



# Income Tax Gazetted Officers' Association

( Delhi Unit )

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I.T.G.O.A. ZINDABAD

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To

The Pr. Chief Commissioner of Income-tax,  
Delhi.

Madam,

*Sub - Pending issues - regarding*

Kindly refer to issues brought to your kind notice during discussions held in series of meetings with your goodself since Feb 2016. The following issues need your immediate attention:

I. PS Cadre:

1. Promotion from PS to Sr PS:

As was brought to your kind notice that this is a small cadre and very few promotions are likely in this cadre and it was requested that the officers in this cadre should not feel that their matters are not being given due priority. It is for the reasons best known to the administration as why the vigilance clearance and deficiency in APAR, if any along with the zone of consideration has not circulated inspite of specific directions by your goodself a week back.

2. T & P Posting in the cadre of PS / Sr PS

There has been a practice in the Department to accommodate the members in this cadre, most of whom are females by posting them in the buildings so as to suit them to commute. In spite of repeated request from the Association, the process of T&P orders has not even been initiated in this cadre. It is high time that the Department should pay due cognizance to this cadre also.



### **3. Posting of Officers retained on contract after Retirement:**

Instances have been brought to the notice of authorities on number of occasions that instead of posting in service Ps/ Sr PS at the crucial and sensitive places, retired Officers/ Officials have been retained on contract; denying the opportunity to our members to hold such position and thereby depriving them of the exposure that they deserve to improve on their career and personality. The association condemns such autocratic behavior and approach of the administration and demand that with immediate effect only the serving officers be posted with Pr CCIT/ CCIT/ Pr CIT/ CIT. If at all for some reasons there is need to deploy officers after retirement, such deployment should not be at the cost of career prospects of our members.

### **4. Assignment of cadre management to Gazetted Section:**

It was assured by the Pr CCIT and CIT(Admn) that the records and management of matters in the cadre of AO / PS will be assigned to Gazetted Section from April 2016 onwards. The decision of the administration is yet to see the light of the day.

## **II. AO Cadre:**

### **1 Promotion from AO grade III to AO Grade II:**

The DPC for promotion from AO Grade III to AO Grade II has not been convened till this date. It has become a practice in Delhi charge to take up the matters in this cadre with least priority. The Association demand that DPC/ T & P and Promotion of all cadres should be given equal weightage and priority.

### **2. All India Seniority list of AO Grade II:**

There are 21 posts of AO Grade I / Pr AO in the country including four at Delhi. On being pursued, the CBDT has issued instructions to all Pr CCIT to send the seniority list of their region to CBDT for preparation and compilation of All India List. However, no action seems to have been taken by Delhi Region in this regard till this date.

## **III. Circulation of Seniority list:**

It has been brought to your kind notice that the seniority list, posting profiles and all data relating to Officers posted in Delhi charge should be posted online a website / portal which can be accessed by all members. As per assurance given by your goodself we hope that it will be done on priority.



#### **IV. Adequate space to all Gazetted Officers:**

The administration has failed to provide the adequate space necessary to perform day to day duties, to all Officers. It pains to write that all the Officers in the field are struggling with the so called scarcity of space but many rooms/ space in various buildings have been kept vacant including a room just opposite your own office in which old chairs and useless furniture has been dumped. Is the administration not responsible for best utilization of resources available with it? Is it not the responsibility of the Department / administration of providing a decent / workable space to the Officers including AO and PS of the Department as per DoPT norms?

#### **V. ACIT / DCIT Officers posted in Directorate:**

- On many occasions we have requested that only such officers who are due for non field postings as per policy of Delhi charge should be posted in Directorates/ CBDT.
- Further a number of members of the Association have completed their cooling off period on promotion from ITO to ACIT and on their return to Delhi, they were picked up for Directorate postings by CBDT. Such Officers will not get due exposure of working in various positions. A list of such Officers is enclosed. In fact there is an instance where an Officer was posted again to the Directorate.
- It is requested that Member (P) / Placement Committee of CBDT be apprised of the facts relating to these Officers so that these Officers are posted under Delhi Pr CCIT.

#### **VI. Posting of Newly Promoted JCITs**

The newly promoted officers in the cadre of JCIT have been transferred out of Delhi though they have not completed two years in the Region. The list of all such officers is enclosed for bringing it the knowledge of placement committee/ CBDT for amendment.

#### **VII. NRC / APAR Deficiency:**

In last two months, the Association has brought to your kind notice that fact that there are deficient APARS in the cadre of ITOs in the consideration zone circulated by CBDT for R.Y. 2015-16. We highly appreciate and thank you for taking personal interest and in trying to remove the deficiencies by speaking to



some of the reviewing and reporting officers. However as per updated list of CBDT eight such names are still shown as having deficiencies. It is requested that such deficiencies may be removed. In cases where the deadline for comments of reporting Officer / Reviewing Officers have lapsed, NRC may be issued as per DoPT norms. Instances have been brought to your kind notice where Pr DGIT HRD had instructed an ITO to inform the administration that no review can be done at this stage as the time has already lapsed.

In view of the opinion of the Pr DGIT HRD, clear and unambiguous OM of DoPT on the subject and the fact that it is only Delhi charge which has not been able to complete the deficiency in APARs, it is requested that the administration resolves the issue and completes the dossiers so that there is no further delay in the DPC for RY 2015-16 which was to be held before 31/3/2016 as per directions of the Hon'ble FM.

#### **VIII. PGRC:**

In spite of various reminders, PGRC meeting has not been convened for more than six months. The regular problems relating to load shedding, no access to internet, scanners, non performance of data cards, no budget for hiring professionals, duties of contractual DEOs, space management, parking issues, security, maintenance, cleanliness, dog menace and many other such vital subjects are not being given due importance.

#### **IX. Medical bills:**

Medical bills above Rs. 2 lacs are to be approved by CBDT/ Ad VI. Bills of few officers are pending for many months including bills of Sh Padam Singh, JCIT and Smt. Jasbir Kaur, ITO. The administration need to be more sympathetic in such cases where the officer / or his/her dependent are suffering from chronic diseases and need life saving treatment. By not reimbursing their expenses we are only making their life more miserable.

#### **X. RATIONALISATION OF WORKLOAD AMONGST ASSESSING OFFICER:**

Your attention is invited to earlier letters of ITGOA Delhi Unit in reference to your Office letter No 5044 dated 10.08.2015 in respect of reallocation of work amongst officers. It is reiterated that no efforts seems to have been made to enhance the Income limits to further Rs 5 lacs, in both Corporate and Non-Corporate Charges, as per terms of CBDT Instructions No 1/2011 dated 31.01.2011 and subsequent Instruction No 6/2011 dated 08/04/2011. These instructions stipulate that in case of uneven distribution of workload between



DCsIT / ACsIT and ITOs, the CCIT / DGIT may adjust the limits (Corporate returns upto Rs 30 lacs & Non corporate returns upto Rs 20 lacs for ITOs) by an amount upto Rs 5 lacs to ensure that the workload is equitably distributed amongst the Assessing Officers after recording reasons in this regard.

Not just that instances have been brought to the notice of the Association that amongst ITOs in same range / charge also the pendency of work is not comparable. Instructions may please be issued to all CCIT / Pr CIT to ensure that the pendency with all Officers of same cadre may please be made comparable.

#### **XI. Enhancing the budgetary limit for temporary outsourcing of manpower**

As you have already aware that there is an acute shortage in the cadre of Stenographers, Tax Assistants, Senior Tax Assistants and Inspectors in Income-tax in the Department. We have been informed that a number of dossiers of Inspectors and TA are being shortly received by Delhi charge. However till such time these newly recruited employees actually join, posted by administration to different charges and effectively start performing their duties, the officers in the field need the services of DEOs and MTS.

Earlier in this context, the Board vide F.NO. 402/88/6/2010-Comm (Coord) dated 25.07.2011 Sanction No. O/31/2011-12/Ad(VIII)(DT) has conveyed the administrative approval and financial sanction for hiring of services of 467 number of Data Entry Operators (DEO) through outsourcing in accordance with the General Finance Rules. The Addl. CIT (Hqrs. Finance), New Delhi vide letter dated 17.10.2011 conveyed the approval of CCIT, Delhi for sanctioning of 17(Seventeen) number of Data Entry Operators to the each Commissioner of Income Tax, Delhi charge. Thereafter, it was intimated by the DCIT(Hrs. Finance), New Delhi vide his office letter dated DCIT/Admn /Provwiz/2012-13/5586 dated 03.08.2012 that the budgetary requirement for Hiring / Deployment of manpower on outsourcing basis shall be met from the delegated financial powers upto Rs. 30.00 lacs per annum.

It is pertinent to mention to here that at present, the total payment made for skilled person is approx 15,000/- and for unskilled persons is approx Rs. 12,000/- (including EPF/ESIC/Service tax etc.) whereas at the time when the limit of 30.00 lacs was fixed by the Board in 2012, the payment made for skilled person was approx Rs. 10,000/-and for unskilled persons was approx Rs. 8,000/-(including EPF/ESIC/Service tax etc.) as per the minimum wages prescribed by the Delhi Government. In view of the above factual position, it is



clearly established that there is approx. 50% of enhancement in the payment for the skilled / unskilled persons.

Besides above, there is also an increase of three assessing officers in the each CIT Charge after the restructuring. In view of the above facts and circumstance, **it is suggested that the limit of Rs. 30.00 lacs may be increased to Rs. 60.00 lacs for each CIT Charge**, so that a Data Entry Operator would be provided to the each assessing officers and to enable the smooth functioning of the assessing officer's office.

## XII. CAP / Time limits/ Artificial deadlines:

The Central Action plan issued by CBDT requires appreciation of achievements of an officer based on quarterly disposal. Undoubtedly any Officer in the Department would like to complete all pending work regularly and in a phased manner so as to avoid pressure, stress and inconvenience in the last quarter of the year / in the quarter when limitation expires. The quarterly appreciation strategy envisages not only to provide relief to all Officers in the Department but also uplift the image of the Department.

However such targets can only be achieved if we are fully equipped to handle the situation/ workload/ issues with facilities including infrastructure/ staff/ training/ electricity/ access to ITD/ information on new guidelines/ procedures. Is the administration only supposed to issue administrative instructions to the field offices? Is it not necessary to identify the areas which need attention and to bring all such problems to the knowledge of the CBDT. It is not at all acceptable that on one hand we, as a department, wish to complete so many pending issues / workload so quickly but we are not ready to look into the problems the Officers are facing on day to day basis. If at all there is any failure, it is a failure on part of the whole system including the supervisory authorities.

It is requested that instructions may kindly be issued to all the Pr CIT to ensure that trained /technically sound staff / representative of CIT(CO)/ DGIT(System) is available to solve the issues relating to grievances/ dead lock in issuance of refund, correction of demand, mismatch of TDS, credit of TDS, etc. All the Officers in the field are having tough time in resolving such typical issues which no one in the hierarchy of the Department is owning up. It is further requested that it is ensured that no undue pressure is exerted on the Officers to execute such assignments



Vital time is being wasted on performing of same task/ assignment/ work manually as well as electronically e.g. in case of approval of refunds, approval for issuance of notice u/s 148, etc the AO is required to send online proposal as well as manual / hard copy of the proposal thereby wasting precious man hours and energy.

Why CSR are not being put up in the proforma devised by CBDT. Why the Assessing Officers are pressurized to write the recommendations which is the sole responsibility of the Range Head.

Why such ITO Judicial role is assigned to officers posted in field when there is a provision of providing two ITOs for Administration, judicial and Recovery work in a CIT charge. Why dual charges are being assigned to Officers for longer durations. Temporary assignment of more than one charge to an officer was an acceptable practice in the Department however an officer holding more than one charge throughout the year has become a norm nowadays. Such practice is against the norms of the DoPT and may lead to litigation because such assignment of additional charges which involves discharge of duties beyond a particular time limit has to be sanctioned by DoPT. Many members in past have filed cases in CAT / Hon'ble High Court and got favourable orders. It is likely that some of the assessments / penalty or any other such orders passed by an Assessing Officer holding additional charge may be challenged by the assessee. For any such event in future only the administration would be responsible.

If an officer is assigned duties which are not humanly possible to execute in a span of one year, by assigning such artificial deadlines like quarterly disposal etc. we are putting all such officers under further stress. Any error / omission by such Officer would not only jeopardize their career prospects but also bring a bad name to the Department. The Tax payer services are bound to get affected by such overloading.

To sum up, it is to request you to kindly consider issuing necessary instructions to resolve the issues highlighted above.

Thanking you.

Yours faithfully,

**(AJAY GOYAL)**

*General Secretary, Delhi Unit*