

भारत सरकार
प्रधान मुख्य आयकर आयुक्त का कार्यालय
आंध्रप्रदेश व तेलंगाना
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F.No. Con.Vig/Misc./2021-22

Dated: 03.09.2021

CIRCULAR

Sub: Level of decision making in respect of administrative complaint /
Disciplinary cases of Gr. 'A' Officers in CBDT – Reg.

Ref: Letter received from Under Secretary to the Govt. of India, New Delhi in
F.No.C-29016/41/2021-Ad.VIA dated 17.08.2021.

The Board vide its letter cited at reference above has laid down the procedures for making decision in respect of administrative complaint / disciplinary cases of Gr. 'A' Officers in Central Board of Direct Taxes(CBDT). In this connection, I am directed to forward the above mentioned letter, the contents of which are self explanatory, for information.

Encl: As above


(S. Sathiya)

Jt. Commissioner of Income Tax(OSD),
(H.Qrs.)(Vig.), Hyderabad

To
All the Heads of Offices, AP & Telangana Region.



F.No.C-29016/41/2021-Ad.VIA
 Government of India
 Ministry of Finance
 Department of Revenue
 (Central Board of Direct Taxes)



Office Order No. 189/2021

With the approval of competent authority, the following procedures are laid down for making decision in respect of administrative complaint/disciplinary cases of Gr. 'A' officers in Central Board of Direct Taxes(CBDT) with immediate effect and until further orders:

Sl.No.	Stages in Disciplinary cases	Level of decision making
1	Closure of anonymous/pseudonymous complaints without requirement of report from CCA.	Member(Admn.), CBDT can file anonymous /pseudonymous complaints as per CVC Circular NO. 07/11/2014 dated 25.11.2014
2	Placing an officer under suspension	Finance Minister
3	Review of suspension - Quarterly/Half-Yearly	Finance Minister
4	Revocation of suspension	Finance Minister
5	Closure of complaints other than covered in Sl. No. 1 without calling explanation of officer.	<ul style="list-style-type: none"> For Pr.CCIT, CCIT & Pr.CIT level officer - Secretary(Revenue) For CIT level officer- Chairman, CBDT. For officer below CIT level - Member(Admn.), CBDT
6	Calling explanation form concerned officer	Member(Admn.), CBDT
7	Acceptance or otherwise of reply of officer	<ul style="list-style-type: none"> For Pr.CCIT, CCIT & Pr.CIT level officer - Secretary(Revenue) For CIT level officer- Chairman, CBDT. For officer below CIT level - Member(Admn.), CBDT

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8	Approval for issuing Charge Memo	Finance Minister
9	Decision on Written Statement of Defence (WSD) and other ancillary action e.g. appointment of IO/PO etc.	Finance Minister
10	Appointment of IO/PO	Appointment of IO/PO be delegated to Member(Admn.), CBDT. The DoP&T instructions state that ancillary action can be initiated by CVO after Minister in charge has approved for initiation of Disciplinary Proceedings. However, in case of issuance of Administrative Charge Sheet, CVO is not involved, therefore, Member(Admn.) may decide appointment of IO/PO.
11	Approval for forwarding of Inquiry Report to Charged Officer (CO) along with reason for disagreement of Disciplinary Authority to the report of Inquiry Officer(IO), if any.	Finance Minister
12	Tentative decision on CO's representation on IO's report and DA's disagreement thereto, if any, and forwarding of case records to UPSC	Finance Minister
13	Forwarding of UPSC advice to the CO for comments	Finance Minister
14	Final decision for penalty	Finance Minister
15	Revision/Review/Memorial (Rule 29/29A)	Finance Minister

Amit Singh Rathour
12/08/21

(Amit Singh Rathour)

Under Secretary to the Government of India

Tele# 223095565

Copy to:

1. PS to FM/PS to MoS(R)/PPS to Secretary (R)/PPS to AS(R)/PS to JS(R)/Dir(Hq).
2. PPS to Chairman, CBDT/Member(Admn.) & Members, CBDT/ PPS to JS(Admin.).
3. DGIT(Vig.)/Pr.DGIT(HRD)/ DG, NADT(Trg.)
4. All Pr.CCIT(CCA)/All Pr.DGIT
5. US(Ad.VI)/US(DT/Per).
6. Guard Folder