

F.NO.225/135/2021/ITA-II
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

North Block, New Delhi
Dated 10th December, 2021

To,

All Principal Chief Commissioners of Income Tax,
All Chief Commissioners of Income Tax

Madam/Sir

Subject: Instructions under section 119 of the Income-tax Act,1961 regarding uploading of information on the VRU functionality on Insight portal for implementation of risk management strategy – for issue of notice u/s 148 of the Income-tax Act,1961 -reg

Kindly refer to the above.

2. As per the amended provisions of the section 148 of the Income-tax Act,1961('the Act'), the information which has escaped assessment has been defined to include the two categories of information, i.e., (i) the information which is flagged in accordance with the risk management strategy formulated by the Board; and (ii) final audit objection raised by the C&AG.
3. For effective implementation of risk management strategy, the Central Board of Direct Taxes (Board), in exercise of its powers under section 119 of the Act, directs that the Assessing Officers shall identify the following categories of information pertaining to **Assessment Year 2015-16** and **Assessment Year 2018-19**, which may require action under section 148 of the Act, for uploading on the Verification Report Upload (VRU) functionality on Insight portal:
 - (i) Information from any other Government Agency/Law Enforcement Agency
 - (ii) Information arising out of Internal Audit objection, which requires action u/s 148 of the Act
 - (iii) Information received from any Income-tax Authority including the assessing officer himself or herself
 - (iv) Information arising out of search or survey action
 - (v) Information arising out of FT&TR references

(vi) Information arising out of any order of court, appellate order, order of NCLT and/or order u/s 263/264 of the Act, having impact on income in the assessee's case or in the case of any other assessee

(vii) Cases involving addition in any assessment year on a recurring issue of law or fact:

- a. exceeding Rs. 25 lakhs in eight metro charges at Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Mumbai and Pune while at other charges, quantum of addition should exceed Rs. 10 lakhs;
- b. exceeding Rs. 10 crore in transfer pricing cases.

and where such an addition:

1. has become final as no further appeal has been filed against the assessment order; or
2. has been confirmed at any stage of appellate process in favor of revenue and assessee has not filed further appeal; or
3. has been confirmed at the 1st stage of appeal in favor of revenue or subsequently; even if further appeal of assessee is pending, against such order.

5. As per the provisions of section 149(1)(b) of the Act, in specific cases where the Assessing Officer has in his possession evidence which reveal that the income escaping assessment, represented in the form of asset, amounts to or is likely to amount to fifty lakh rupees or more, notice can be issued beyond the period of three years but not beyond the period of ten years from the end of the relevant assessment year. Further, the notice under section 148 of the Act cannot be issued at any time in a case for the relevant assessment year beginning on or before 1st day of April, 2021, if such notice could not have been issued at that time on account of being beyond the time limit prescribed under the provisions of clause (b), as they stood immediately before the proposed amendment. As per explanation provided to section 149 of the Act, the term "asset" shall include immovable property, being land or building or both, shares and securities, loans and advances, deposits in bank account.

5.1. In view of the above, it is directed that the information pertaining to **Assessment Year 2015-16**, which requires action u/s 148 of the Act shall be identified and uploaded on the VRU functionality on insight portal only as per the provisions of section 149(1)(b) of the Act.

6. The above exercise of identifying and uploading the information **along with the underlying documents** in the above categories of cases must be completed by **20.12.2021**.

7. These Instructions shall be applicable to the Jurisdictional Assessing Officers and Assessing Officers of Central Charges and International Taxation.

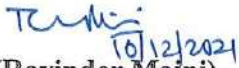
8. The above Instructions may be brought to the notice of the officers concerned under your region.

9. This issues with the approval of Chairman, CBDT.

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(Ravinder Maini)
Director (ITA-II), CBDT

Copy to:

- i. PS to FM/OSD to FM/PS to MoS (R)/OSD to MoS(R)
- ii. PS to Secretary (Revenue)
- iii. Chairman, CBDT & All Members, CBDT
- iv. All Pr.DGsIT/DGsIT
- v. DGIT (systems) with a request to issue necessary instructions to the field formations regarding uploading of information on VRU functionality on Insight portal
- vi. All Joint Secretaries/CsIT, CBDT
- vii. Web Manager with request to upload on the departmental website:
www.incometaxindia.gov.in
- viii. JCIT, Data-Base Cell for uploading on irsofficersonline website


(Ravinder Maini)
Director (ITA-II), CBDT