

Circular No. 19/2023

F.No.173/32/2022-ITA-1

Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

New Delhi the 23rd October, 2023

Sub: Condonation of delay under section 119(2)(b) of the Income-tax Act, 1961 in filing of Form No. 10-IC for Assessment Year 2021-22 – Reg.

In exercise of the powers conferred under section 119(2)(b) of the Income-tax Act, 1961 ('the Act'), the Central Board of Direct Taxes ('CBDT') by Circular No. 6/2022 of even number dated 17.03.2022 condoned the delay in filing of Form No. 10-IC as per Rule 21AE of the Income-tax Rules, 1962 ('the Rules') for the previous year relevant to A.Y. 2020-21 in cases where the conditions stipulated in the said Circular are satisfied.

2. Representations have been received by CBDT stating that Form No. 10-IC could not be filed for A.Y. 2021-22 within the due date or extended due date, as the case may be. It has been requested that the delay in filing of Form No. 10-IC for A.Y. 2021-22 may be condoned.

3. On consideration of the matter, with a view to avoid genuine hardship to the domestic companies in exercising the option u/s 115BAA of the Act, CBDT in exercise of the powers conferred under section 119(2)(b) of the Act, hereby directs that: -

The delay in filing of Form No. 10-IC as per Rule 21AE of the Rules for previous year relevant to A.Y. 2021-22 is condoned in cases where the following conditions are satisfied:

- i) The return of income for relevant assessment year has been filed on or before the due date specified under section 139(1) of the Act;
- ii) The assessee company has opted for taxation u/s 115BAA of the Act in item (e) of "Filing Status" in "Part A-GEN" of the Form of Return of Income ITR-6; and

- iii) Form No. 10-IC is filed electronically on or before 31.01.2024 or 3 months from the end of the month in which this Circular is issued, whichever is later.

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Director (ITA-1)

Copy to:

1. PS to FM/OSD to FM/PS to MoS (R)/OSD to MoS(R)
2. PS to Revenue Secretary
3. Chairman, CBDT & All Members, CBDT
4. All Principal Chief Commissioners of Income-tax / Principal Director Generals of Income-tax.
5. DGIT(Systems), New Delhi
6. Pr. Chief Controller of Accounts, New Delhi.
7. All Joint Secretaries/CsIT, CBDT
8. Web Manager, O/o DGIT(Systems) with request to upload on the departmental website of incometaxindia.gov.in.
9. Commissioner of Income-tax (Media & TP) and official Spokesperson, CBDT, New Delhi.
10. Secretary General, IRS Association/ Secretary General, ITGOA/ All-India Income Tax SC & ST Employees' Welfare Association / Income Tax Employees Federation (ITEF).
11. JCIT, Data-Base Cell for uploading on irsofficersonline.gov.in.

V. K. Singh

Director (ITA-1)