



INCOME TAX GAZETTED OFFICERS' ASSOCIATION - WB UNIT

Aayakar Bhavan, 6th Floor, Room No. 28, P - 7, Chowringhee Square, Kolkata - 700 069

President : Mrinal Chanda
(Mobile No. 9477331010)

General Secretary : Sayantan Banerjee
(Mobile No. 8902197979)

Date: 27.03.2017.

To
The Principal Chief Commissioner of Income Tax,
West Bengal & Sikkim,
Kolkata.

Sir,

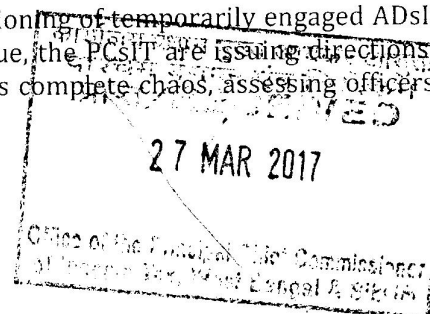
Sub: Issuance of Guidelines for handling PMGKY related issues - matter regarding

Kindly refer to our earlier letters dated 14.03.2017 and 22.03.2017 apprising in detail the pressure under which the assessing officers are forced to discharge their duties. The situation has turned worse with last minute dissemination of information by the Investigation Wing. Unfortunately, though the entire situation was highlighted before your goodself during our meeting with you on 21.03.2017 and 23.03.2017, the field level officers are still facing the brunt of the idiosyncrasies of their higher ups and waiting for the worse in the last week of the Financial Year.

You will recollect that in the case of PMGKY, the assessing officers were strictly following the steps laid down in the SOP issued by the Board (Instruction No. 03 of 2017), ensuring NIL inter personal interaction. Suddenly they were asked to conduct surveys on the basis of cash deposit information; in order to pressurize the recalcitrant assesses to commit to participating in PMGKY. Later the track changed to persuasion over telephone. Although this approach is diametrically opposite to the essence of Instruction No. 3. Next followed the direction to summon the assesses by issuing notices u/s 131, another blatant deviation from the approach of nil personal interface. For speedy issuance of summons, almost all the ACsIT/ DCsIT working in the field have been additionally entrusted with the duty of ADIT/DDIT. But no SOP at the local level has been issued. As a result the entire field formation is in a state of utter confusion and indecision.

You will appreciate that to handle cash deposit related information, Instruction No. 3 is the last written direction containing the SOP. Its contents too were well publicized, by releasing PIB notification. Thereafter all the directions, as narrated above, have been issued verbally, thus making the assessing officers completely vulnerable to Grievances and resentment of the general assessee. For any new direction being issued, it has routinely been told that the same was issued by the Board during the video conferences or through confidential communication. Unfortunately neither the assessing officers nor the assessee are privy to these sources. It naturally casts shadow on the functioning of the assessing officers considering the apparent illegality attached. Several incidences of resistance, manhandling and even bandh have been reported by the media from all corners of the country. This region too is no exception.

At present, what is bothering the assessing officers most is the complete absence of leadership. Nobody knows what actually is to be done. Directions given are being changed on hourly basis, impossible targets for PMGKY are being set, daily reports containing 20-24 columns including information like no. of persons committed for PMGKY, amount committed etc. are being called on immediate basis. No guideline has been issued for the functioning of temporarily engaged ADsIT/DDsIT or criteria to select cases. While handling any particular issue, the PCSIT are issuing directions on their own, often contradicting each other. Kindly note amidst this complete chaos, assessing officers are still giving their best.





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In spite of our repeated request your good office has not been able to convince the Investigation Wing not to push information at the fag end of the Financial Year. Only on 23.03.2017, information regarding commodities transactions has been forwarded to the assessing officers (more than 50 cases per assessing officer) where initiation of remedial action will be barred on 31.03.2017. If the earlier trend continues, more of such information may be expected and in such situation it may not be possible for the A.Os to attend all the cases. You are well aware that for reopening the cases appropriate reasons are required to be noted which is not available for most of the populated data. Also online approval of higher authorities is required, which has become very difficult as the system has slowed down considerably. Under the circumstances, we reiterate our members cannot be held responsible for any omission.

We therefore demand an immediate end to the present chaos and confusion. As only 5 working days are left for the current Financial Year to end we further demand

1. Unambiguous guideline in **writing** should be issued immediately for handling the information received regarding cash deposit.
2. Categorical direction on initiation of any coercive measures, if required, should be issued in writing
3. Calling for any sort of non statutory statistical report should be stopped till 31.03.2017.
4. The Investigation Wing should be held accountable for sitting over the information for so long..

In absence of any decisive action on the part of the Administration by the end of the this day, we will be compelled to ask our members to restrict themselves only to SOP issued through Instruction No. 3 of 2017 and stop furnishing any statistical report till 31.03.2017. At the same time, we make it clear that if any initiation of action gets barred inadvertently for last minute information dissemination, the concerned assessing officer cannot be held responsible.

Yours faithfully,


(SAYANTAN BANERJEE)
GENERAL SECRETARY

Copy for kind information to:

1. DGIT (Inv.), WB, Sikkim & NER
2. Joint Convenors, Central Joint Council of Action, Delhi.

27 MAR 2017

