



Income Tax Gazetted Officers Association

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To,
All Members of I.T.G.O.A,
(Through: President/General Secretary of all Units)

Comrades,

'DO or DIE' (KARO ya MARO)

The above call was given by our beloved Mahatma Gandhi during the 'Quit India Movement' in August 1942 against an oppressive British regime. **This mantra will have to be adopted by all our members**, if we want to survive against a **partisan CBDT** which is brazenly adopting the foreign ruler's strategy of '**Divide & Rule**' to the hilt.

Instances of partisan acts & divisive strategy by CBDT

- ✚ In the Cadre Restructuring, **promotions to all grades except ACIT will be at one-go**. Vacancy in the ACIT grade has been spread over a period of 5 years starting from 2013-14. This is despite the fact that as on date there are around 550 vacancy in the grade of DCIT/ACIT.
- ✚ Demand of ITGOA for **issue of Laptop & Data Card** to AOs and PS/Sr.PS have been parried for long, despite the fact that **total number of such Gazetted Officers is only 1628** and functional requirement (i.e. AOs working as DDO have to file online TDS Returns & PS/Sr PS are directly working with CIT(A)/CIT/CCIT with a huge work-load including confidential matter) was duly highlighted by ITGOA. It is reliably learnt that CBDT has now decided **to issue Laptop to around 10,000 Inspectors**, which decision though welcome from Inspector's side, clearly reveals the real intent of CBDT i.e. **to strike at our unity**.
- ✚ After 6th CPC, AO-Grade III & PS (Members of ITGOA) & Inspectors were placed in PB-2 with a GP-4200. **The same was revised by a single order to GP-4600 issued by HRD/CBDT**. But, in the Cadre Restructuring Notification, GP of AO-Gr.III & PS is shown as 4200, whereas the GP of Inspectors is correctly shown at 4600. This is another wedge that is thrust between Gaz. Officers & Non-Gaz. Staff, **who collectively under 'JCA' is a formidable force to reckon with**.

2. **Cadre Restructuring**

Notification dated 31-5-2013 in this regard, must have been seen by all. The blatant discrimination against promotee officers stands out because only the vacancy in the grade of ACIT are to be filled in 5 years starting from 2013-14.

Why this discrimination? Because, Promotee Officers are seen as the only competitors to Direct Recruit IRS Officers for the posts of JCIT & Addl. CIT and therefore **by delaying the entry of our members in to IRS can ensure that they do not reach the Supervisory Grades.** Spreading the ACIT vacancy for 5 years means that CBDT has provided for those who are studying in 11th Std., to the exclusion of ITOs with 10 to 12 years of assessment experience.

This utterly parochial (& disgusting) attitude **will result in either keeping vacant huge number of posts in the grade of DCIT/ACIT & JCIT/ Addl.CIT** or Board will have to resort to huge direct recruitment of ACITs which will spell doom for such direct recruits due to stagnation in future. The negative impact of this partisan action has been analysed precisely and concisely, in a 3 page note which is enclosed along with a copy of letter submitted to the Hon'ble Finance Minister.

In the aftermath of the said notification, an emergency meeting of ITGOA Secretariat was held at Delhi on 4-6-2013 which was also attended by delegates from 14 out of 18 Units of ITGOA, wherein it was decided **to apprise the higher authorities i.e. RS & FM**, about the inherent fallacies in this Cadre Restructuring. It was also decided that each Unit of ITGOA shall use their good offices with the **Hon'ble MPs or Ministers of Union Cabinet from their respective constituencies** and request them to plead on our behalf, to revisit the Cadre Restructuring matter, especially w.r.t its implementation. A draft letter in this regard will be circulated by CHQ. Besides, wide publicity needs to be given, both in print & electronic media, on the said anomalies and partisan attitude of the CBDT which as on date is seized by the IRS Association, and is therefore pursuing policies which are apparently designed to protect the IRS Service, even at the cost of defeating the very purpose of Cadre Restructuring due to tardy Revenue collection on account of huge vacancy at the cutting edge level i.e. DCIT/ACIT and first supervisory level i.e. JCIT and excessive monitoring from more CIT / CCIT.

In the PGRM Meeting held on 4-6-2013, **ITGOA lodged its stanch protest** on the Cadre Restructuring (mainly the scheme of spreading the ACIT vacancy alone, over a period of 5 years) and demanded that there should be same dispensation across the board i.e. **either all vacancies be filled-up at one-go through promotions as was done in the year 2001 or spread all vacancies in all grades over a period of 5 years.**

ITGOA resolves to knock at all doors for getting justice to its members and it **will not flinch from seeking judicial intervention.**

Accordingly, on 5-6-2013 itself **CHQ Leadership met Revenue Secretary** and submitted the enclosed note. Thereafter on 6-6-2013, the said note along with a letter (copy enclosed) was submitted to the Hon'ble F.M. All these hectic work & parleys may have caused some delay in issuing this Circular, which will surely be appreciated by our members.

This is surely a very trying time for members of ITGOA whose career interest have been directly compromised by the prejudiced CBDT and at the same time, **deferment of ACIT promotion will have a cascading effect in the grades below ITO i.e. Inspector, SR. TA** and so on till the lowest grade, which needs to be borne in mind without getting inundated by the temporary feel-good factor due to creation of new posts in lower grades that is merely ephemeral. **There is an urgent need to dissect the divisive strategy of CBDT** and give it a fitting reply, otherwise **posterity will question our wisdom and alacrity on such a vital issue.**

3. **Other issues discussed in the PGRM Meeting**

a. **Promotions**

i. **ITO to ACIT**

ITGOA demanded for immediate holding of DPC for RY 2013-14 and also chain vacancy on account of ad-hoc promotion to the grade of JCIT of 2000 to 2003 batch officers numbering to around 535. Board assured positive action in this regard.

ii. **ACIT to DCIT**

Immediate holding of Review DPC for left-out officers of 2008 batch and correct date for promotion to the 2006 & 2007 batch officers was demanded. It was informed that reference to DOPT for relaxation to give ante-dated promotion to 2006 & 2007 batch officers will be pursued for an early resolution. It was also assured that DPC for left out officers of 2008 batch and earlier will be held soon.

iii. **DCIT to JCIT**

Firstly, regularization of Ad-hoc JCIT (of 2000 to 2003 batch officers) and then promotion for 2004 batch officers were demanded. It was informed that CBDT is seeking the opinion of ASG as per the advice of DoLA for regularizing the Ad-hoc promotion of JCIT and the process for getting relaxation for 2004 batch was under process.

b. **All India Seniority List of ITOs**

CBDT was informed about the need for early finalization of All India Seniority List of ITOs and in this regard uniform guidelines from CBDT was sought for implementing the judgment of Hon'ble SC in the case of NR Parmar, for avoiding any further litigation. Board has assured to follow-up with CCIT(CCA) of the regions from where the details are pending and as regards NR Parmar judgment, suitable guidelines for implementation as per DOPT's advice will be issued.

c. **Access to official website & Video Conference**

In response to ITGOA's demand, Board assured that necessary changes will be made to enable all employees to access the official website through their employee code. The suggestion to change the name of the website to represent the official status of the Department from that of the present name which represents only IRS also been taken note of by the Board. It was also agreed to provide Association porticos for both ITEF and ITGOA. Similarly, the issue of participation of Associations in Video conference will be decided shortly, by the Board.

d. **Grievance relating to AO/PS**

Board has assured that all the issues relating to AO/PS will be pursued subject to the constraint that AO/PS are common cadre in Govt. service.

Besides, **ITGOA demanded reasoning for not creating PPS & Sr PPS** commensurate with CCIT & Pr. CCIT at HAG+ & Apex Scale. Similarly, the need to have AO-Grade-I (which was there earlier) was emphasized for being posted with CCIT at HAG+.

It has been assured that a separate proposal will be sent for these posts, as these can be created with the approval of Hon'ble FM and no separate Cabinet approval will be required.

e. **Grievance on All India Transfers**

ITGOA highlighted the grievance from the All India Transfers of ACIT / DCIT & JCIT, each ground-wise, as also the cross-country transfers effected last year, which has not been corrected till date. Then, the injustice w.r.t DCIT/ACIT posted in Directorates was raised, by referring to full Board decision taken in the meeting held on 26-4-2012, wherein it was decided that the tenure for posting in Directorates will be only 2 years & any extension thereafter can be only on the specific request of such officers. ITGOA then stated that a consolidated list of officers seeking transfer will be submitted on 5-6-2013. It was assured that the grievances will be considered after the AGT for CIT.

f. **Year of Induction**

ITGOA demanded that the discriminatory proposals for introducing concept of '**Year of Induction**' in the **IRS Recruitment Rules, be dropped immediately** and amendment, if any, must conform to principles of equity and justice. Here it is informed, that attention of the Member (P) was drawn to the Order Sheet/file notings obtained under RTI which suggests that promotee officers are being discriminated upon in more than one way and any move to formalize such amendments will only result in avoidable litigation.

From an analysis of the said file notings, it is established that **ITGOA was 100% right in anticipating a partisan proposition** i.e. Induction date for a DR will be the 1st January preceding the exam and the same for a PR, would be 1st January following the actual promotion. Thus, by this concept an undue advantage of 2 years is sought to be passed on to DR over their corresponding PR (of same RY) by delaying the DPC.

But **due to the timely objection raised by ITGOA** (which is even acknowledged in file notings) concept of Year of Induction / Allotment has been changed and now the same is proposed as for a DR it will be the calendar year in which the vacancy was reported to UPSC and for a PR, it will be the calendar year in which the vacancy year has arisen and action has been taken to fill that vacancy. The only possible mischief here is that **action for filling-up vacancy (PR Quota) can be delayed to the disadvantage of PR**. This will be duly objected to.

Another area of concern is that **the Quota Rule** [Rule 7(2) of IRS Rules] **is proposed to be changed**. Now the same is **50% each of annual vacancy** in the grade of ACIT, to be filled by Promotion and Direct Recruitment and it is proposed **to be amended as 50% of Recruitment** in ACIT, which will be an arbitrary number & can be less than the number of vacancy. Such an amendment will result in more vacant post in ACIT grade on one hand and on the other hand, stagnation in the grade of ITO will worsen due to artificial reduction in number of PR. As of now, the proposals are being reviewed by HRD for studying the impact of Apex Court judgment in the case of NR Parmar.

4. At this hour of crisis, **need of the hour is to remain united** and raise our grievance at every forum available, in pursuit of our just goals. Leadership of all Units are requested to give wide publicity to this circular and apprise the members of the grim situation staring our members especially w.r.t their career prospect, on account of partisan attitude and divisive strategies of CBDT under the full influence of IRS Association. The situation calls for **maintaining our united movement more than ever before**.

LONG LIVE ITGOA ; LONG LIVE OUR UNITY ; LONG LIVE ITGOA

Yours comradely,



(Rajesh D. Menon)
SECRETARY GENERAL

Encl. As above (Copy of letter to Hon'ble FM with Note on adverse impact of Cadre Restructuring on Revenue Collections.)