

**SECTION 142 OF THE INCOME-TAX ACT, 1961 - PROCEDURE FOR  
ASSESSMENT - INQUIRY BEFORE ASSESSMENT - STANDARD  
OPERATING PROCEDURE FOR CASES UNDER NON-FILERS MONITORING  
SYSTEM (NMS)**

**INSTRUCTION NO. 14/2013 [F.NO.225/153/2013/ITA.II], DATED 23-9-2013**

The existing procedure for monitoring cases of 'Non-Filers of IT Returns' as identified by Director General of Income Tax (System) has been examined by the Board. It is felt that at present, cases of Non-Filers are not being uniformly monitored by the Assessing Officers due to lack of consistency in approach in dealing with such cases. Therefore, in order to streamline processing of such cases and to ensure consistency in monitoring NMS cases by the Assessing Officers, the Board, hereby lays down the following Standard Operating Procedure:

1. The Assessing Officer should issue letter to the assessee within 15 days of the case being assigned in NMS, seeking information about the return of income flagged in NMS. Facility to generate letter has been provided in the NMS module of i-taxnet.
2. If the letter is delivered, the Assessing Officer should capture the delivery date in the NMS module.
3. If the letter is not delivered, the Assessing Officer should issue letter to the alternate addresses of the assessee available in the Online Monitoring System or any other address available with the Assessing Officer through field enquiries or otherwise. All addresses used in IT Return, AIR, CIB databases have been made available to the Assessing Officer in the Online Monitoring System to assist the field formations in identification of current address of the taxpayer.
4. If the return is received, the assessing officer should capture the details in AST within 15 days of filing of the return. If the assessee informs that paper return has already been filed which was not captured in AST, the details of return should be entered in the AST within 15 days of receiving such information. E-filed returns will be automatically pushed to NMS.
5. If no return is required to be filed in the case (non resident etc.), the Assessing Officer should mark "No return is required" and mention reason for the same in NMS which needs to be confirmed by Range head.
6. If the Assessing Officer is not able to serve the letter and identify the taxpayer, assessing officer should mark the assessee "Assessee not traceable" in NMS which needs to be confirmed by Range head.
7. In cases where the assessee has been identified and no return has been filed within 30 days of the time given in the letter, the Assessing Officer should consider initiation of proceedings u/s 142(1)148 in AST.
8. The cases will be processed every week by the Directorate of Systems and will be marked as closed in NMS if one of the following actions are taken for A.Yr.'s

2010-11, 2011-12 and 2012-13:

- (a) Details of return are available in AST
- (b) Notice u/s 142(1) or 148 has been issued in AST
- (c) "No return is required" is marked by the Assessing Officer and confirmed by Range head.

I am further directed to state that the above be brought to notice of all officers working under your jurisdiction for necessary and strict compliance.