



I. T. G. O. A. ZINDABAD

INCOME TAX GAZETTED OFFICERS' ASSOCIATION

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Circular No. 10

Dated: 16-06-2015

To

**The Members of CHQ,
The President / General Secretary of all Units of ITGOA
Members of ITGOA,**

Dear Comrades,

The status of some of the issues of ITGOA is given below.

1. Promotion from ITO to ACIT

We have given a detailed account on this issue in our Circular No. 9, dated 29-05-2015 wherein it was stated that the calculation of vacancy for R.Y.s 2013-14, 2014-15 & 2015-16 would be finalized in a meeting with Member (P) and JCA on 8th/9th June, 2015. The meeting was convened on 09-06-2015 and even after a deliberation of more than 2 hours, the official side and JCA could not agree in determining the number of vacancies for the said R.Y.s. The matter was again discussed in the PGRC Meeting on 10-06-2015 and it was decided that the issue would be finalized as early as possible after a discussion between the Chairperson and the Member (P). I would like to mention here that it had been decided that the promotion of 180 officers from ITO to ACIT, as it was done in R.Y. 2013-14, was not sacrosanct and the vacancies would be recalculated as per the guide lines and various O.M.s of DoPT. In all likelihood, the CHQ expects the matter to be finalised within a fortnight.

2. Implementation of NRP

The MCM of ITGOA at Indore decided that all the Units of the ITGOA would put their best efforts to implement the Judgment of Hon'ble Supreme Court in the case of N. R. Parmar in their region before the end of June, 2015. The Secretariat Meeting held at New Delhi on 28-04-2015 had also made the deliberation of completing the work within the time so decided and it was also decided that the Zonal Secretaries would take stock of the progress in the charges of their regions before 31-05-2015 and report to the CHQ on developments and

hurdles, if any, faced for implementation of NRP. The CHQ was to take up the appropriate cases with the CBDT so reported.

The CBDT requested ITGOA, in the PGRC Meeting on 10-06-2015, to submit a status report on the implementation of NRP in different regions so that Member(P) could intervene wherever required.

The Zonal Secretaries were requested again, vide Communication dated 01-06-2015, to send a report to the CHQ regarding progress of implementation of NRP in their respective region and we have received reports of 4 Zonal Secretaries by now, except any report from Zonal Secretary (South). The reports so received are attached herewith and all our members are requested to help the local leadership to complete the NRP exercise by 30-06-2015, as decided. A compiled report will also be submitted to Member(P) by 17-06-2015 for his required intervention.

3. Relaxation for promotion of 2006/2007 batches in the cadre of JCIT

The members are aware that the ACIT(JTS) of 2006 & 2007 batches had been appointed to officiate as Deputy Commissioner of Income Tax(STS) w.e.f. the date of assumption of the charge in terms of CBDT, New Delhi's Order Nos. 126 of 2012 & 193 of 2012 issued from F. No. A-32012/01/2011-AD.VI & F.No.A-32012/5/2012-AD.VI dated 20.06.2012 and 17.10.2012 respectively.

The ITGOA took up the issue and demanded that the effective date of promotion of the ACsIT of 2006 & 2007 batch to the post of Deputy Commissioner of Income Tax needs to be amended as 01.01.2011 and 01.01.2012 respectively. The issue was discussed in the QRM's dated 14-07-2015, 14-10-2015 & 11-02-2015 and also in a series of deliberations with CBDT and HRD. Consequent upon the decision of QRM dated 11-02-2015, CBDT sent a proposal to DoPT for amendment of effective date as 01.01.2011 and 01.01.2012 for 2006 & 2007 batches respectively which was denied by DoPT. A proposal was again sent to DoPT for relaxation of mandatory stay in STS required for promotion to JAG. Finally, the injustice meted out to the officers of 2006 & 2007 batches was addressed and the DoPT accorded the relaxation on 10-06-2015 for both 2006 & 2007 batches allowing the promotion to JAG on completion of half of the 5(five) years mandatory residency in STS as on 1st of April. In effect, the officers covered into the 1:1 portion of 2006 batch, who were promoted in STS on 20-06-2012, would be eligible for promotion to JAG on 01-04-2015 and the bunched portion of 2006 batch and 2007 batch, who were promoted in STS on 17-10-2012, would be eligible for promotion to JAG on 01-04-2016. The CHQ had a discussion with Member(P) on 11-06-2015 again and it was decided that the CBDT would request DoPT, once the promotion of 2006 batch was done, to allow the bunched portion of 2006 batch and 2007 batch to be promoted in JAG as on 01-04-2015 itself considering the number of vacancies available in the JAG.

4. Verbal evidence to the 7th CPC

The original Memorandum was submitted by JCA before the 7th CPC on 28-07-2014. As per the decisions of MCM of ITGOA at Darjeeling, the JCA submitted an additional Memorandum again on 20-02-2015. We were given the opportunity to meet the Commission on a number of occasions under the banner of CCGGOO as reported to our members time-to-time. The issues of pay and remuneration, with special emphasis to the equivalent pay-scales to the equivalent cadres in various departments, were discussed from the common platform of CCGGOO.

ITGOA sought for verbal evidence before the Commission of its own and we were allowed the hearing on 09-06-2015. The issues regarding pay-scales of Gr. A, ITO and AO/PS cadres and also the avenues of career prospects in Gr. B & Gr. A cadres were placed and deliberated upon.

5. Laptop for newly promoted officers and AO/PS cadres

It was reported by the official side in the PGRC meeting dated 10-06-2015 that 11,000 new laptops were approved for replacement of old laptops and also for the newly promoted ITOs. These laptops can be distributed once the process of procurement is over. As regards Laptops to AO/PS it was informed that the proposal in this regard was rejected by the IFU. JCA highlighted the new role of AO cadre as the DDOs are required to file online TDS return and also that of the PS cadre in the post-CRC situation. The official side requested the JCA to submit a fresh proposal once again in this respect highlighting the new aspect so that the same can be taken up with the IFU and DOE afresh for approval.

6. Annual General Transfer

Annual General Transfers for 2015-16 in the cadre of DCIT/ACIT have been carried out by the Board early this year. With the persuasion and representation of the CHQ, the officers transferred out in AGT, 2013 and earlier, have been transferred back to their home/choice regions. Moreover, most of the officers promoted in 2014 have been accommodated in charges of their choices. However, there were few officers who could not be accommodated as per their options. The CHQ has pleaded their cases before the Board. Another order of this cadre has been passed vide Order No. 85 dated 15-06-2015 considering some of the compassionate ground cases but still there are officers who are not posted in stations of their choices. Especially, the cases of 5(five) officers who were posted to the Odisha charge from TN & Pondicherry charge and the transferred out cases of lady-officers were not considered in the said Order. The CHQ will again take up all those cases with CBDT for redressal.

The Transfer & Placement order in the cadre of JCIT/Addl.CIT has also been passed vide Order No. 82 dated 12-06-2015 & 84 dated 15-06-2015. Though the CBDT agreed to transfer back all the officers who were transferred out till 2013, as was done in cases of ACsIT, it was not maintained in the above Orders. In the above scenario, I request all the Units to send us the details of cases where anomalies are noticed in Addl.CIT/JCIT transfer order. This information must reach the CHQ by 19-06-2015 for immediate action. It is requested to send the details to Shri Aravind Trivedi, Addl. Secretary, at trivediaravind@yahoo.co.in and Shri Ashok Malhotra, member, T & P committee, at ashok_malhotra246@yahoo.com.

7. Regularisation of Ad-hoc JCIT/ NFSG

The 2002/2003/2004/2005 batches of officers are officiating in the cadre of JCIT in Ad-hoc capacity. The dossier for regularization of 2002 batch was sent to UPSC in October, 2014. But even after a span of 8 months, the DPC could not be held due to various objections from UPSC relating to incomplete APARs etc. The reply to these objections once again sent to UPSC in last week.

A committee has been formed by CBDT to prepare the dossier for regularization of 2003/2004/2005 batch of ad-hoc JCIT and the target has been fixed to regularize these 3(three) batches by 31-12-2015.

The Screening Committee meeting for grant of NFSG to 12 left-out officers of 2001 batch was convened in second week of May 2015 and is pending for the approval of competent authority. The orders in this regard are likely to be passed by CBDT shortly.

8. Vigilance matters

The CVC Circulars dated 29.06.1999 and 31.01.2002 prescribed that no action should be taken on any anonymous or pseudonymous complaints. However, the Commission prescribed vide its circular dated 11.10.2002 that if any verifiable facts contained in such complaints are proposed to be looked into, prior concurrence of the Commission is required. The matter was further reviewed by the CVC and it was decided vide circular dated 07.11.2014 that anonymous or pseudonymous complaints was to be filed only and the Circular dated 11.10.2002 stood withdrawn with immediate effect.

The issue was taken up in the PGRC meeting on 10.06.2015 and it was emphasized that the officers were still been harassed on any anonymous or pseudonymous complaints on the grounds of any verifiable facts contained in the complaints and the CBDT needs to issue instructions to the field formations to follow latest CVC circular dated 07.11.2014. The Member(P) contended that the Circular dated 11.10.2002 was withdrawn vide circular dated 07.11.2014 with immediate effect, hence, the circular dated 11.10.2002 is to be followed in respect of complaints received prior to 07.11.2014. It was submitted by CHQ

that such interpretation was against the spirit of the CVC circular dated 07.11.2014. It was decided that clarification will be sought from CVC on this issue.

9. CCGGOO Conference

The CCGGOO, which was formed years back but left in a sleeping mode, held a convention in New Delhi on 17th April, 2014 and formed an interim body to rejuvenate this common platform of all Gr. B & promotee Gr. A officers. The matters relating to VII Pay Commission are being taken up from the platform of CCGGOO. It was also decided to hold a Conference to adopt the Constitution and to form an elected body of office-bearers. The ITGOA, WB Unit has shouldered the responsibility of hosting the Conference and the CCGGOO interim body has decided to hold it on 19-06-2015 at Kolkata. All the affiliate associations are allowed to send 3(three) delegates in the Conference.

10. Sri K.V. Chowdary appointed as Chief Vigilance Commissioner

Appointment of Sh. K. V. Chowdary, Ex Chairman CBDT, as Central Vigilance Commissioner by President of India, inspite of resistance from many corners, is a matter of pride for the Income Tax Department. The Principal Office bearers of ITGOA and ITEF were officially invited by Sh. K. V. Chowdary to his oath ceremony held at Rashtrapati Bhawan on 10th Jun 2015. ITGOA wishes him all the best for his appointment to this prestigious post.

11. Deduction of Subscription of Rs. 100/-

The subscription of ITGOA was increased from Rs. 60/- to Rs. 100/- per month w.e.f. 01-04-2014 by the 42nd BGM at Chennai. Some of the Units are following the revised rate of subscription since then and some other Units are following the old rate. The matter was again discussed in the MCM at Indore and the house requested all the Units to collect subscription at the revised rate of Rs. 100/- per month per member w.e.f. 01-01-2014.

With fraternal regards,

Yours comradely,



(Bhaskar Bhattacharya)
Secretary General