RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number DGVND/R/T/23/00038 Date of Receipt 17/08/2023 (प्राप्ति की तारीख): (पंजीकरण संख्या) : Transferred From (Central Board of Excise and Customs - Central Excise on 17/08/2023 eviniaRa: With Reference Number: CBECE/R/E/23/01243 Remarks(टिप्पणी): Pertains to Your Zone/Section Type of Receipt (रसीद का Electronically Transferred from Language of Request English प्रकार): Other Public Authority (अनुरोध की भाषा) : Name (नाम): ajeet kumar Gender (लिंग): Male Address (पता): H. No. 79, Siddhi Priya Township, Near Pratap ITI, Roteda Road, Kota, Pin:324002 Country (देश): India State (राज्य): Details not provided Details not provided Mobile Number Details not Phone Number (फोन नंबर) : (मोबाईल नंबर): provided Email-ID (ईमेल-आईडी): ajeetkumar324002@gmail.com Status (स्थिति)(Rural/Urban): Urban Education Status: Graduate Requester Letter Details not provided Details not Letter Date: Number(निवेदक पत्र संख्या): provided Is Requester Below Poverty No Indian Citizenship Status Line ? (क्या आवेदक गरीबी रेखा (नागरिकता) से नीचे का है?): 0 (Received by Central Board Payment Amount Paid (राशि का of Excise and Customs -Mode of Payment Gateway भगतान): Central Excise) (original (भगतान का प्रकार) recipient) Does it concern the life or No(Normal) Baldev Singh Request Pertains to Liberty of a Person? (अनुरोध निम्नलिखित (क्या यह किसी व्यक्ति के जीवन संबंधित है) : अथवा स्वतंत्रता से संबंधित है?) : Information Sought (जानकारी RTI attached मांगी): Original RTI Text (मूल RTI attached आरटीआई पाठ): Print Save Close

The CPIO, Central Board of Indirect Taxes & Customs, New Delhi.

Sub: Right to information Act, 2005.

Sir/Madam,

I had filed a complaint through e-mail dated 21.07.2023 regarding illegal transfer and posting on loan basis in DRI, Lucknow by CCO Lucknow vide Establishment Order No.I/A/CCSC/20/2023 from File No. GCCO/CCA/MISC/16/2023-CCA-O/o CC-CGST-ZONE-LUCKNOW dated 10.07.2023.

On scrutiny of the above Establishment Order No.I/A/CCSC/20/2023 dated 10.07.2023 issued by the Joint Commissioner, CGST & CX Zone, Lucknow, it is noticed that Sudhir Kumar Singh, EA (placed at sl. No. 3) has been transferred to DRI, Lucknow on loan posting and shockingly, there is no sanctioned post of EA in DRI, Lucknow on loan basis.

In this context, please furnish the following details: -

- Please inform the details of action taken by the CBIC, CCO Lucknow Zone and DRI, Lucknow on the above complaint vide email dated 21.07.2023. Please provide the copy of notesheet & letter regarding action taken on the above complaint.
- A copy of the above complaint was also sent to DG Vigilance, please inform whether any
 action on the complaint has been registered by DG Vigilance or not. If yes, please provide
 the details of the same. If not, please state specifically that no action has been taken.
- Please Inform whether any post of Executive Assistant (on loan) is sanctioned for DRI, Lucknow or not. If yes, please provide the number of such sanctioned post of EA on loan in DRI, Lucknow.
- Please inform whether Shri Sudhir Kumar Singh, EA has been made to join the DRI, Lucknow. In case, he has joined, please provide the copy of relieving order by his parent office and joining order of DRI, Lucknow.
- In case Shri Sudhir Kumar Singh, EA has joined the DRI, Lucknow, please provide the details
 of work allocation and section in which he has been attached, provide the details of work
 done by him during his posting in DRI, Lucknow.
- Please provide the complete file of CCO, Lucknow Zone from which the illegal Establishment Order No.I/A/CCSC/20/2023 dated 10.07.2023 has been issued.
- 7. Please inform whether the complaint has been brought to the notice of the Competent Authority by Ms./Mrs. Neha Lal, Joint Commissioner, CGST & CX Zone, Lucknow as a copy of the email complaint was also forwarded to her. If not, the reasons for not acknowledging a complaint may be provided.

DoPT vide its Office Memorandum No. 2/2/2023-Pers.Pol. (Pt. 15) dated 08/08/2023 has directed all the Ministries/Departments/Offices to do away with the unhealthy practice

engaging officers of central government group Aland Biservice on loan/bilateral arrangement basis and conveyed its decisions for strict compliance by all Cadre Controlling Authorities.

- i. No appointment shall be made on loan basis or pliateral arrangements or any other informal basis forthwith;
- II. For any appointment without 'No objection' from respective Cadre Controlling Authorities, the officer concerned shall also be liable to disciplinary action under relevant rules; and
- iii. The existing appointments on loan basis or bilateral arrangements or any other informal basis in violation of existing guidelines/instructions/rules shall be terminated and officers so appointed shall be repatriated to the parent Cadre/Organization with immediate effect.
- 8. In this context and OM issued by DoPT, please provide the details of Group B and C officers of CBIC who are working on loan basis outside their cadre controlling authorities.
- Please provide the action taken on the above DoPT OM for repatriation of all the officers appointed on loan basis in CBIC.
- Please provide under which act/law/DoPT OM such postings are done rampantly in CBIC.
 Whether such appointments on loan are legally valid or illegal practice.

Note- If above RTI in full/part pertain to any other CPIO/s, it may be forwarded under relevant provisions of RTI act.

Above information may be provided on my email ajeetkumar324002@gmail.com

Date: 11/08/2023

Sincerely,

Ajeet Kumar

H. No. 79, Siddhi Priya Township,

Near Pratap ITI, Roteda Road, Kota - 324002

Email - ajeetkumar324002@gmail.com



Huge Irregularity in posting Group B and C officers on loan basis in Directorates by the Commissionerates in Central Board of Indirect Taxes & Customs

To

- 1. Secretary, Revenue, Ministry of Finance, for giving directions
- 2. Chairman, CBIC
- for giving directions
- 3. Member (P&V), CBIC
- for giving directions/compliance
- 4. DG Vigilance, CBIC.
- for keeping watch on compliance
- 5. CCO of Zones of CBIC
- for ensuring compliance
- 6. HOD of Directorates & Commissionerates of CBIC

for ensuring compliance

PFA is an impugned transfer/posting order of Executive Assistant/Tax Assistant of CGST & CX Zone, Lucknow issued by Ms./Mrs. Neha Lal, Joint Commissioner, CGST & CX Zone, Lucknow with the approval of the Competent Authority vide Establishment Order No.I/A/CCSC/20/2023 from File No. GCCO/CCA/MISC/16/2023-CCA-O/o CC-CGST-ZONE-LUCKNOW dated 10.07.2023.

On scrutiny of the above Establishment Order No.I/A/CCSC/20/2023 dated 10.07.2023 issued by the Joint Commissioner, CGST & CX Zone, Lucknow, it is noticed that Sudhir Kumar Singh, EA (placed at sl. No. 3) has been transferred to DRI, Lucknow on loan posting. What is shocking is that there is no sanctioned post of EA in DRI, Lucknow on loan basis, so with what authority the Competent Authority/the JC who issued the transfer order has posted Sudhir Kumar Singh, EA in DRI, Lucknow? Do they think that they are above the CBIC? The CBIC has allocated "NO" post of EA in DRI, Lucknow on loan basis in its letter F. No. 11019/5/2017-Ad.IV dt. 16.06.2017 (copy attached).

Any posting done by the CCO of any field formation in violation of CBIC letter dated 16.06.2017 reg allocation of cadres for posting in Directorates on loan basis is illegal and therefore, null and void. Further, it is violative of CCS Conduct Rules.

This is not a single case of violation of the guidelines issued by CBIC about posting on loan in Directorates. There is a rampant administrative corruption in transfer posting on loan basis in every directorates and the

authorities are turning deaf ears.

It is high time all the CCOs/Directorates in CBIC became serious about loan posting and allow only posting in accordance with the rules.

In view of the above, all the responsible authorities are requested to look into the matter with seriousness and ensure that following action is taken to avoid any irregular and illegal posting in any directorate of central board of indirect taxes and customs

- a. CCO Lucknow Zone is requested to withdraw/amena suitably the transfer order issued vide Establishment Order No.I/A/CCSC/20/2023 from File No. GCCO/CCA/MISC/16/2023-CCA-O/o CC-CGST-ZONE-LUCKNOW dated 10.07.2023 in accordance with the directions of the board regarding loan posting and look into the matter as to how this posting was done in violation of board's allocation vide letter dt. 16.06.2017. Action to be taken by CCO LUCKNOW ZONE
- b. DRI and other directorates are also requested to not allow posting in any grade on loan basis in excess of the sanctioned strength allocated by the Board. Action to be taken by DG/ADG of all Directorates of CBIC
- c. Board in its letter F. No. 11019/5/2017-Ad.IV dt. 16.06.2017 has specified that loan posting in any grade shall be initially for a minimum period of 02 years which can further be extended for 1 year more with the approval of the competent authority and the cadre controlling authority however, it is rampant practice that officers posted on loan basis are retained beyond the period of 3 years in violation of Board's order in this regard. All the CCO & Directorates are requested to review the cases of overstay on loan basis and take immediate action for repatriation otherwise the matter shall have to be taken to higher authorities. Action to be taken by CCO of CGST & Customs Zones and DG/ADG of all Directorates of CBIC

Sincerely yours,

Ajeet Kumar

79 Siddhipriya Township, Kota, Rajasthan - 324002.

2 attachments

(Loan posting in CBIC Directorates) Ad.IV letter dated 16.06.2017.pdf 851K

transfer posting order 2023 of lucknow ta ea.pdf 264K



भारत सरकार/GOVERNMENT OF INDIA

वित्तमंत्रालय, राजस्वविभाग/MINISTRY OF FINANCE, DEPARTMENT OF REVENUE कार्यालयप्रधान नुष्यशायुक्त/OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER केन्द्रीय वस्तु और सेवाकर एवं केन्द्रीय उत्पाद शुक्त जीन लखनक CGST & CENTRAL EXCISE ZONE LUCKNOW CADRE CONTROL UNIT

7-A, जशोक मार्गलखनऊ (उ.प्र.) / 7-A. ASHOK MARG LUCKNOW (U.P.)-226001 E-mail:- lko-cadrecontrol@gov.inPh. No. - 0522 223 3063

Establishment Order No.I/A/CCSC/20/2023

With the approval of the Competent Authority, the following transfer and posting in the grade of Executive Assistant/Tax Assistant of CGST & Central Excise Zone, Lucknow during AGT-2023 are hereby ordered with immediate effect:-

Sr. No	Name of the Officer (S/Shri/Smt/Ms)	Desig nation	From	то
1	Tapan Kumar	EA	UOP from Hyderabad (On Loan basis)	CGST Agra
2	Sachin Dixit	EA	UOP from Hyderabad (On Loan basis)	CCO Lucknow
3	Sudhir Kumar Singh	EA	UOP from Meerut Zone	DRI Lucknow
4	Umesh Chand Meena	TA	UOP from Meerut Zone	CGST Agra
5	Pushpendra Kumar Awasthi	TA	UOP from Meerut Zone	CGST Agra
6	ArvindChauhan	EA	Customs (P) Lucknow	Audit Lucknow
7	Dilip Kumar Goel	EA	Customs (P) Lucknow	Retained for 01 year in Customs (P) Lucknow
8	BinayTiwari	EA	Customs (P) Lucknow	Retained for 01 year in Customs (P) Lucknow
9	Om PrakashRai	ĒΑ	CGST Lucknow	Appeals Lucknow
10	AbhishekTripathi	EA	CGST Lucknow	Customs (P) Lucknow
11	Hare Krishna	EA	CGST Lucknow	CGST Allahabad
12	H R Gurung	TA	CGST Lucknow	Customs (P) Lucknow
13	ShalajSrivastava	TA	CGST Lucknow	Customs P Lucknow
14	Shubham Singh	TA	CGST Lucknow	Customs P Lucknow

15	Sandeep Kumar Mishra	TA	DGGI Lucknow	CCO Lucknow
16	Pradeep Kumar	TA	CCO Lucknow	Audit Lucknow
17	VishwasVerma	TA	CCO Lucknow	CGST Lucknow
18	VismaySrivastava	TA	Customs (P) Lucknow	Audit Kanpur (Varanasi Circle)
19	Manjit Kumar Verma	TA	Customs P Lucknow	CGST Varanasi
20	PremRanjan	TA	Customs (P) Lucknow	CGST Lucknow
21	Dinesh Kumar Pal	TA	Customs (P) Lucknow	Retained for 01 year in Customs (P) Lucknow
22	Anchal Kumar Rastogi	TA	Customs (P) Lucknow	Audit Lucknow
23	Vishal Nishad	TA	Customs (P) Lucknow	CGST Varanasi
24	AkashVerma	TA	Audit Kanpur	CGST Kanpur
25	Ranjan Kumar	TA	CCO Lucknow	Customs (P) Lucknow
26	RishabhChintransh	TA	CCO Lucknow	Customs (P) Lucknow
27	Mahesh Chandra	TA	CGST Agra	CCO Lucknow
28	Akshay Kumar	TA	CGST Allahabad	CGST Varanasi
29	Amit Kumar Singh	TA	CCO Lucknow	Customs (P) Lucknow
30	Subhash Singh	TA	Audit Kanpur	Customs (P) Lucknow
31	Nitin Kumar Verma	TA	CCO Lucknow	Customs (P) Lucknow
32	Avinash Kumar Singh	TA	Customs (P) Lucknow	CGST Allahabad

- The concerned officers must be relieved on or before 14.07.2023 to join their new place of posting. Relieving and joining status may be intimated to this office.
- All representations received regarding transfer and posting stand disposed off. No fresh representation shall be considered unless officer joins his/her new place of posting.

Joint Commissioner Cadre Control Lucknow

Copy to the following for information and necessary action:-

 The Pr. Commissioner/Commissioner, CGST & Central Commissionerate, Agra/Allahabad/Lucknow/Kanpur/Varanasi.

Excise

- The Pr. Commissioner Commissioner, CGST & Central Excise Audit Commissionerate, Kanpur Lucknow.
- The Pr. Commissioner/ Commissioner. Appeals Commissionerate. Allahabad/Lucknow.
- 4. The Pr. ADG/ADG, DGoV/DGRI/DGGI Lucknow/DG NACIN Kangur.
- 5. The Pr. Commissioner. Customs (P) Commissionerate, Lucknow.
- The Additional/Joint Commissioner (CCO) CGST & Central Excise Meerut Zone.
- 7. The Superintendent (Systems), CCO, CGST & Central Excise Zone, Lucknow.
- 8. P.S. to the Pr. Chief Commissioner, COST & Central Excise Zone Lucknow.
- 9. Officers Concerned.
- 10. Guard file/Notice Board.

Signed by Neha Lal Date: 10-07-2023 16:35:42 J Reason Approved oner Cadre Control Lucknow No. 2/2/2023-Pers Pol. (Pt.15) Government of India

Ministry of Personnel Public Grievances and Pensions Department of Personnel & Training Pers. Policy-Pay (Deputation/Re-employment) Section

> North Block New Delhi, the 8" August, 2023

CFFICE MEMORANDUM

Subject: Transfer on deputation /foreign service of members of All India Services/members of Organised Group 'A' and Group 'B' Services of Central Government.

The undersigned is directed to invite reference to Department of Personnel & Training's OM No. 14017/02/2022-AIS-II(Pension) dated 17.08.2022 on the subject mentioned above

- With a view to do away with the unhealthy practice engaging officers of All India Services and Central Government Group 'A' an Group 'B' Services on 'loan/bilateral arrangement' basis, the following decisions were conveyed for strict compliance by all Cadre Controlling Authorities —
 - No appointment shall be made on loan basis or bilateral arrangements or any other informal basis forthwith:
 - For any appointment without No Objection' from respective Cadre Controlling Authorities, the officer concerned shall also be liable to disciplinary action under relevant rules, and
- The existing appointments on loan basis or bilateral arrangements or any other informat basis in violation of existing guidelines / instructions / rules shall be terminated and officers so appointed shall be repatriated to the parent Cadre / Organisation with immediate effect.
- 3 Proposals received from Ministries/Departments subsequent to issue of the above instructions seeking concurrence of DoPT to the continuance of the services of Central Governments officers (other than AIS officers) on loan basis were not agreed to and the Ministry / Department / Organisation (MDO) concerned was advised to engage the services of the officers concerned in accordance with the approved modes of induction such as deputation.
- 4. However, instances have come to the knowledge of this Department where the practice of engaging officers on 'loan/bilateral arrangement' basis by MDOs continue in spite of unambiguous instructions from this Department to do away with such arrangement. As already observed, such arrangements are not supported by any instructions/ guidelines. They not only cause severe hindrances in effective cadre management but also create administrative issues such as liability towards pay and allowances, recording Performance Appraisal Reports of officers engaged on informal basis etc. These can be avoided if the officers whose services are proposed to be utilised are engaged through approved modes of induction which are regulated by well laid down guidelines/instructions.

5. It is note again in pressed upon all Ministres/Departments/Organisations to ensure strict adherence to the instructions issued vide this Department's OM No.14017/02/2022-AIS-II(Pension) dated 17-08-2022. Further, Ministres/Departments are requested to immediately submit a compliance report to this Department confirming non-existence of personnal angaged on informativities basis in the Ministry/Department or organisations under their administrative control as per the instructions issued in this regard.

(Murali Bhavaraju) Director(Pay)

To

All Ministries/Departments of Government of India

Copy to:

- The President's Secretariat, Rashtrapati Bhavan, New Delhi 110004
- 2 The Vice President's Secretariat, 6 Maulana Azad Road, New Delhi 110011
- 3 The Prime Minister's Office, South Block, New Delhi
- Cabinet Secretariat, Rashtrapati Bhavan, New Delhi 110004
- 5 Raiya Sabha Secretariat, Parliament House Annexe, New Delhi
- Lok Sabha Secretanat, Parliament House Annexe, New Delhi
- 7 The Registrar General, Supreme Court of India, Tilak Marg, New Delhi 110001
- 8 The Registrar, Central Administrative Tribunal, Principal Bench, 61/35, Copernicus Marg, New Delhi – 110001
- The Comprtoller and Auditor General of India, Pocket-9, Deen Dayal Upadhyay Marg, New Delhi-110124
- Election Commission of India. Nirvachan Sadan, Ashoka Road, New Delhi –
- Secretary Union Public Service Commission. Dholpur House, Shahjahan Road. New Delhi - 110069
- Staff Selection Commission, Block No. 12, CGO Complex, Lodhi Road, New Delhi – 110003
- 13 All Attached offices under the Ministry of Personnel, Public Grievances and Panelone
- 14. Establishment Officer & Secretary (ACC), DoPT, North Block, New Delhi
- 15. Addl. Secretary (Personnel Policy & CRD), DoPT, North Block, New Delhi
- 16. Joint Secretary(AIS), DoPT, North Block, New Delhi

(Murali Bhavaraju) Director(Pay) 1/1393990/2023







सीमा शुल्क एवं केन्द्रीय कर के मुख्य आयुक्त का कार्यालय, विशाखापट्टणम क्षेत्र

प्रथम तल, जीएसटी भवन, पत्तन क्षेत्र, विशाखापडणम – 530035

विशाखापट्टणम् – 53003 (P): 0891-2568837 (F) 0891-2561942 Office of the Chief Commissioner, Customs & Central Tax, Visakhapatnam Zone 1st Floor, GST Bhavan, Port Area,

Visakhapatnam – 530035

ccu-cexvzg@nic.in

//Through email//

सेवा में /To Shri Ajeet Kumar, H.No.79, Siddhi Priya Township, Near Pratap ITI, Roteda Road, Kota, Rajasthan, Pin -324002 ईमेल/ Email: ajeetkumar324002@gmail.com

महोदय/ Sir,

Sub: Information sought under RTI Act 2005 - Application filed by Shri Ajeet Kumar- Regarding

Please refer to your RTI application (Reg No. DGVND/R/T/23/00038 dated 17.08.2023) which was received in this office from DGoV, New Delhi vide letter F.No.V-500/RTI/31/2023 dated 23.08.2023.

2. In this context, reply of points 8, 9 & 10 of above RTI application is given here under:

Point (8): 13 Group B and C officers of Visakhapatnam Zone are working on Loan basis in formations outside the Zone. The details of the Loaned out officers cannot be disclosed as the information is personal information and would cause unwarranted invasion of privacy of the individuals.

- **Point (9):** Specific instructions are awaited from Board on the implementation of the cited DoPT OM.
- **Point (10):** The information sought is in the nature of a 'query' as such, does not fall under the definition of information as per Section 2(f) of RTI Act 2005.
- **3.** If you are not satisfied with this reply, you may file an appeal before the Appellate Authority within 30 days of receipt of this letter. The details of the Appellate Authority are furnished hereunder:

Shri. M Sreekanth, Additional Commissioner, Office of the Chief Commissioner of Central Tax & Customs, GST Bhavan, Port Area, Visakhapatnam-530035

> Signed by Fredrick Anthony Cooper Date: 05-09-2023 14:20:49 Reason: Approved

(एफ.ए. कूपर /F.A. Cooper) केन्द्रीय लोक सूचना अधिकारी/CPIO 0891-2560793/2853124