



INCOME TAX GAZETTED OFFICERS' ASSOCIATION

President

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I.T.G.O.A.
ZINDABAD

Draft Minutes of the MCM held in Darjeeling, West Bengal on 19th & 20th of August, 2014

Attendance:

The CHQ members who were present in the meeting:

- 1) Ajoy Goyal
- 2) Saravanan
- 3) Amitava Dey
- 4) Bhaskar Bhattacharya
- 5) Arvind Trivedi
- 6) G.S.Raghav
- 7) Sailendra Lodha
- 8) Srikant Pandey
- 9) Mohnish Sood
- 10) Raghavendra Singh
- 11) Sanjoy Kr. Pandey
- 12) Vijay Bhaskar
- 13) Atul Ahuja
- 14) Satish Bhalla

The name of the Units which were represented in the meeting:

- 1) Ap & Telengana
- 2) Bihar & Jharkhand
- 3) Odisha
- 4) NER
- 5) MP & Chhattisgarh

- 6) Gujarat
- 7) Karnataka & Goa
- 8) TN & Pondicherry
- 9) Mumbai
- 10) Pune
- 11) Nagpur
- 12) Delhi
- 13) Rajasthan
- 14) UP(W)
- 15) NWR
- 16) West Bengal

The meeting started with the president in the chair.

At the outset, the president greeted the delegates present in the meeting and requested them to first decide the issues to be deliberated upon and requested the Secretary General to speak on the issues on behalf of the CHQ.

The Secretary General suggested that the House may deliberate upon the following issues:

1. Promotion of ITO to ACIT.
2. Implementation of Supreme Court judgement in the case of N. R. Parmar.
3. STS to ACIT from the due date and not from the date of assumption of charge.
4. Regularization of promotion from DCIT to JCIT.
5. Proposed amendment in IRS Recruitment Rule.
6. Annual General Transfer in the cadres of Addl. CIT/JCIT and DCIT/ACIT.
7. Revisiting of pentafurcation of vacancies in the cadre of ACIT in CRC.

8. Creation of AO/PS commensurate posts.
9. Reduction of ACIT/DCIT posts in CRC.
10. Grade Pay of A.O. & P.S.
11. Lap-top to A.O. & P.S and newly promoted ITOs.
12. Submission before 7th Central Pay Commission.
13. Functioning of CCGGOO and JCA.
14. Vigilance matters.
15. Submission of statement of assets under Lokpal Act.
16. Departmental issues.
17. Other miscellaneous issues.

The Secretary General narrated the issues in brief as under for the delegates to prioritise the issues for further detailed deliberations.

1. **Promotion of ITOs to ACITs:**

Dossiers for promotion of 180 ITOs for the year 2013-14 is lying pending before the UPSC. The regular DPC for 2013-14 may be held by the UPSC shortly. In case the regular DPC is not held, he asked the house to decide whether we shall press for Ad-hoc DPC and if so what the number of promotions should be. He also requested the House as to what stand to be taken in respect of promotion for the year 2014-15 in the light of vacancy created on account of cadre restructuring.

2. **Implementation of Supreme Court judgement in the case of N R Parmar:**

Ad-hoc DPC is not a solution to address the grievance of our members. In order to hold regular DPCs, the N.R. Parmar issues has to be resolved. UPSC may hold regular DPC for promotions to 180 posts at most. But, subsequent promotions may not be possible until the seniority list is recast upon implementation of the N R Parmar judgement. The Board has been requested to issue directions, in form of a Guideline, to all the PrCCIT(CCA) to

recast the seniority of ITOs by implementing the N R Parmar judgement in a time bound manner. He also informed the house that the Secretary General of ITEF has also requested the Board to issue specific guideline in this matter. He also informed that the Board is hopeful that UPSC will hold the regular DPC for the year 2013-14 and therefore is of the view that issuing guideline for implementation of N R Parmar judgement before that may jeopardise the prospect of holding DPC for the year 2013-14. He requested the House to decide as to how long we should wait for the DPC of 2013-14 to be conducted by the UPSC and impress upon the Board to issue uniform guideline.

3. **STS to ACIT from the date of assumption of charge:**

In the recent corrigendum orders of the Board, the seniority of DCsIT has been recast from the date of assumption of charge instead of 1st January of the year of eligibility, which was allowed in the original order. The matter was taken up with the Board and CHQ was informed that it had been done as per the DoPT requirement and therefore could not be amended by the Board. He requested the House to decide as to what steps to be taken to bring appropriate amendment in the corrigendum order.

4. **Regularization of ad-hoc promotion of DCIT to JCIT for 2002, 2003 & 2004 Batch officers:**

Still there are so many cases where APAR deficiencies have not been corrected for 2002, 2003 & 2004. The list of deficiency has already been uploaded. All the General Secretaries have been requested to take up the issue for getting the matter resolved early.

5. **Proposed IRS Recruitment Rule:**

CBDT informed the CHQ that the draft RR had already been submitted before the DOPT for their vetting. In spite of their best

effort, CHQ could not collect a copy of the draft RR submitted before DOPT. CHQ has already written a letter to the Board seeking incorporation of certain changes and proposing certain amendments in anticipation. He requested the House to decide as to whether the CHQ should wait for response from the CBDT or approach the DoPT directly expressing our concern.

6. **Annual General Transfer:**

Board had earlier assured to CHQ that T&P Guidelines, 2010 would be strictly followed in all forthcoming AGT orders. It was also assured that officers transferred out of their home state in 2010 & 2011 AGT orders would be sent back. In case of 2012 AGT, cases under the compassionate, spouse, retirement ground etc. only would be considered though the CHQ is pleading for blanket consideration of all cases of 2012.

7. **Placement of JCIT in recent Board orders:**

No AGT order has so far been issued. Only two orders comprising cases under the compassionate, spouse and retirement grounds have been issued, but some of the similarly placed officers eligible to be sent back have still been left out. The CHQ has met the Chairman to resolve the issue and also sent a written communication.

8. **Revisiting of pentafurcation of posts in the cadre of ACIT in CRC:**

CHQ has not yet got any breakthrough in this matter. CHQ has tried to meet the FM and MOS(R) but not yet succeeded. He requested the house to decide how to proceed to stop pentafurcation.

9. **Creation of AO/PS commensurate posts:**

Board had earlier committed to send a fresh proposal but didn't do the same. In last Quarterly Meeting, Board has requested the CHQ to submit a concrete proposal in this regard. He requested the house to finalize the proposal for early submission before the Board.

10. **Reduction of ACIT/DCIT posts in CRC:**

Board informed that a fresh proposal, if ITGOA submits that, would be sent to the Cabinet for creation of curtailed posts in ACIT/DCIT grade. CHQ is pursuing the matter.

11. **Grade Pay of A.O. & P.S.:**

The case filed before the Principal Bench of CAT, Delhi was still pending. The CHQ was closely following the matter.

12. **Laptop to A.O. & P.S and newly promoted ITOs:**

In last PGRC meeting, Board informed that the proposal in case of A.O. & P.S. had been rejected by the DoE thrice. A fresh proposal would once again be sent. In case of newly promoted ITOs and replacement of old laptops, Board expressed their helplessness as DoE had so far been simply sitting on the proposal.

13. **Submission before 7th Central Pay Commission:**

Developments in this regard would be reported during detailed deliberation.

14. **Functioning of JCA and CCGGOO:**

Two larger platforms, JCA and CCGGOO were reported as revived. It was also reported that in case of most of the Departmental issues and even in case of CPC submission, all the moves had been made under the banner of JCA. It was further informed that common issues pertaining to promote officers including CPC had also been taken up under the banner of CCGGOO.

15. **Vigilance matters and submission of statement of assets under Lokpal Act:**

It would be discussed in detail later.

16. **Other miscellaneous issues:**

All the issues would be taken up as they would come up.

The President asked the house to prioritize the issues for discussion. All the units expressed their opinion that ACIT promotion and N.R. Parmar issue should be taken up first and other issues thereafter.

The issue wise deliberations and decisions are narrated below:

Promotion of ITOs to ACITs:

After detail discussion, the house unanimously decided that CHQ should go for regular DPC for RY 2013-14, otherwise many of our members would not be promoted to the post of JCIT/Addl. CIT at the end of their career. It was further decided that the review DPC for RY 2012-13 alone shouldn't be held, as only a handful of officers would be promoted with a possibility of demotions of some of the already promoted officers and this sentiment of ITGOA is to be intimated to Board immediately. In case UPSC denies to hold regular DPC, CHQ should go for ad-hoc DPC of RY 2013-14 first, as the dossier of these cases were ready and then immediately for all other available vacancies. CHQ should ensure that no officer would be posted out of their home state on ad-hoc promotion. As regard the communications sent by some of Gujarat comrades to UPSC and revision of seniority list in Delhi, Sri Sailendra Lodha, Joint Secretary and Shri Ajay Goyal, President, CHQ clarified the positions respectively.

N R Parmar issue:

Since UPSC is very reluctant to hold DPC without implementation of N. R. Parmar issue, the house unanimously decided that CHQ should get the

Board issued Deadline with uniform Guideline in this regard along with a time frame to complete the job. In case the Board is not willing to issue the Guideline, the CHQ should meet the Chairman, CBDT, to impress upon him to convene a meeting of Pr. CCsIT asking them to follow the uniform approach in all regions for uniform implementation immediately. In case of non-implementation of NRP till 15/09/2014, ITGOA should decide for going to Agitation. The mode of agitation is to be finalized in an extended Secretariat Meeting.

Submission before 7th Central Pay Commission:

Com. Amitava Dey, Vice President apprised the house on the memorandum submitted; the basis of making various demands in the submission; reason for filing submission under JCA banner; reason behind making claims for the pay scales for ITO, AO, PS; reason for making demand of direct promotion to STS from ITO; meetings held with the CPC and at CCGGOO forum etc. It was also informed that the suggestion made by AP unit in this matter had already been incorporated. It was decided that all viable suggestions provided by all the units participated in discussion shall be incorporated in the supplementary memorandum to be submitted before the CPC. Though Mumbai Unit pressed for submission of supplementary memorandum by ITGOA separately for getting exclusive time for oral submission later on, the Secretary General addressed the concern by informing the house that CPC this time expressed their desire to meet the larger forum of Service Organizations instead of individual one. It was accordingly decided to file the supplementary memorandum by the JCA. It was further decided that the issue relating to notional fixation from 01.01.1996 should be incorporated in supplementary memorandum.

Proposed Amendment of IRS Recruitment Rule:

ITGOA submitted its memorandum to the sub-committee formed for the purpose. However it was found that the sub-committee submitted the report to the Core-Committee without considering some of our important

suggestions. The Board has already submitted the draft Recruitment Rule to DoPT a week ago without taking ITGOA into confidence. The CHQ has so far tried to obtain a copy of the same formally or informally, but yet to get the same. Secretary General proposed to form a committee to examine the matter and prepare a representation for presenting before DoPT and all other authorities concerned. However most of the units didn't approve the proposal of forming a committee in this purpose. Some units suggested that in case the Board wouldn't supply a copy, the CHQ should go for agitation. It was decided that a letter to the Chairman seeking a copy of the draft would be submitted immediately requesting him to supply the same. In case the Board fails to do that, a detailed proposal, explaining our apprehension that the interest of the promote officers would remain unattended through the proposed amendments, is to be submitted before all the authorities concerned like DoPT, RS, FM, PMO, MOS.

Revisiting of pentafurcation of posts in the cadre of ACIT in CRC:

The President apprised of the developments like obtaining unconditional support of ITEF to go for agitation on that issue, informal meeting with MoS(R) in Chennai , arranging media coverage (at Zee News) etc. CHQ is trying to get an appointment with FM soon as the Budget session had already been over. It was decided that CHQ should demand again for filling up all the vacancies arising out of CRC at one go relaxing the Rota Rule. In case it is not possible to achieve, then we must try to get all PR vacancy at one go at least.

Creation of AO/PS commensurate posts:

The House entrusted the job of preparation of concrete proposal to TN Unit. They were requested to prepare the same at the earliest, which would be circulated to all the units for their opinion. The final proposal would be submitted to the Board thereafter considering those suggestions for creation of commensurate posts in the cadres of AO/PS as was proposed in the CRC draft prepared and submitted in 2009.

Annual General Transfer:

The CHQ requested all the state units to intimate them regarding cases of the respective regions not considered, if any, by 26.08.2014 so that the matter could be taken up with the Board immediately.

Delhi Unit reported that the tenure for Directorate posting was not being followed. They also asked for 2 years tenure for Directorate posting instead of current 3 years and that should be strictly adhered to. They also requested to impress upon the Board to place both Direct and Promotee officers equally, which had so far been manned by promote officers only. CHQ informed that they would take up the matter with the Board.

Lap-top to A.O. & P.S and newly promoted ITOs:

The House expressed the opinion to press the Board for a fresh proposal for the Laptop to the AO/PS cadre to be forwarded to the DoE again and also to pursue the issue of Laptop for new ITOs/replacement of old Laptops.

Vigilance matters and submission of statement of assets under Lokpal Act:

All the units expressed their disappointment that the letter issued by the member (P) asking PR. CCIT issue posting orders only after taking views of the Vigilance wing was being used as an tool to harass the promote officers. The house was of the view that the act of Member (P) had exceeded her brief and the matter should be taken up by the CHQ with DoPT, if required.

The house expressed their reservation about putting the Asset –Liability statement under Lokpal Act on public domain. The CHQ informed that the matter would be taken up with DoPT through larger forum of CCGGOO.

NFSG:

Board earlier denied NFSG to the promote JCSIT who had been bunched in their year of promotion as ACIT in the seniority list misinterpreting the DoPT O.M. The CHQ was able to convince the Board to clear their misconception referring existing IRS RR. The Board had taken the principle decision of granting NFSG to all the left-out officers of 2001 batch w.e.f. 01-01-2014 but hasn't done the same till date. The CHQ will pursue the matter to do it early.

Other miscellaneous issues:

The house decided that the Board should be intimated through a letter that ITGOA members would not be held liable for failure of service of notice, if any, in case CASS Cycle would be run later than 15th September.

The CHQ is required to take up the Court Case relating to the Gr. Pay of AO/PS cadre with right earnest.

The House asked the CHQ to take up the infrastructural constraints to be faced after CRC with the Board.

Consequent upon newly created posts on CRC, DG (System) should be sensitized to complete bulk PAN migration within time.

The house expressed their concern regarding misuse or personal use of operational vehicle by higher authorities. The CHQ was requested to take up the matter with the Board.

The house also expressed their concern regarding poor service received under Project Tarang (both SIM Card & Data Card). The CHQ was requested to take up the matter with the Board.

The Board is to be requested to pass the Jurisdiction order early.

The CHQ should demand for the Additional Password for issue of refund to avoid fraudulent practice by some outsiders.

The CHQ should take up the issue of HRMS/APAR activation through System.

The TEP Matrimonial disputes have become a matter of harassment for the Assessing Officers. This is to be taken up with the Board.

The CHQ has been directed by the House to write to the Board that the performance of officers as per the Central Action Plan can't be tied up with the grading of APAR.

The meeting was concluded with the vote of thanks given by Com. Aravind Trivedi, Addl. Secretary, CHQ.



(Bhaskar Bhattacharya)
Secretary General