



INCOME TAX GAZETTED OFFICERS ASSOCIATION

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*ITGOA
ZINDABAD*

F.No. ITGOA/CHQ/Circular/3/2018-20

Date: 31.08.2018

To
**The Members of the CHQ,
The Presidents/General Secretaries,
The Members of all Units,
(Through General Secretary of all ITGOA Units)**

Dear Comrade,

Sub:- Circular No.3

Dated 31.08.2018

1st Managing Committee Meeting (MCM) after 44th BGM at Agra was held in Delhi (Civic Centre) on 19th& 20th August, 2018. The inaugural session was graced by the Chairman, CBDT and the Member (Admin), CBDT. Secretary General and other leaders of ITEF CHQ, General Secretary, IRS Association All India Body, CIT (Coordination), CBDT and CIT (Admin), Delhi Region were also present in the Meeting.

In the business sessions, stretching over both 19th& 20th August, 2018, all Managing Committee (MC) members and delegates from different units took part in the agenda item/issue wise deliberations. MC is the highest decision making body between two consecutive BGMs, held half yearly basis, where the courses of actions of the organization for coming six months on all pending issues are deliberated upon and decided.

The broad outlines on the issues to be taken up by the organization for next two years were decided in Agra BGM, which was fine-tuned in the Secretariat Meeting held in Delhi on 16.02.2018. The CHQ thereafter acted on the decisions so taken. In the MCM held, apart from the general briefing at the beginning, the President or the Secretary General informed the house about the developments agenda item/issue wise, which was followed by thorough deliberations and decisions. The agenda item/issue wise decisions taken by the MC after in-depth discussions are as under:

Agenda No. 1 : To discuss the issues of promotion/regularisations/upgradations pending in various cadres

A. Promotion:

1. ITO to ACIT:

i) As the DPC for R.Y. 2017-18 has been held on 16.08.2018 and the promotion order is expected any time soon, the Board is to be pressed on priority to initiate the process for holding the DPC of R.Y. 2018, fallen due on 01.04.2018.

ii) HRD APAR cell is to be pressed to circulate the APAR deficiency list for the DPC of R.Y. 2018 immediately.

2. ACIT to DCIT:

As most of the deficient APARs (27 out of 30) have been collected, the CHQ will pursue for grant of STS to the left out officers of 2013-14 at the earliest.

3. DCIT to JCIT:

i) Once JCIT ad-hoc promotion of IRS of 2006, 2007 and 2008 batches is regularized, the Board will be impressed upon to immediately move proposal to the DoPT for relaxation of 2009 Batch.

4. AO Grade II to Principal AO:

i) Immediately on finalisation of the RR of Pr. A.O, the Board is to be pressed on priority for relaxation of the residency period in the cadre of A.O, Gr-II.

5. AD (OL) and DD (OL):

i) The proposal for AD(OL) promotion, presently lying with the UPSC for holding DPC, is to be pursued closely.

ii) The Board is to be impressed upon to immediately take up the task of preparation of the proposal for promotion to the grade of DD(OL).

B. Regularization:

1. ACIT of 2014-15, 2015-16 and 2016-17 batches:

i) Regularization Proposal for Ad-hoc ACIT of 2014-15, which is at the final stage for sending to the UPSC, is to be followed up closely.

ii) Board is to be impressed upon to take up the task of preparing the Regularization Proposal for Ad-hoc ACIT of 2015-16 and 2016-17 at one go, immediately after sending of 2014-15 proposal.

2. JCIT of 2006, 2007 and 2008 batches:

i) Regularization Proposal for Ad-hoc JCIT of 2006, 2007 and 2008 Batches (prepared for all 3 batches at one go after constant insistence by the CHQ), which is at the final stage for sending to the UPSC, is to be followed up closely.

C. Upgradation:

1. NFSG:

i) The Board is to be asked to initiate the preliminary tasks like APAR deficiency removal etc. for 2006 Batch, due on 01.04.2019 and left over of earlier batches.

2. To Discuss the issues pertaining to the AO & PS Cadre:

i) The proposal sent to the DoE seeking clarification on pay upgradation of Income Tax Officer, AO Grade II and Senior PS after completion of 4 years regular service is to be followed up closely for early approval.

A. AO Cadre:

1. Nomenclature Change:

i) Proposal of change in nomenclature for AO cadre (Executive Officer ⇔ AO Grade III; Senior Executive Officer ⇔ AO Grade II; and Principal Executive Officer ⇔ Principal AO), as submitted before DoMS is to be pursued for processing and onward transmission for approval of the Competent Authority.

2. Duty List:

i) All Units are to intimate their suggestions on the draft Duty List of various AO cadres circulated in the MCM by 27.08.2018.

ii) The Duty List is to be finalized considering the suggestions received and submitted before the DoMS for necessary action.

3. Pay Parity/ upgradation:

i) The case (M. Goswami&Ors. vs UOI) filed before the Principal Bench of CAT and decided against us will not be pursued further in the higher legal forum.

ii) The pay parity of the AO cadre of our Department vis-à-vis various posts across the Central Government Departments applying the *equal work equal pay* principle will be studied afresh.

iii) The feasibility of taking the legal recourse afresh on the pay parity/ upgradation issue will be examined.

A committee with following members has been constituted to work on the issues relating to AO cadre on the basis of the decisions taken in the MCM (as discussed above):

1. Shri R. Sethuram	KTK&G	Convenor
2. Shri VinodNakhoa	Mumbai	Member
3. Shri Gajendra Kumar Mishra	Delhi	Member
4. Shri Ashok Kumar	Delhi	Member

The committee will submit its report to the CHQ by 20.10.2018 and it may co-opt any member for its functioning.

B. P.S. Cadre:

1. Pay Parity/ upgradation:

i) The case (M. Goswami&Ors. vs UOI) filed before the Principal Bench of CAT and decided against us will not be pursued further in the higher legal forum.

ii) The proposal for bringing in pay parity with CSSS, prepared by the PS Members of TN&P Unit (a Power Point presentation on the proposal was made by Com. A.L. Venkataraman and Com. R. Chitra in the MCM), which was later finalized and submitted by the CHQ, is to be pursued at Board level for necessary processing and onward transmission to the competent authority for taking a decision.

iii) All the Units will submit the same proposal, as stated above, to the Board through their respective PCCsIT. The CHQ will identify some individual in the cadre of PS for submitting representation at Delhi, which may help to create a cause of action during any future litigation.

iv) The pay parity issue of the PS cadre of our Department vis-à-vis analogous posts across the Central Government Departments (apart from CSSS) applying the *equal work equal pay* principle will be studied to strengthen our demand.

v) The feasibility of taking the legal recourse afresh on the pay parity/ upgradation issue will be examined.

A committee with following members has been constituted to work on the issues relating to PS cadre on the basis of the decisions taken in the MCM (as discussed above):

1. Shri SanjeevBabbar	Delhi	Convenor
2. Shri A.L. Venkataraman	TN&P	Member
3. Smt. R. Chitra	TN&P	Member
4. Shri D.V. Subramanyam	AP&T	Member
5. Shri Arun Kumar Sinha	Delhi	Member

The committee may co-opt any member for its functioning.

3. To discuss all other issues and decide upon the further course of actions to be taken

A. AGT 2018:

1. ACIT/DCIT:

i) The cases, where aberrations from T&P Guidelines have been taken place, will be taken up with the Board.

ii) All other post AGT representations, forwarded to the CHQ through units, will be pursued at Board for favourable considerations.

2. JCIT/ Addl. CIT:

i) Board will be pressed to honour its own T&P Guidelines of 2010 for adhering to the cooling off period and other norms.

ii) All other post AGT representations, forwarded to the CHQ through units will be pursued at Board for favourable decisions.

B. Helping out Kerala Flood Victims:

i) It is decided to appeal to all the members to contribute one day's salary (Basic+DA) to join hands in the relief and rehabilitation works going on in Kerala.

ii) All the units will be requested to collect the contributions from their members and send the sum directly to the ITGOA, Kerala Unit for utilization of the fund on real time basis.

iii) All the units will further be requested to collect the contributions early, so that the sum (or at least a major portion) can reach to the ITGOA, Kerala Unit by the end of the month.

C. Miscellaneous Issues:

1. Pay fixation of AO, PS and ITIs after 6th CPC:

i) The Board will be pressed jointly along with ITEF to implement the Principal Bench of CAT's order in favour of JCA members.

2. NRP Advisory corrections:

i) The letter of the CHQ proposing correction of the NRP advisories in respect of the SSC Examination years of 1995, 1996 and 1999 to be pursued.

ii) All the units are requested to send all supporting documents for proposing correction of any other examination years, if there is any demand from their members.

D. All India Seniority List for ITOs:

i) As the deficiencies identified by Jayadevan committee in the All India draft ITO Seniority List have been ignored while finalizing the same, the CHQ will pursue to bring in necessary corrections suggested by Jayadevan committee in the Seniority List.

E. ITBA and e-assessment:

i) CHQ will pursue to bring in the immediate changes in the existing e-assessment instruction, as promised by the Chairman in the inaugural session.

ii) CHQ will bring all the problems relating to ITBA, faced by our members to the knowledge of the Board and other concerned authorities and also to propose remedies.

A committee with following members has been constituted to work on the issues relating to ITBA:

1. Shri K. Suresh	Delhi	Convenor
2. Shri Jai Narayan	Rajasthan	Member
3. Shri RajarshiSaha	NER	Member
4. Shri NileshHambir	Mumbai	Member
5. Shri ManasRanjanBehera	A.P.	Member
6. Shri B. Sunil Kumar	Pune	Member
7. Shri Dushyant Kumar	UP (W)	Member

The committee may co-opt any member for its functioning. All the units are also requested to collect the problems and remedies, if any, relating to ITBA from their members and intimate the committee.

F. Attempt to rope in vigilance angle in normal actions of the assessing officers:

i) CHQ will take up the matter with the DGIT (Vigilance) against the attempt being made by his Zonal directorates to rope in vigilance angle in normal actions of the Assessing Officers in respect of S.K. Jain Group of cases, accepted audit objections having tax effect more than two lakh, interest u/s 234 A, 234 B & 234 C modification etc.

G. Internal Audit:

i) The present Internal Audit scheme of the Department will be studied, the problems faced by the members and the shortcomings of the scheme, specially regarding the present criteria of

determining the Audit Potential Index (API) will be identified and remedies, specially redrawing the criteria to determine the API, will be suggested.

ii) A committee under the convenorship of Com. Rajesh Gupta is constituted for the purpose discussed above and he will co-opt members of his committee.

iii) All the units are requested to collect all the information relating to Internal Audit scheme including remedies to the problem from their members and intimate the committee for its deliberations.

Agenda No. 4 :- To discuss continuation in participation in movements/calls of agitation by JCA and other forum.

A. Agitation of the JCA:

i) Suspended agitation is not required to be revived as of now. However, CHQ is authorized to revive the agitation, if the JCA partner ITEF desires so.

ii) CHQ is also authorized to decide on the date and the mode of agitation. However stoppage of report submission, being lost its utility, shall not be part of the agitation.

iii) The other modes should be selected carefully so that members of both the JCA partners can participate equally.

iv) ITEF may be requested to restrict to the issues, which can be resolved at the Board's level.

B. Proposed strike called on 15.11.2018:

i) ITGOA will participate in the proposed strike called by the CCGE&W on 15.11.2018 on the issue of scrapping of NPS and other demands, if the CCGE&W constituent and JCA partner ITEF requests so, in order to show complete solidarity as per the decision taken in Guwahati BGM.

Agenda No. 5:- To discuss on organisational matters

A. Cadre Review of the Department and the issue of stagnation in ITO grade:

i) The committee already constituted to prepare a proposal to address the problem of stagnation in ITO grade will conclude its task early.

ii) CHQ will pursue along with ITEF to constitute the Cadre Review Committee at the earliest.

iii) President, Secretary General will be the representative of ITGOA in the committee and the all the members of the stagnation committee will be present in the meetings of the Cadre review committee and also present the case of ITGOA.

B. Operation vehicles:

i) CHQ will pursue the proposal submitted on operational vehicles and get it cleared from the Board.

C. Renewal of recognition of ITGOA under CCS (RSA) Rules:

i) CHQ will pursue in the Board to issue an early letter requesting the PCCsIT (CCA) of all regions for completing the membership verification exercise as laid down in CCS (RSA) Rules and send report to the Board.

ii) Once the letter is issued by the Board (to be communicated to the units immediately), all the units will extend all possible help to the office of the PCCIT (CCA) to complete the verification exercise at the earliest and report to the Board.

D. Court case on 01.01.96 issue pending before Bombay High Court:

i) CHQ will pursue to get an early audience of the Chairman, CBDT for exclusive discussion on the issue.

ii) Mumbai Unit will continue its effort for early and effective hearing of the case.

E) Co-ordination with the IRS Association

i) As proposed by the General Secretary, IRS Association to form a co-ordination forum, the ITGOA has no objection and will explore the possibility of formation of the Co-ordination forum along with the JCA partner ITEF.

With Warm regards

Yours Comradely,



(AmitavaDey)
Secretary General