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INCOME TAX EMPLOYEES FEDERATION &
INCOME TAX GAZETTED OFFICERS' ASSOCIATION
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To
The Member Secretary,
Task Force (for Drafting Action Plan)
Central Board of Direct Taxes,
New Delhi.

Madam,

Sub : CENTRAL ACTION PLAN FOR FY 2017-18 – suggestions regarding

In reference to letter No. Pr CCIT(Intl Tax)/2010/2017-18/96 dated 11th April 2017 inviting suggestions for drafting Central Action Plan for FY 2017-18, we would like to highlight the followings:

1. At the outset, we wish to emphasize on the working environment in the Department which is responsible for mounting pressure on daily basis on the Officers/Officials in the Department, especially in the field, for many reasons including inadequate infrastructure and lack of manpower.
2. The CBDT has already circulated CAP for the 1st Quarter. In the 1st Quarter, officers/officials were expecting transfer at both all India and local levels and remained busy in house-keeping jobs after the most hectic Financial Year in recent past. Therefore, instead of issuing an exclusive CAP for the 1st Quarter, the CBDT may release the CAP for the next FY in the month of January/February every year to help distribute the work-load evenly throughout the year. Moreover, the targets would appear to be more achievable provided there are no additional charges and duties including Election Observer/ AEO, etc. and the officers are provided with more skilled and motivated permanent staff members with proper infrastructure. In recent years while drafting the CAP / setting targets for various wings of the Department, we have, in general, failed to discount the time and energy consumed in additional duties relating to election like 'Assistant Election Observer' which requires the presence for about two months staggered over many weeks.

3. We have been claiming that the Department is going digital but in reality not all the officers / staff have access to Departmental software like ITBA / ITD / HRMS etc. Many of the staff members do not have RSA tokens in spite of introduction of universal node policy or access to the latest developments / circulars / instructions of CBDT / HRD/ System as a substantial number of officers / officials do not have access to the irsofficesonline.gov.in.

We have tried below to share our experience to identify the factors which are posing as threats/handicaps to perform as desired level as well as possible solutions, apart from suggesting on the conventional areas covered under Central Action Plan:

Budget Collection	<p>Should be fixed considering all real factors, instead of enhancing mechanically by certain percentage. Special windfall or non recurring factors should also be considered like demonetization, IDS [assuming more than 50% (as due for FY 2016-17) of tax for IDS deposited due to demonetization], PMGKY etc.</p> <p>One approach may be such that the target may be fixed at the ratios of average of 3 years advance tax collection in a region, i.e. to base it on voluntary tax payments of a region and discount collections made by Departmental efforts, which may vary on regional basis.</p> <p>Another point; when it was officially declared that 8.47 Lakh Crore had been collected in FY 2016-17, FM's Dashboard figure was showing at 8.2 (later 8.32) Lakh Crore collection. Hence, the target should be set on the basis of FM's Dashboard figures.</p>
Arrear Cash Collection	<p>Should be set more moderately analyzing what can be achieved. So many unwritten factors work between best efforts put by the Assessing Officers and desired results, which only a taxman can feel. Hence, that prudence of Tax Administrators gathered through experience should reflect in the approach in setting target. Otherwise, the officers get habituated to have the 'not so impressive achievement figures' year after year due to setting of such targets and it will also be difficult to convince the others in the Ministry/ Government regarding the difficulties or explain the under achievement.</p> <p>AOs are facing undue pressure for collecting more than 15% of disputed demand, though the respective PCsIT/CsIT are not passing any order in this regard. So instruction dated 29.02.2016 should be</p>

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Current Cash Collection	AOs are facing undue pressure for collecting more than 15% of disputed demand, though the respective PCsIT/CsIT are not passing any order in this regard. So instruction dated 29.02.2016 should be clarified on that point. The target for cash collection should be set after considering the ground realities i.e. policy of stay of demand vis-a-vis circulars issued by CBDT, non-traceable assessees, ex-parte assessments during the year , inadequacy of assets, etc.
Return Processing	<p>While setting target, two things should be kept into mind: i) For the entire FY 2016-17, no current return could be processed due to non availability of any functionality in ITD; ii) As per ITBA-ITR Instruction No. 1, AOs henceforth will only enter data of paper returns, processing will be done by CPC-ITR only.</p> <p>Regarding ITBA: It has just been introduced; AOs and staff members are ill trained; Network speed is terribly slow; single window is allowed to open and has to do all the works including return entry through it; ITR functionality has some problems for return entry. Rectification facility in ITBA is still not operational.</p>
Return Push back	Should be discontinued; when even paper ITRs to be processed by CPC, the e-filed returns should not be pushed back.
Scrutiny Assessment	When the GOI/Hon'ble FM has laid down specific road map for advancing the TB date in the Finance Bill/Act, there is no need to impose artificial deadlines or target for non TB assessment disposal.
Rationalization and redistribution of Workload	It has already covered in Interim Action Plan for 1 st Quarter of 2017-18 and a deadline of 31.05.2017 has already been set. But past experiences suggest that very little attention is given in this regard. So a reality check may be placed in the CAP to ensure: <ul style="list-style-type: none"> i) transfer of all records (scrutiny pending or not) to their proper jurisdiction ii) Temporary transfer of TB scrutiny cases to units with lesser workload, firstly within the Range, then within the Commissionerate and then, may be, within the Region.
Reduction of No. of entries	No meaning/utility other than reporting; should be discontinued.
TRO's Action Plan	Uniform Target of Disposal of 150 TRC /TRO is meaningless, when the actual no. of TRCs and specially actionable cases varies widely from TRO to TRO; Target may be set according to the no. of actionable TRCs and PCIT/CCIT to be allowed to set the target. TROs still have

	<p>no access in ITD/ITBA despite introduction of universal node policy.</p> <p>A target should also be set for providing TROs desired ITBA connectivity, exclusive vehicle (TROs are now not attached to Ranges) and other infrastructure facilities.</p> <p>Another proposal is an official avenue should be made available to the TRO in the CAP for taking assistance of Investigation Wing to identify the assessee, apparently not traceable or assets or 360 degree profiling. Normal references are not given due importance, as experience shows.</p>
Write Off	<p>There has always been a tendency among the Senior officers to shy away from recommending write off and to cover it up, they refer back the matter to the AOs with unnecessary / unconnected queries; as a result the exercise has not taken up seriously. Unless this referring back syndrome is overcome, there is no meaning to set any target.</p>
Widening of Tax Base/NMS/AIMS	<p>Data mining should be more effective to make the information actionable (lack of any address or wrong address becomes a norm). Otherwise there is severe manpower wastage due to inaccuracy in information, thus posing a threat to achieve the target set.</p> <p>When the letter is returning back unserved or the assessee is not responding, the ideal step should be physical enquiry by ITIs. But considering the actual manpower available in the field, it is easier said than done. So any step suggested at that point or any target set should be based on the reality or actual position on the field in respect of manpower.</p>
Audit	<p>Internal Audit: As the list of auditable cases is now generated in System just after scrutiny disposal, it is very difficult to adhere to the target unless IAPs are provided with adequate manpower (at least 2 ITIs and 2 Sr. TA/Officer).</p>
Grievance	<p>Absolutely no filter mechanism exists in identifying true grievances; presently anything and everything put in grievance portal travel down mechanically to the level of AOs. Incomplete or unconnected grievances should be closed or diverted to actual functionaries or returned back to the petitioner pointing out the deficiencies. Central Grievance Cell (CBDT) should be made more effective for desired segregation as suggested as well as more accountable. The practice for holding AOs responsible for everything should be stopped.</p>

	<p>Indiscriminate push back of rectification / processing right to the AOs or misleading information of push back without doing so by CPC should immediately be stopped and CPC should be more accessible and accountable to the assesseees. Because of this indiscriminate push back or misinformation of push back and inaccessibility of CPC together is one of the root causes of grievance.</p> <p>A circular corresponding to 08/2015 (for demand less than Rs. 1.00 Lakh) may be issued for grievance cases involving demand equal to or above Rs. 1.00 Lakh.</p>
TDS	<p>Maximum emphasis in the CAP in respect of TDS Unit has always been given to Collection and Reduction of Arrears Demand. But with the functionalities available to the AO in TRACES portal as of now, it is very difficult to actually reduce the demand, even if the payment challan is available in the system. “Force Matching Functionality” available with the AOs has severe shortcomings. Moreover AOs can’t do anything of their own unless the assesseees/deductors file the correction statement.</p> <p>Hence it is proposed that a new functionality should immediately be introduced for the AOs in TRACES portal or “Force Matching Functionality” may be upgraded in such a manner that the AOs can tag the unconsumed challans or make other necessary corrections to end the current dependency on the assessee deductors (waiting for their correction statements). Otherwise the target set in the CAP will not serve any purpose.</p>
IT&TP	<p>TDS Function: Fresh 15CA/CB verification cycle may be run early and the information is to be disseminated for verification.</p>
Computer Operation	<ol style="list-style-type: none"> 1. Time bound target to be set for implementation of New Node Policy (Nodes for all officers & ITIs and a good no. of staff members), which was introduced long back. 2. PAN migration targets given in consecutive CAPs have never been taken up seriously. Same is the case for I.T. infrastructure (higher Bandwidth/ upgradation of V-SAT stations etc.). Desired monitoring should be set in place. <p>A detailed suggestion to carry out Training programme is given below separately.</p>

Exemption	As earlier manual works are now to be completed in ITBA, good network speed and nodes for ITIs/ Staff members are required.
Dissemination of information	<p>In last few years, there were several instances of disseminating information by Investigation wing at such a time, when initiation of remedial actions by the AOs was almost getting time barred. To streamline the process and allow adequate time to the AOs to initiate action, a time line for information dissemination should be set in the CAP.</p> <p>For example, a cut-off date for forwarding of acted upon TEP and STR (at least those relating to FY 2010-11/ 2012-13) should be fixed, say 31.12.2017, so that AOs may have time to examine the issues or even get back to the Investigation Wing, instead of mindlessly reopening the cases, sent at the fag-end of the FY.</p>
CASS selection/ criteria	<ol style="list-style-type: none"> 1. CASS cycle to be run early; so that generation/ service of notice will not be an issue. 2. There shouldn't be any problem to issue Compulsory Selection Guidelines (being almost repetitive) early, but early issuance will allow the AOs to select the cases and generate & serve the notices comfortably. 3. Check should be there to eliminate any selection on non-existing/ flimsy grounds like wrong selection of yes/no button (sec. 92A), wrong selection of specified business or CASS selection due to incompatibility of heads between ITR and TAR filed in e-filing portal or other mismatches even upto decimal points.
Communication Strategy	Talks by Income Tax Officials in Schools or visit of the students in Income Tax Offices: Honestly speaking, the strategy hasn't made any impact so far. It was directly picked up from Internal Revenue Service, USA. Considering the differences in the outlook of both the societies towards taxation and other differences, it may be better to discontinue the school outreach programme for the time being.
Some other issues	1. List of reports to be submitted and their due date at various levels should be explicitly spelt out in the Action Plan itself. It may be ensured that the reports so identified should be original and non-overlapping; figures asked for therein should be ascertainable. We think that exhaustive CAP-I and CAP II should cover all desired fields. At the same time, the supervisory officers should be desisted from calling for any other report.

2. DOPT has time and again issued model calendar for conducting DPC and CBDT has always endorsed it in principle. But in reality, the model calendar exists only on papers. Same is the case for AGT. The Board should set timeline for itself and authorities below both for DPC and AGT.

3. The inherent issue of ascertaining / Transfer of Jurisdiction including confusion regarding Section 120 and Section 127 haunts the Department most, especially after November, 2014 (introduction of New Jurisdiction under CRC) and creates a lot of problems even at judicial forum. An exhaustive SOP should immediately be issued covering all such aspects like migration of PAN, issuance of scrutiny notice in non-jurisdictional (but PAN lying under AO's Code) cases, transfer of such cases, passing order in such cases under compulsion (if can't be transferred out) etc. The time bound actions as per the SOP may be made a part in the CAP itself to bring in accountability at all level.

4. A new Module is being introduced in ITBA platform probably in every alternate day. But the training facility for the employees to work in ITBA appears to be almost non-existing. As 2017-18 is very crucial year for success of ITBA roll out, the Training Programme should be a part of CAP.

5. Similarly, Bandwidth issue holds the key for ITBA functioning speed. There should be some target set in CAP for upgradation of Bandwidth/ upgradation of V-SAT stations.

6. A lot have so far been discussed (specially in last year's Rajaswa Gyansangam) regarding better internet/intranet connectivity after introduction of e-assessment and rolling out of ITBA. But no headway has so far been made to review the Project Tarang or formulating office Broadband policy etc. Similar situation prevails in many infrastructural issues. So some time schedule based targets for infrastructure may be introduced in the CAP for much required thrust and better accountability.

7. Time actually devoted by each Officer on resolving grievances, appeals, appeal effects etc. are to be considered for assigning the targets.

TARGET FOR TRAINING MODULE

The concept of reaching out of Developer/Technical Persons of various Modules in ITD, ITBA, HRMS, CPC (TDS), CPC etc., have not reached the real User i.e. Officers and Officials posted in the Field formation of the Income Tax Department across the country. The major bottleneck is that there is total disconnection between the Technical team developing and handling of different Modules and the real User i.e. Officers working in the Field. The SOPs may be more useful after undergoing practical training. The immediate need of the Planning for the Year should be Training for all Officers by the Technical Team who are in the place of developing and executing the ITBA Module at different levels. The officer posted at Field are totally depending upon SOPs, which most of the time outdated with frequent changes created in the Modules to stand the test of the speed and efficacy.

TRAINING – PHASE I

Training by Technical Team of DGIT (Systems):

The ITBA Module, HRMS Module and other Technical specifications for Field and Non Field Officers by the Department in the Digital era are moving in a very fast phase. But training to Officers and Officials by DGIT (Systems) through the DTRTI and from their own resources and technical aspects are not matching with time. The gap really has to be filled up so that all the up gradation in the ITD/ITBA module should be comfortably applied by the Officers and Officials at all levels. To make it possible, a time frame for imparting Training to Officers and Officials should be made compulsory.

TRAINING – PHASE II

CPC (TDS) - For Officers posted in TDS Wing-

CPC (TDS) is handling all the works relating to TDS wing. But the scope of new changes effected in the TDS and handling of major issues relating to TDS has not reached to the desk of Officers and Officials posted in TDS wing. To keep them updated and to work efficiently, all the Officers and Officials posted are to impart training by CPC (TDS). The technical team handling CPC (TDS) have to interact and impart training to Officers working on the field.

TRAINING – PHASE III

Training Module by CPC, Bengaluru –

The online processing, uploading of demand, rectification, e-filing portal, assessee's profile, e-filing ITR, Audit Report etc., are being handled by CPC. But at

the same time, at the Field also, Officers and Officials are handling similar workings, but most of the time is unaware of different changes being made by CPC. To bridge the gap, regular and focused training from CPC, Bengaluru, should be given to Officers to update them on the new changes being effected by CPC, Bengaluru.

The following Time Limit may be given for imparting Training to all Field and Non Field formation Officers by DGIT (Systems) Technical Team, CPC (TDS), CPC, Bengaluru in coordination with DTRTI :-

TIME LIMIT : - FOR OFFICERS AND OFFICIALS POSTED AT FIELD :

Phase I: Complete Training in ITBA and other Module by Technical team of DGIT (Systems)	- 30 th June, 2017
Phase II : Training to TDS wing by CPC (TDS)	- 31 st July, 2017
Phase III: Training by CPC, Bengaluru	- 31 st August, 2017

FOR OFFICERS AND OFFICIALS POSTED AT NON FIELD :

Suitable Training in ITBA/HRMS Module pertaining to the place of posting and nature of duties performing by the Officer/Official should be identified and due training should be imparted by 31st August, 2017.

STRESS RELIEVING PROGRAMMES BY EACH CCIT CHARGES

As part of Human Resources Development and to enhance the efficiency at different levels of functioning of the Department, and to de-stress the Officers, the CCIT is to conduct Stress Relieving programmes including Yoga, Meditation, Exercise for Good Health, Exercise and Diet, etc., once in every quarter to all Officers and Officials under his charge. The Pr. CCIT of each Region along with DTRTI should circulate the list of such programmers and panel of such available resources to the CCIT for coordination and effective implementation. The successful programmes may be reported in monthly DO by CCITs for effective follow up and sharing to other CCITs.

Any ideal Action Plan can only be achieved with ideal manpower strength. For inability of the administration to fill up the vacant posts (in many grades/regions even more than 50 % posts are lying vacant), the officers at field, working with half or less manpower compared to officially entitled strength, inadequate infrastructure, preoccupation with election or non-Departmental duties, can't be held accountable.


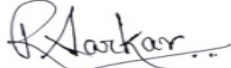
Certain weightage system should be introduced to consider these shortcomings or hindrances while judging the achievement (in addition to mere reporting in APAR).

Lastly, experience shows that whatever may be the targets set at all levels, CAP finally becomes a stock taking exercise for the assessing officers only. So it is requested that the declared mission for issuing such an elaborate Action Plan covering so many functions should be followed in letter and spirit.

This is for your kind consideration and necessary action.

Thanking You,

Yours sincerely,

 
(Bhaskar Bhattacharya) (Rupak Sarkar)
Joint Convenors