

Combined/ Joint Application under:

- * Right to Information (RTI) Act, 2005
- * Section 76/ 74 Indian Evidence Act
- * Article 21/ 19 Constitution of India,
- * SC Judgement - State of UP Vs Raj Narain AIR-1975(SC);
- * SC Judgement - LK Kotwal Vs State of Rajasthan, AIR 1988 Raj 2;

No.: RTI/CBDT-Delhi/2015/CBDT/ 1885

ID No. _____

The Chief Public Information Officer (CPIO)-RTI,
Central Board of Direct Taxes (CBDT),
Room no. 147, B-II, North Block, New Delhi - 110001

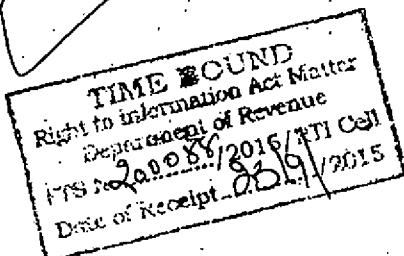
- a. Name of the Applicant : Vivek Garg, Advocate, Applicant
b. Address : 18/1, Shakti Nagar, Delhi-110007
c. Concerned departments : CBDT/ Govt of India

Following upto date & duly typed on computer, information are required (with file notings):-

1. Inform under which section/law the Central Board of Direct Tax (CBDT) was created / formed. Also send certified copies of Relied upon Documents in this matter.
2. Inform how many divisions are functioning under CBDT. Send full details.
3. Send full numbers of officially sanctioned posts of Under Secretary in these divisions
4. Send full details regarding the Organizational Structure of CBDT.
5. Inform the procedure for the appointment, transfer-posting of the post of Under Secretary.
6. Inform is the information regarding posting as Under Secretary being provided/ announced to all Group A officers or is it confined to Group A officers of IRS(IT).
7. Inform is this announcement for post of Under Secretary done on a haphazard basis or an approved policy is being followed. Is so, does this policy in sync with the policy of transfer-posting being followed by the field formations across the country. If no, inform the reasons.
8. If the said posts are only for officers of IRS(IT), provide relevant circular/notification/ rule etc which has restricted the posts of Under Secretary only to IRS(IT) officers and not open under Central Staffing Scheme to officers of other cadres/services.
9. Inform is the post of Under Secretary a deputation post. If yes, is the written willingness of the officer compulsory for appointment? If so, provide relevant circular/notification/rule etc.
10. Inform is the post of Under Secretary in CBDT a deputation post. Is yes, is the written willingness, as mentioned above, is taken prior to the appointment or after the appointment. If no willingness is given is the officer returned to his field office/ cadre or appointment as Officer on Special Duty (OSD).

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11. Inform at present how many officers are working as OSD in CBDT under its various divisions.
12. Inform what is the maximum period till which an officer works as OSD. Provide relevant circular/notification/rule etc. specifically mentioning it.
13. Inform what happens when the tenure of OSD expires? Is his/her services returned back to his field/cadre. Send full details.
14. Inform how many officers are presently working as OSD in CBDT beyond their statutory/ administrative limit.
15. Inform on what grounds, the officers have not been returned back to the field formation or regularized as full Under Secretary till date.
16. Inform have the above said issues, ever been brought to the notice of the concerned Ministry i.e. Ministry of Finance, Department of Revenue in this case. If yes, what has been the action taken/direction issued by the said Ministry. What action has been taken on these directions?
17. Inform is there a policy being followed by the Income Tax Department, esp. CBDT, for recruiting/appointment to the post of Under Secretary. Provide copy of such policy being followed for past 10 years (year-wise).
18. Year wise inform in past five years, how many officers have been posted as Under Secretary in CBDT from different zones (all India). Send full list.
19. Send list of those officers of Delhi cadre who were posted as Under Secretary in CBDT.
20. Inform in past five years (year-wise and region-wise breakup) how many Direct Recruit officers and how many Promotee officers have been appointed as Under Secretary in CBDT.
21. Inform is it mandatory for the officer posted in Delhi cadre to compulsory serve in the CBDT as under secretary level? If so, provide relevant circular/notification/rule etc in this matter.
22. Inform is the rule of 1:1 of Direct recruit officer: Promotee officer applicable on appointment as Under Secretary. Also send relied upon documents (if any).
23. Inform what is the current ratio of Direct Recruit to Promotee Under Secretary in CBDT.
24. Inform what is the policy of the Income Tax Department with respect to Assessment and Non-Assessment posting in the cadre of Assistant Commissioner/Deputy Commissioner? Send certified copies
25. Inform is the above said policy revised every year and if so, what is the basis of such revision.
26. Inform what is the basis on which a particular posting is defined/assigned as Assessment or Non-Assessment?

27. Inform is the defined posting i.e. assessment or non-assessment remains same for all the Assessing Officers i.e. ITO/Assistant Commissioner or Deputy Commissioner. If not, provide reason for this variation among the Assessing Officers within a cadre and across the country despite the fact all are doing the same work.
28. Send certified copy of Transfer-Posting Policy which being followed in Delhi and Mumbai Cadre.
29. Inform what is the percentage of overall deficiency in the rank of Assistant Commissioner/ Deputy Commissioner in the Assessment Charges in Delhi and Mumbai? Currently, how many officers are holding additional Assessment charges?
30. Inform how many Direct Recruit and how many promote officers have been posted at the Assistant/ Deputy Commissioner level in the Corporate assessment charge in Delhi and Mumbai cadre in past 10 years (year-wise breakup)
31. Any other information in the above said matters, may also be sent in national interest.

A fee of Rs.10/- is being sent via Postal Order number 321-035059

Date: 23 /09/2015


(VIVEK GARG), Applicant
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