation for designated TU issued).

#### Issues in AU- VU reference

• How to Minimize reference- Judiciously?

 $\succ$  In case of enquiries which AU itself can conduct:

ALV value of HP( based on last year return; magic bricks; other sources)

✤ Vacant plot or Vacant house- Electricity/water bills/approval from municipal authority.

♦ Use for own business- depreciation claimed??fixed asset schedule??.

• Do all cases of VU reference need PCIT approval? – NO-online enquiry /unresponsive cases with range head approval.

#### • When do we need PCIT approval for reference to VU?

≻Physical address verification.

≻High risk/fraud PAN and large tax evasion.

- How to handle clarifications from VU?
  - AO in AU on his own can respond to any clarifications on grounds of additional information; Specific format etc there is no need for range head approval.
- Is VU report mandatory for passing orders in AU- Not all times.
- We need functionality for PCIT approval/Non responsive case marking.

#### Issues in AU- SCN

- For small queries don't issue 142(1) make addition order and send SCN.
- Don't do show cause notice under section 142(1) as again SCN with DAO and computation is mandatory .
- There is confusion what stage SCN is to be issued?

➤ Large number of AO are following old practices by first issuing SCN then DAO initiation. As per scheme First DAO then SCN (It has a logic behind it).

• Another doubt whether SCN is to be issued in all cases of addition or only in cases where SCN flag is raised?

#### Issues in AU- DAO

- Addition orders should have penalty for misreporting or underreporting under section 270A initiated either at DAO or Final assessment order stage.
- Reset Assessment Order approval functionality allows AO to cancel the approval of Range head approval for Assessment order.

#### Issues in AU- Computation issues

- Whether to Initiate computation by order or return?
- When to initiate computation by order and return.
   There is no fixed rule need to examine it case by case.
- When to retain CPC addition- if it is not in CASS reason.
- When not to retain CPC addition-If it is CASS reason and document is submitted to the satisfaction of AU.
- Appeal pending before CIT appeals for 143(1)- so how to compute?
  - If the cass reason do not pertain to CIT appeal issue compute leaving the matter of CPC addition as it is.

➢ If the case reason pertains to CIT appeal issue- Give relief provided documents are submitted (slightly orthodox).

- Rectification pending before RAO-so how to compute?
  - It wont allow AO in AU to compute-Issue letter to JAO/RAO for doing rectification.
- Unprocessed and Defective returns.
  - Bring it to attention of NeAC through PCIT on email mode. (long back there was ITA board letter dated 29.November.2019 cass cycle2018-F.No225/333/2019/ITA-II)

#### Issues in AU- How to handle No reply cases

- Approximately 15 to 25% of cases in each AU.
  - >144 without addition based on available material- Pass orders.
  - ≻144 with addition in select few cases which do not fall under above category ( such as non responsive- even without VU report).
  - ➤144 with addition only after report in high risk; potential fraud pan and large tax evasion only after VU report-Para 3 of part D Page 4 in combined SOP for ReAC issued by PrCC NeAC.
- AU needs to make an analysis which are the cases which are falling under mandatory VU report requirement and non VU report requirement.

#### Issues in AU- How to handle complete cases

- Mandatory items:
  - ≻What is there in CASS reasons.
  - ≻Audit report Form 3CD disallowance column (not reporting column).
  - Any additional information in ITBA-ITS; Insight about- New asset acquisition.
  - ≻Old orders issues if any.
- Avoid roving /irrelevant queries/ non mandatory items.
- Know your end before you begin.

#### Issues in VU- Non responsive/Untraceable case

- Trigger from AU.
- Insight profile view additional contact information such as Related party information\_ It's question of information access available( director of company, Individual- Husband/wife/father mother/son).
- Contact information of non responsive persons from reporting entity such as Banks; Sub Registrar office or other government agencies-Through issuance of 133(6).
- Then refer to address verification for designated VU.
- Designated VU in discrete manner address verification.
- If not traceable then Untraceable report.

#### Issues in VU

- VU report is mandatory only in certain cases as mentioned in SOP(high risk; potential fraud and large tax evasion).
- AU can Pass orders without VU report only in few cases.
- However VU has to administratively answer why no report from VU but legally/ITBA system there is no bar from AU passing orders( system and SOP designed).
- Confusion regarding Auto VU reference based on Non responsive trigger Vs. Physical VU reference based on high risk; potential fraud and large tax evasion.
- Non availability of functionality.
- Non availability of access to third party information.
- These access to information may be considered to be provided without need for grant of approval.

# Acknowledgements

- Smt. Smitha Jhingran, Pr. DGIT, HRD.
- Mrs. Neena Singh Pandey, Pr.CIT ReAC(AU)-4, New Delhi.



## **"Familiarization of work profile of Assessment Unit (AU) and Verification Unit (VU) in ReAC"**

Presented by:R. Lakshmi Narayanan(Jt. Commissioner of Income Tax,ReAC- AU- 4(1) & 4(4), ReAC, Delhi)

# **Objectives**

- Job Clarity/Job Responsibility.
- Macro Workflow
- Tools Available.
- Functions/Powers for AO.
- A Mock Run with a functionality.
- To Do List.
- Questions/ Feedback.

## **Faceless Assessment Ecosystem**





## Macro workflow before CASE Selection



## Macro Workflow: Before DAO is prepared



## MacroWorkflow: After DAO is prepared



For a) Demand Management & Collection and Recovery of taxes; b) rectification proceedings; c) Grievance handling; e) Audit functions; f) custody and management of case records.

Note: All communications with assessee/ others, between units will be through NeAC

## **Cases Covered by Faceless**

A. All existing cases where the notice under section 143(2) was issued by NeAC-Faceless Assessment 1.0.

B. All pending as well as future cases - Faceless assessment 2.0.

- where returns of Income are filed and selected for Scrutiny under the extant guidelines by issuing notices under section 143(2).
- where notices under section 142(1) have been issued for filing the returns and no return has been furnished.
- where the assessee has not furnished return of income under section 148 and a notice under section 142(1) calling for information has been issued

## Functions of ReACs

- Assessment Unit Identify issues, seek information and analyse material to frame draft assessment order (DAO)
- Verification Unit to work in faceless eco system -
  - Conduct E-verification u/s 133C
  - Conduct enquiry, examination of books of account, examination of witnesses and recording of statement all through electronic mode.
  - Conduct Physical Enquiry only in a few instances and in a manner covered by the order of the Pr.CCIT NeACs issued under clause 12(vi) of the scheme and as approved by the Board.

# **Roles of DCIT/ACIT, AU-ReAC -1/2**

- Preparation of all notices under section 142(1)/133(6)/131 and non compliance penalty notices.
- Proposal of cases to be refereed for enquiry or verification to VU on established guidelines/principles.
- Proposal of cases to be refereed for physical verification to VU on established guidelines/principles as per para 12(viA).
- Proposal of cases to be refereed for Technical assistance to TU on established guidelines/principles.
- Proposal of cases for personal hearing through video conferencing facility on established guidelines/principles.
- Proposal of cases for transfer to JAO from NeAC.

# **Roles of DCIT/ACIT, AU-ReAC -2/2**

- Preparation of DAO, SCN.
- Proposal cases for conversion to complete scrutiny.
- Proposal of cases for reopening under section 147/148.

## Requirements at the end of Assessing Officers-DCIT/ ACIT and ITOs

- Login/ User Id/ RSA Token- ITBA and Insight Portal.
- Ease with System functionality.
- Understanding the process flow.
- Data availability and ability to locate data.
- Case type and scope of enquiry.
- Examination of facts and familiarization with law.
- "COMMON SENSE"

# Types of Cases

Type of scrutiny	Description
L-1	Limited Scrutiny-1 issue
L-2	Limited Scrutiny-2 issues
L-3	Limited Scrutiny-3 issues
C-1	Complete Scrutiny- 1 issue
C-2	Complete Scrutiny- 2 issues
C-3	Complete Scrutiny- 3 issues
C-4	Complete Scrutiny- 4 issues
C-5	Complete Scrutiny- 5 issues
C-6	Complete Scrutiny- 6 issues

## Reason Code Nature

Out of a total of 207 reason codes on the basis of which cases are selected under Scrutiny, a few of them have been enlisted as under:

Reason Code	Description
BA06.01	Low income in comparison to very high investments appearing in balance sheet
BD03.02	Large deduction claimed under section 80I/80IA/80IB/80IC as compared to Turnover
BE09.01	Mismatch in expenditure of personal nature reported in Audit Report and ITR
BR01.01	Tax credit claimed in ITR is less than tax credit available in 26AS
CG02.06A	Sale consideration of property shown in ITR is less than the value as per Stamp authority (as per return) (Business ITR)
FA03.03	New foreign asset in the nature of investment (Non-business ITR)
HP01.08A	Large value of loss claimed under the head Income from House Property (Business ITR)
OS08.01	Large deduction claimed u/s 57 (Non-business ITR)
SL04.01	Large relief claimed u/s89 (Non-business ITR)
TX21.02	High value cash withdrawals reported in SFT

## Mandate of Assessment

- CASS selection criteri.
- Scenario, ISSUE on which selected for scrutiny.
- Limited Vs Complete Scrutiny.
- CBDT says restriction on 'Issue' in Limited Scrutiny cases and not mere the reason or trigger or rationale for selection .

## What is 'ISSUE' under CASS

	Reason Description	Rationale	Issue	Underlying Information Elements
BE18.03	Lower amount disallowed u/s 40(a)(i) in ITR (Part A-OI) in comparison to audit report	The assessee has reported lesser amount disallowable under section $40(a)(i)$ as per Part A-OI of ITR in comparison to the amount disallowable under section $40(a)(i)$ as reported by the tax auditor in Form 3CD.	Default in TDS & Disallowance for such Default	<ol> <li>Amount disallowable under section 40(a)(i) on account of non-compliance with the provisions of Chapter XVII-B as per 3CD</li> <li>Amount disallowable under section 40(a)(i) on account of non-compliance with the provisions of Chapter XVII-B as per Part A-OI of ITR</li> </ol>
BE09.01	Mismatch in expenditure of personal nature reported in Audit Report and ITR	There is difference between the total expenditure of personal nature as per ITR (Sch. OI) and total expenditure of personal nature as per Form 3CD	Expenditure of Personal Nature	<ol> <li>T otal expenditure of personal nature in Form 3CD</li> <li>T otal expenditure of personal nature in Part A-OI of ITR</li> </ol>
FA03.02A	New foreign asset in the nature of financial Interest in any entity (Business ITR)	There is a new asset in the nature of financial interest in an entity and there is a substantial increase in the investment in foreign entity as per schedule FA of ITR.	Foreign Financial Interest	Details of Financial Interest in any Entity held in Schedule FA of ITR of current and preceding year.
DD01.01A	Deduction from Total Income (Chapter VI-A) (Business IT R)	The assessee has claimed substantial deduction under chapter VI-A (excluding deduction claimed u/s 80-IA/ 80-IAB/ 80-IAC/ 80-IB/ 80-IBA/ 80-IC/ 80-IE/ 80-ID)	Deduction from Total Income under Chapter VI-A	Deduction under Chapter VI-A in Schedule VI-A
BL01.02	Substantial increase in capital in a year	Assessee has introduced capital during the year which is very high as compared to the Profit after tax of the assessee.	Share Capital/ Other Capital	<ol> <li>Capital in Part A-Balance Sheet of ITR</li> <li>Profit after Tax in Part A-P&amp;L of ITR</li> </ol>
BE01.07	Large sales promotion expenses vis-a-vis gross receipts	The assessee has claimed to have incurred substantial sales promotion expenses vis-a-vis gross receipts	Business Expenses	<ol> <li>Sales promotion expenses as per Part A-P&amp;L of ITR</li> <li>Aggregate of Gross receipts from business and profession as per Part A-P&amp;L of ITR</li> </ol>

## What is 'ISSUE' of Selection

Reason Code	Reason Description	Issue	Underlying Information Elements	Rationale
BE04.01	Mismatch in amount paid to an employee as bonus or commission reported in Audit Report and ITR	Bonus or Commission to Employee	<ol> <li>Amount paid to an employee as b o n u s o r commission in Form 3CD</li> <li>Amount paid to an employee as b o n u s o r commission in Part A-OI of ITR</li> </ol>	There is difference between amount paid to an employee as bonus or commission u/s 36(1)(ii) as per ITR (Sch. OI) and amount paid to an employee as bonus or commission u/s 36(1)(ii) as per Form 3CD.

## Issue communicated to Aseessee

Notice under section 143(2) read with Section 143 (3A) and 143 (3B) of the Income-tax Act,

<u>1961</u>

सीमित संवीक्षा (जांच) (कंप्युटर आधारित संवीक्षा चयन)

Limited Scrutiny (Computer Aided Scrutiny Selection)

प्रिय करदाता, Dear Taxpayer,

आपके द्वारा निर्धारण वर्ष 2018-19 के लिए दिनांक. 29/10/2018 को पावती सं. 355492751291018 के तहत आयकर विवरणी दाखिल करने के लिए आपको धन्यवाद ।

Thank you for filing your return of income for Assessment Year **2018-19** vide Ack. no. **355492751291018** on **29/10/2018**.

2. विवरणिका को तैयार करने में आपके ध्यान एवं परिश्रम को स्वीकार करते हुए, कुछ मुद्दो पर और स्पष्टीकरण की आवश्यकता है, जिनके कारण आपकी आय विवरणिका को सीमित संवीक्षा (जांच) के लिए चुना गया है, ये मुद्दे निम्नानुसार है:

2. While acknowledging the care and diligence you may have taken in preparing the return, there are certain issues which need further clarification, for which your return of Income has been selected for limited scrutiny and such issues are as under:

S. No. Issues

i. Bonus or Commission to Employee

3. उपरोक्त तथ्यों के आधार पर आप ई-फाइलिंग वेबसाइट (<u>www.incometaxindiaefiling.gov.in</u>) में अपने खाते के माध्यम से 'ई-कार्यवाही' सुविधा में इलेक्ट्रॉनिक रूप से उपरोक्त मुद्दों पर अपनी सुविधानुसार अपनी आयकर रिटर्न के समर्थन के लिए किसी भी ऐसे साक्ष्य को, जिस पर निर्धारिती उस विवरणी के समर्थन में निर्भर करता है, नोटिस प्राप्त होने की तारीख से 15 (पंद्रह) दिनों में राईनिके

# Scope of Scrutiny – Limited Vs Complete

- So here the 'Issue' is 'Bonus or Commission to employee'.
- Its this 'issue' which is communicated to assessee in 143(2).
- Wide enough to bring in its ambit the provisions relating excessiveness, mode, TDS, date of payment and genuineness.
- Limited is not so limited and Complete is not so Complete

# **ITBA System for AO**

#### **Major tools**

- Work list- what's at your end
- Status Monitor What's at other end
- MIS Reports- Macro reports

#### Functionality

- ✓ Notice generated u/s 142(1)
- ✓ Calling for Information u/s 133(6)
- ✓ Letter issued to Assessee or any other person
- ✓ Show Cause Notice
- ✓Non-compliance Penalty
- ✓ Request for Verification
- ✓ Request for Technical Assistance
- ✓ Assessment order passing
- ✓ 270A- mis-reporting/ underreporting of income.
  ✓ Case history notings





# Login Assessment MIS Reports

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## **MIS Report Contents**

- Macro reports- Downloadable Excel; PDF and other format.
- Summary report; Detailed report and Details of reason code.
- How many cases in Unit.
- Type of cases, 142(1) issued or not
- Reply received or not.
- No action taken for last 30 days.
- How many DAO cases completed.

NO HANDING OVER NOTE IN CASE OF CHARGE TRANSFER.

## Login→ Assessment→ Work list

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# $Login \rightarrow Assessment \rightarrow Work list \rightarrow Status$ Monitor

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1		Assessment Proceeding	Assessment Proceeding u/s 143(3)	AO - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	AAHCC3316M	CEMTREX TECHNOLOGIES PRIVATE LIMITED	2018-19	31/03/2021	25/09/2020	Pending for Income Computation
2		Assessment Proceeding	Assessment Proceeding u/s 143(3)	AO - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	AAEHD3438H	DANTULURI KUMARA VARAPRASADA VENKATA SATYANARAYANA RAJU	2018-19	31/03/2021	25/09/2020	Pending for Income Computation
3		Assessment Proceeding	Assessment Proceeding u/s 143(3)	AO - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	BDWPS7337E	DIPEN CHANDRAKANT SHAH	2018-19	31/03/2021	24/09/2020	Computation Results Received
4		Proposal for Issue Letter To Assessee/ Any Other Person	Proposal for Issue Letter To Assessee/ Any Other Person	RANGE - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	AFEPB9365E	RAVI KUMAR REDDY BARAKAM	2018-19	01/01/1940	24/09/2020	Clarification sought for Proposal for Issue Letter To Assessee/ Any Other Person
5		Assessment Proceeding	Assessment Proceeding u/s 143(3)	AO - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	BCHPB2196Q	HETALBEN ASHOKBHAI BERA	2018-19	31/03/2021	24/09/2020	Pending for Income Computation
6		Assessment Proceeding	Assessment Proceeding u/s 143(3)	AO - Regional e- Assessment Unit	AO - Regional e- Assessment Unit	AAAAC5506C	CHAUKUL SAHAKARI PATSANSTHA MARYADIT	2018-19	31/03/2021	24/09/2020	Pending for Income Computation
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## Sources to obtain Data/Information for AU/ VU

- Insight Portal–Profile/ Verification.
- ITBA Portal–360 degree- ITS (Provides most of the details);

(Nearly 70% of the information is already available)

- E filing account- ITR/CPC computation.
- Other details from  $3^{rd}$  party can be obtained through 133(6) or letter.
- The AO can also validate the available data in Insight through 133(6).

## ITBA- 360 Degree-ITS Details

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## Extracting Data from Insight

- Log into insight with insight.gov.in
  - If not opening IP modification may be required. For this network staff may be contacted
  - Login credentials: ITBA Username and Password
  - OTP received on registered mobile number as per HRMS or name based E-mail ID
  - For Data download Seclore app/tool needs to be installed.







## Level of Access in Insight Portal-Future

- a) Basic Information
- b) Restricted Information
- c) Confidential Information

### <u>Request by AO to higher authorities</u>:

DCIT/ACIT  $\rightarrow$  Addl./Jt.CIT  $\rightarrow$  Pr.CIT  $\rightarrow$  CCIT  $\rightarrow$  Pr. CCIT  $\rightarrow$  Board. Depending upon the level of access- approval needs to be sought.

## Assessment Unit

- Quasi-judicial function.
- Majorly used Tools: 142(1), 133, 131, 142, (133- to a limited extent).
- Internal information/ External Information.
- Application (majorly fact finding and application of law).
- Final result Order.

## Mock run with 133(6) functionality

Screenshots for the process of initiating 133 (6) have been illustrated in the following slides for your reference:



- Can be issued in cases where PAN of parties available and the party has an active E-filing Account.
- In case PAN is not available, intimation u/s 133(6) can be still be sent through "Issue Letter Functionality" as a letter. However, E-mail ID of the party is required.
- Path: Initiate Other Actions -> Calling for information u/s 133(6)

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• 133(6) can be sent to multiple parties by clicking "Add Row"

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• Once details for all parties have been entered, save and submit for approval.

## Verification

### Stages

≻Pre-scrutiny/ Assessment Selection–133C

Post-scrutiny/ Assessment Selection- when referred by AU for specific verification

➢Post-scrutiny/ Assessment Completion− Remand Reports

### Tools

► 133(6), 131 (majorly)

## Roles of DCIT/ACIT, VU-ReAC

- Preparation of all notices under section 133(6)/131 and non compliance penalty notices.
- conduction of enquiry/ examination of books of accounts/witness and recording of statements under section 131.
- preparation for issuance of commission in necessary cases under section 131(1)(d)
- Seeking clarification from AU.
- Defending verification report in case of challenge by Taxpayerpersonal hearing
- Preparation of Remand reports in case of CIT Appeals reference

## Case allocation to Verification Unit

- AU makes a request for conducting any enquiry or verification by the verification unit . Such request is assigned by NeAC to any of the VU in any ReAC through a computerized allocation system in a specified manner.
- Every **PINCODE** of the country would be **mapped** to one of the ReAC. Cases of a particular PINCODE would be assigned to one of the VUs of that ReAC for verification.
- Exclusion Rule :-
- (1)VU under the **PCIT of AU that had sought verification**.
- (2)VU that has more than threshold pendency of **work load** .

## Where do you need verification?

#### **Business income**

• 3<sup>rd</sup> party verifications-Debtors/creditors/ sales/Purchases/commission payments /unsecured loans/share capital/Service agreements/Plant and machinerypurchase/ installation/commissioning

#### **Exemptions and Deductions**

- Exemption claims like u/s 10AA,
- Agricultural Income claims
- Deduction claims like u/s 80IA etc
- (assembly or manf ?) (spilt business or new undertaking?)
- Usually claims made in first year need detailed verification for eligibility and compliance to conditions laid.
- Claims U/s 35 (contribution to R & D units)

## Where do you need verification ?

#### **Capital gains**

- Sec 50( dep assets)
- Sec 54, sec 54F
- Sec 50C- prior agreement, sub registrar.
- Sale Agreements being in regional languages.
- Cost of acquisition/ improvement/ transfer charges/costs

**Income from other sources** 

- Sec 56(v), 56(vi), 56(vii), 56(viia), 56(viib) 56(ix), 56(x)
- Chapter V ( income of other persons to be included with assesses income )

## Where do you need verification?

#### Salary

#### **House Property**

- Whether receipts fall under Sec 17 terms like perquisite and profit in lieu of salary
- Deduction claims esp reg medical expenditure
- Deduction u/s 80R/RRA

- Costing
- Vacant land/house claims
- Interest expenditure claims
- Interest borrowed on capital that is diverted to other business/loan top ups....

## Certain Specific Requirements

- The trigger for verification comes from AU with specific request. Each item for verification has a definite and unique reference/tag number UVRN
- Scope of enquiry is set by AU reference . Depth can be there but widening of scope is not encouraged.
- You have to give your report after verification.

## Certain Specific Requirements

- All communications between AU, VU, Assessee, any other person with respect to information /documents /evidence /details as may be necessary for doing assessment, would be only through NeAC.
- The VU will not know which AU has sent the request for verification, even though it is given the digital case record of assessment proceedings and tax return of assessee
- Exchange of communication is exclusively by electronic mode. Exception carved out in subsequent notification.
- A person will not be required to appear personally or through his AR before any NeAC/ReAC authority/unit Only Video conferencing mode for any examination / recording of statement of assessee or any other person.

## To Do List

- A Dedicated online training course for 'Scrutiny Assessment related Information Access' has been prepared and hosted on Insight Learning Hub. In order to access the course, login at URL <a href="https://lms.insight.gov.in/">https://lms.insight.gov.in/</a>
- Final Report on the Format, Mode, Procedure and Processes (FMPP) for implementation of e-Assessment Scheme 2019 dated 20.12.2019
- Article- Group & Faceless Assessment: The e-Assessment Scheme, 2019, by Mr Krishna Mohan Prasad, Pr.CCIT, NeAC, Delhi, published in Taxalogue, Vol. 1, Issue- 2.
- Notifications issued by the Central Government
  - ➤ S.O 3264 (E) and S.O 3265 (E), under subsection 3A and 3B of section 143 of the Act respectively, on 12.09.2019. These have put in place the legal framework necessary to implement the Scheme.
  - S.O. 2745 (E) and 2746 (E), on 13.08.2020, vide which the Scheme was renamed as Faceless Assessment Scheme and procedure for Faceless Assessment was laid out.

Continued on next slide

## To Do List

![](_page_137_Picture_1.jpeg)

- > Question Bank for Issue of Questionnaires –<u>Scenario-wise;</u>
- Guidance Notes for each Issue Code;
- Taxpayers' own Record in ITRs past history such as appeal, rectification, prosecution, penalty, search & survey;
- Updated Compilations on 'Techniques of Investigation' Volumes-I to IV Trade/Business wise
- 360 degree profile complete view of taxpayer across all AY since 2009-10
- Insight Portal
- e-filing Portal
- ≻ RoC MCA Website ;
- > Websites for Corporate and LLP data (tofler.in , zaubacorp.com, connect2india.com)

## Acknowledgements

- Mrs. Neena Singh Pandey, PCIT ReAC(AU)-4, New Delhi.
- Shri. DK Chabblani, PCIT ReAC, Mumbai.
- Shri. M Ravindra Sai, PCIT ReAC, Mumbai.
- Smt. Ranu Mukherjee, Addl Director (trg)DTRTI, New Delhi.
- Shri. Sourabh Meena ACIT 2016 Batch, AU 4(4)(1).

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# Initiating penalty for non compliance

- Step 1
- Initiate Other Actions -> Initiate Penalty

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# Initiating penalty for non compliance

- Step 2
- Select Penalty Section and Enter Remarks

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- Step 3
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- Step 4
- Save and Submit



- Step 5
- After Approval Generate Show Cause Notice. No text input required. Select Compliance date and generate.



- Step 6
- A work Item gets created under the Penalty Module.



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		Penalty Proceedings	Penalty Proceeding	AO - Regional e-Assessment Unit	AAIPN2985P	SATYA NARAIN	17/09/2020	272A(1)(d)	2018-19	31/03/2021	17/09/2020	Hearing
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### Information u/s 133(6)

- Can be issued in cases where PAN of parties available and the party has an active E-filing Account.
- In case PAN is not available, intimation u/s 133(6) can be still be sent through "Issue Letter Functionality" as a letter. However, E-mail ID of the party is required.
- Path: Initiate Other Actions -> Calling for information u/s 133(6)

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### Information u/s 133(6)



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### Information u/s 133(6)



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### Information u/s 133(6)

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### Information u/s 133(6)

• Once details for all parties have been entered, save and submit for approval.



### Information u/s 133(6) through Letter

 Initiate Other Actions -> Issue Letter to assessee/ any other person

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### Information u/s 133(6) through Letter



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### Information u/s 133(6) through Letter



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The present case pertains to the issue of "Export/import" with the reason for selection that the assessee has declared lower purchase than imports made. Vide notices u/s 142(1) the assessee was asked to furnish details of imports made, purchases as well as provide reconciliation between imports as per import bills and imports included in purchases. The assessee has in his replies furnished the imports bills, purchase ledger, P&L, Balance sheet as well as reconciliation between purchase amount and import invoice value. The amount of imports reported by the assessee in his reconciliation (including freight and insurance) matches the value available on insight i.e. Rs 53.93 Lakhs and the same has been included by the assessee in his purchase while computing his income for the year. The mismatch has arisen because the assessee has not disclosed the purchase in the usual P&L field in the return but has filled the no accounts field in the return as the assessee claims to be not required to maintain books of account u/s 44AA. As the value of import reported by the assessee in his reply matched the information available on insight and the same has been incuded in the purchase for the year, no addition is proposed hereby.



## HOW TO INITIATE COMPUTATION

### U/s 143(1)(a)

(a) the total income or loss shall be computed after making the following adjustments, namely:—

- (*i*) any arithmetical error in the return; [\*\*\*]
- (*ii*) an incorrect claim, if such incorrect claim is apparent from any information in the return;
- [(*iii*) disallowance of loss claimed, if return of the previous year for which set off of loss is claimed was furnished beyond the due date specified under sub-section (1) of <u>section 139</u>;
  - (*iv*) disallowance of expenditure indicated in the audit report but not taken into account in computing the total income in the return;
  - (v) disallowance of deduction claimed under <u>sections 10AA</u>, <u>80-IA</u>, <u>80-IAB</u>, <u>80-IB</u>, <u>80-IC</u>, <u>80-ID</u> or <u>section 80-IE</u>, if the return is furnished beyond the due date specified under sub-section (1) of <u>section 139</u>; or
  - (*vi*) addition of income appearing in Form 26AS or Form 16A or Form 16 which has not been included in computing the total income in the return:

**Provided** that no such adjustments shall be made unless an intimation is given to the assessee of such adjustments either in writing or in electronic mode:

**Provided further** that the response received from the assessee, if any, shall be considered before making any adjustment, and in a case where no response is received within thirty days of the issue of such intimation, such adjustments shall be made:]

<sup>84</sup>[**Provided also** that no adjustment shall be made under sub-clause (vi) in relation to a return furnished for the assessment year commencing on or after the 1st day of April, 2018;]

### CASS REASON (Example)

- **1.Expenditure of Personal Nature**
- 2.Disallowance u/s 40A(7)
- **3.Bonus or Commission paid to**
- Employees 4.Default in TDS disallowance u/s 40(a)(i)/40(a)(ia)

#### TO CHECK WHETHER ADDITION WAS DONE BY CPC

#### CHECK: (1)360 DEGREE----- PROCESSING DETAILS

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## (2) COMPARE DRAFT ORDER---- RETURN INCOME AND

### COMPUTATION BY LATEST ORDER -----TOTAL INCOME

(3) CHECK RESPECTIVE (BP) SCHEDULE, WHETHER ADDITION WAS DONE UNDER CASS REASON OR ANY OTHER SECTION.

### 1.No Addition u/s 143(1)(a) done by CPC in respect of CASS reason or addition in respect of non-CASS reason

## Modify computation normally (Addition/No addition after examination of reply)

#### 2. Addition u/s 143(1)(a) done by CPC in respect of CASS reason



#### 3. Addition u/s 143(1)(a) done by CPC in respect of CASS reason and other sections

If after examination of reply of the assessee, AO assessed that there should be



#### EXAMPLE

#### **DISALLOWANCE U/S 40A(7)**

### MISMATCH OF AMOUNT REFLECTED FOR DISALLOWANCE U/S 40A(7) IN ITR (SCHEDULE-A-OI) AND AUDIT REPORT

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Assessment P	roceeding					Return to W	orklist
<ul> <li>Request Details</li> </ul>							
Request ID	10000013814823	Subject	Assessment Proceeding u/s 143(3)	Initiation Date	28/09/2019		
PAN		Name		AY	2018-19		
Section	143(3)	Limitation Date of Order	31/03/2021	From	AO - Regional e-Assessment U	uit.	
Pending Since	02/09/2020	Status	Pending	Limited Scrutiny Flag	Yes		
TP Risk Parameter	No	Risk flag		SCN Flag			
Selection I	Reason Hearing Initiate Other Action Generate Draft Order wis 1440	ons Case History/	Notings Attachments Feedback	Verification Request to	VU Technical Assistance	by TU	
Enter Remarks						li	
<ul> <li>Review Unit Dec</li> </ul>	cision						
Kindly Select Decision	Select 🗸	Save Response					
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			member[40(b)]					
		i	Any other disallowance Ai	0				
		j	Total amount disallowable under section 40(total of Aa to Ai)     Aj	0				
		в	Any amount disallowed under section 40 in any preceding previous year but allowable 8B	0				
			during the previous year					
	9	Amou	unts debited to the profit and loss account, to the extent disallowable under section 40A					
		а	Amounts paid to persons specified in section 40A(2)(b)     9a	0				
		b	Amount paid in excess of twenty thousand rupees, otherwise than by account payee 9b	0	3			
			cheque or account payee bank draft or use of electronic clearing system through a bank					
			account, disallowable under section 40A(3)					
		с	Provision for payment of gratuity [40A(7)] 9c	0				
		d	any sum paid by the assessee as an employer for setting up or as contribution to any fund, 9d	0	8			
			trust, company, AOP, or BOI or society or any other institution [40A(9)]					
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(ix) tax paid by employer for pe	<ul> <li>(ix) tax paid by employer for perquisites under sub-clause (v)</li> <li>(c) Amounts debited to profit and loss account being, interest, salary, bonus, commission or remuneration inadmis</li> </ul>									
(c) Amounts debited to profit a										
section 40(b)/40(ba) and compu	section 40(b)/40(ba) and computation thereof;									
S.No. Particulars S	ection Am	nount debited An	nount	Amount	Remarks		1			
	to P	P/L A/C Ad	lmissible	Inadmissible						
(d) Disallowance/deemed incon	(d) Disallowance/deemed income under section 40A(3):									
(A) On the basis of the ex	(A) On the basis of the examination of books of account and other relevant documents/evidence, whether the Yes									
expenditure covered under se	expenditure covered under section 40A(3) read with rule 6DD were made by account payee cheque drawn on a bank									
or account payee bank draft.	If not, please furnish	the details:								
S.No. Date Of Payme	nt Nature Of	Amount in Rs	Name of the p	ayee Pe	ermanent	Account				
	Payment			N	umber of the p	bayee, if				
				av	vailable					
(B) On the basis of the exami	(B) On the basis of the examination of books of account and other relevant documents/evidence, whether the paymen									
referred to in section 40A(3)	referred to in section 40A(3A) read with rule 6DD were made by account payee cheque drawn on a bank or account									
payee bank draft If not, ple										
profession under section 402										
S.No. Date Of Payme	nt Nature Of	Amount in Rs	Name of the pa	yee	Permanent	Account				
	Payment				Number of the	payee, if				
		a								
(e) Provision for payment of gra	(e) Provision for payment of gratuity not allowable under section 40A(7)									
(f) Any sum paid by the assesse	e as an employer not	allowable under s	section 40A(9)			0				
(g) Particulars of any liability of	(g) Particulars of any liability of a contingent nature									

#### **INITIATE COMPUTATION BY LATEST ORDER**

#### OR

#### **INITIATE COMPUTATION BY LATEST RETURN**

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				Retur	n to Workitem	_						
Initiate Computation												
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Heads Of Income	As per Latest	Modifications	Computed Inco	me as System (	Computed							
Income From House Property Sch - HP	0	0	0		0							
Profit and gains from business or profession												
i. Profit and gains from business other than speculative business and specified business	0	0	0		0							
ii. Profit and gains from speculative business SCH-BP	0	0	o		0							
iii. Profit and gains from specified business	0	0	0		0							
iv. Income from patent u/s 115BBF		0	0	0								
v. Income from Transfer of Carbon Credits u/s 115 BBG	0	0	0		0	_						
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## FOR THE ABOVE CASS REASON-----BP SCHEDULE---- OI SCHEDULE----- RESPECTIVE SECTION

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Depreciation allowable under Income-tax Act			-
i. Depreciation allowable under section 32(1)(ii) and 32(1)(iia)	1061280	0	
ii. Depreciation allowable under section 32(1)(i) (Make your own computation and enter) (Refer Appendix-IA of IT Rules)		0	
iii. Total	1061280	0	
Profit or loss after adjustment for depreciation	-7860581	0	
Amounts debited to the profit and loss account, to the extent disallowable under section 36 1002932		Sch Ol 0	
Amounts debited to the profit and loss account, to the extent disallowable under section 37		0	
Amounts debited to the profit and loss account, to the extent disallowable under section 40		0	
Amount account the profit and loss account, to the extent disallowable under section 40A		0	
Any amount opprofit and loss account of the previous year but disallowable under section 43B		0	
Interest disallowable under section 23 of the Micro, Small and Medium Enterprises Development Act,2006		0	
Deemed income under section 41		0	
Deemed income under section 32AC/32AD/33AB/33ABA/35ABA/35ABB/35AC/40A(3A)/33AC/72A/80HHD/80-IA		0	
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c. Provision for payment of gratuity [40A(7)]	384414		-
d. any sum paid by the assessee as an employer for setting up or as contribution to any fund, trust, company, AOP, or BOI or society or any other institution[40A(9)]	D		
e. Any other disallowance	D		
f. Total amount disallowable under section 40A	384414		
10. Any amount disallowed under section 43B in any preceding previous year but allowable during the previous	ous year		
a. Any sum in the nature of tax, duty, cess or fee under any law	188140		
b. Any sum payable by way of contribution to any provident fund or superannuation fund or gratuity fund or any other fund for the welfare of employees	1924988		
c. Any sum payable to an employee as bonus or commission for services rendered	2746		
d. Any sum payable as interest on any loan or borrowing from any public financial institution or a State financial corporation or a State Industrial investment corporation	O		
e.Any sum payable as interest on any loan or borrowing from any scheduled bank or a co-operative bank other than a primary agricultural credit society or a primary co-operative agricultural and rural development bank	0		
f. Any sum payable towards leave encashment	428646		
g. Any sum payable to the Indian Railways for the use of railway assets	0		
h.Total amount allowable under section 43B	2544520		
11. Any amount debited to profit and loss account of the previous year but disallowable under section 43B:-			_
a. Any sum in the nature of tax, duty, cess or fee under any law	21777		
b. Any sum payable by way of contribution to any provident fund or superannuation fund or gratuity fund or any other fund for the welfare of employees	D		
c. Any sum payable to an employee as bonus or commission for services rendered	0		-
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Save the changes on each page and send the computation to CPC

## **Common Technical Problems arise while computing income:**

- 1. Error message that information in PART A -General Information with asterisk sign is not filled.
- 2. There is no addition reflected when computation results received even modification was made for addition.
- 3. If during the assessment proceedings month has been changed then you must send computation again to CPC.
- 4. Error message that you cannot initiate computation by latest order. (RARE)