



Income Tax Gazetted Officers' Association

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Circular No.2

Dated: 06/03/2014

To

The members of CHQ,
The President/General Secretary, All Units of ITGOA

Dear Comrades,

**Sub:- Development on various issues after meeting with the authorities
in the CBDT and meeting with our JCA counterparts**

We intimated you earlier that the Personnel Grievance Redressal Committee (PGRC) Meeting scheduled to be held on 4th March 2014 stands postponed and the new date for the meeting will be finalised by the CBDT soon. In the BGM held on 21st to 23rd February, many issues pertaining to our members were finalised for future course of action. In pursuance of all the pending issues and recent developments of granting Non Functional Selection Grade (NFSG) to 2000 and 2001 batch IRS officer, the newly elected CHQ of ITGOA met the DGIT and other authorities in HRD on 04/03/2014 and met the Chairman, Member(P) and other authorities in the CBDT on 05/03/2014. The outcome of the discussions on various issues is appended below:

Meeting with DGIT(HRD) on 04/03/2014 and with the Member(P) on 05/03/2014

1. Issue relating to placement of 2001 batch in NFSG

In the recent Notification No. 3 of 2014 dated 28/02/2014, 90 officers of 2000 and 2001 batch were granted NFSG w.e.f. 12/11/2013 and 01/01/2014. While granting this upgradation, the promote officers of 2001 batch, who were bunched below the last direct recruit officer in the Civil List were left out even though they completed the requisite years of the service in Gr.A. This issue was pointed out to Shri T. Jena, DGIT(HRD) that all the promotee officers of 2001 batch need to be placed in the senior scale of Addl.CIT w.e.f. 01/01/2014. During the course of discussion, it transpired that the Board had granted the upgradation in accordance

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with the DOPT O.M. dated 06/06/2000. The CHQ highlighted that as per Schedule-II of the IRS Recruitment Rules, the promotee officers in Jr. Administrative Grade who enter 14th year of service in Group-A posts in Indian Revenue Service as on 1st January of the year, calculated from the year in which he was promoted to Group-A, have to be granted NFSG. Our submission was well taken by the DGIT and he assured to reconsider the matter. On the same issue, Shri Debjyoti Das, DIT(HRD)-II and other authorities in the HRD were also apprised. A note on our understanding of the matter was also submitted in the HRD for their perusal. It has been finally assured to us that the matter will be reconsidered and put up before the Board soon.

On the same issue, the CHQ met Smt. Deepa Krishan, Member(P) on 05/03/2014 and requested for her intervention. Our objection was also submitted to the CBDT alongwith the list of left over officers of 2001 batch. The issue was well explained to her and she assured the delegation for positive action in this regard.

2. Promotion from ITO to the ACIT cadre

The newly elected CHQ also met on 05/03/2014 with the new Chairman of CBDT Shri R.K. Tiwari. Since, it was a formal visit without any agenda, issues were not discussed. However, we requested him to fix a meeting with the JCA immediately so that all the pending issues can be discussed and we are told to submit the agenda items for the said meeting. While finalising the agenda items, the resolutions adopted in the 42nd BGM and the issues pertaining to the earlier meeting will be taken into consideration. He assured us to fix a date in the coming week. The issue of promotion from ITO to ACIT cadre for the year 2013-14 was also mentioned to him and he conveyed that he would be meeting UPSC Chairman for obtaining an early date.

The CHQ office bearers separately met the Member(P) and discussed with her various issues. The issue relating to holding of the DPC for promotion in the cadre of ACIT for the year 2014-15 was discussed with the Member(P) and it was emphasised to initiate the process by collecting the requisite number of ACRs/APARs. A letter, requesting the Chairman to initiate the process for holding the DPC for promotion in the cadre of ACIT for the year 2014-15, has also been submitted on 05/03/2014. It was assured by her that this process shall be initiated soon so that this DPC could also be held at the earliest.

It was informed by the Member(P) that due to some court cases pertaining to reservation, UPSC at present is not holding any DPC for promotion from Group-B to Group-A cadre. However, she assured that UPSC shall be requested to hold the DPC at the earliest.

3. **Issue of uniform guidelines on implementation of the Hon'ble Supreme Court judgement in N R Parmar case**

The CHQ was informed by the HRD on 04/03/2014 that as per the advice of the DOPT, the Department of Legal Affairs (DOLA) was requested to extend their advice on this issue. While the CHQ was discussing the matter with the DIT(HRD)-II, the advice of DOLA was received. We then requested the DIT(HRD)-II for immediate issuance of uniform guidelines to all the CCsIT. He assured to do the same within 7 days. In the meantime, in the evening of 04/03/2014, it came to the notice that the DOPT has issued its OM dated 04/03/2014 formulating the modalities for fixation of the inter-se-seniority between the direct recruits and promotes.

The issue was discussed with the Member(P) on 05/03/2014 and she was requested to issue uniform guidelines on implementation of the Hon'ble Supreme Court judgement in N R Parmar case taking into account the advice of DOLA and the OM of the DOPT to remove all doubts forever. We also requested for a time bound implementation of the matter so that the overdue promotions can be given effect early. The Member(P) assured that the necessary instructions will be issued to the officials concerned.

4. **Finalisation of new IRS recruitment Rules**

After the cadre restructuring of the Department, amendment in the recruitment rules of IRS was required. The sub-committee on this issue had submitted its report to the core committee which in turn sent its recommendations to the Board. It was gathered that the Board is under the process of finalising the same at the earliest. The issue was raised before the Member(P) on 05/03/2014 that the ITGOA, representing the 50% stakeholders in the IRS cadre, should be consulted before finalising the same. The Member(P) assured that the ITGOA will be given a meeting on this issue alongwith the HRD authorities.

Meeting with our JCA counterparts on 05/03/2014

On 05/03/2014, the CHQ office bearers met with our JCA counterpart available at New Delhi. In this meeting, the issue relating to allocation of posts by the Board to different cadre controlling charges was discussed. It came to the notice of the JCA that the CBDT has finalised and approved the allocation of 20751 additional posts sanctioned by the Government for restructuring of the Department and sent the proposal to the Hon'ble Finance Minister for his approval on 28th Feb. 2014. Earlier, the representatives of ITEF were assured by the Chairperson & Member (P&V) on 20th February, 2014 of discussion with them before sending it to

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the Hon'ble FM. On 21st February, 2014 also, the Member (P&V), while addressing the Inaugural Session of the 42nd BGM of ITGOA at Chennai, assured that the basis of allocation of posts is being worked out and will be subjected to discussion with the Associations before finalisation. In our letter dated 24th February, 2014, the ITGOA again requested the Chairperson to cause discussion with the Representative of JCA before finalisation of allocation. The action on the part of the CBDT in ignoring the recognised organisations is a clear infringement of understanding and violation of principles of bilateral agreements. The issue was also discussed with the available ITGOA, CHQ members at New Delhi on 05/03/2014 and with the other office Bearers telephonically who expressed the same sentiment.

The JCA, therefore, decided to lodge protest in the form of a Demonstration during the lunch recess on 12th March, 2014 at all CCIT and CIT Stations all over Tax-India and also to bring our protest to the knowledge of the authorities by sending a savingram to the Chairman, CBDT. The Revenue Secretary will also be intimated about the whimsical and unacceptable attitude of the Board towards the recognised associations. The Unit leadership are requested to stage this protest Demonstration alongwith their ITEF counterparts under the banner of JCA. A detailed circular in this regard and contents of the savingram is being issued separately by the JCA.

LONG LIVE ITGOA
LONG LIVE JCA

Thanking You,
Yours comradely,



(Bhaskar Bhattacharya)
SECRETARY GENERAL,