



सत्यमेव जयते

GOVERNMENT OF INDIA, MINISTRY OF FINANCE**CENTRAL BOARD OF DIRECT TAXES****DIRECTORATE OF INCOME TAX****(HUMAN RESOURCE DEVELOPMENT)**

ICADR Building, Plot No. 6, Vasant Kunj Institutional Area Phase-II

New Delhi - 110070. Ph. 26130592, Fax 26130594.

HRD/CM/220/14/2013-14/(Pt-II) / 1008

Dated: 18.05.2015

To,

All Pr. CCsIT(CCA)

Subject:- Meeting to review the progress in implementation of N.R Parmar judgment of the Supreme Court and the decisions taken-reg-

Sir/Madam,

To ascertain the status of implementation of the Supreme Court judgment in N.R Parmar and the guidelines issued by CBDT in the form of FAQs, meetings chaired by DGIT (HRD) were held on 30.3.2015 and 10-04-2015, with representatives of all CCAs and ITEF. The representatives from Bihar & Jharkhand and Kerala and ITGOA were not present in the meetings. The highlights of the meeting are as below.

2. The DGIT (HRD) impressed upon the participants that the implementation task was important for finalizing the All India Seniority list of ITOs which in turn was essential for promotion from ITO to ACIT grade.

3. DGIT (HRD) sought inputs from the participants about the process being followed by them for implementation of N.R Parmar judgment. The representatives were unanimous in saying that the process being followed was re-fixing the seniority list

followed by review DPCs starting from the lowest grade and progressing upwards. It was explained by them that this bottom-to-top approach was the more preferable method, than undertaking the fixation of seniority list of Inspectors and ITOs first and then progressing downwards, since the latter method would involve a review of the review DPCs, which would add to the confusion and would extend the period of implementation

4. M.P & Chhattisgarh and U.P (East) have already carried out the entire task of implementation of the N.R Parmar decision in all the cadres. In NER, few minor objections post review DPCs were received, which will be finalized soon.

5. Rajasthan region raised a query regarding Examination year 1992 and 1993, whether the Vacancy year and the Examination year in the above years should be treated as 1992-93 and 1993-94 respectively, contrary to the seniority fixed in the Advisory issued by the Board, as some representations had been received from the employees. The DIT (HRD)-II, clarified that decision of the Apex Court clearly states that the seniority is to be counted with respect to the date of requisition, and not the exam year.

6. In A.P & Telengana region, representations were received regarding fixation of seniority in the case of employees selected through Sports and Compassionate quota on the basis of N.R Parmar judgment. They were informed the apex court decision in N.R Parmar is applicable only for the direct recruits selected through the open examination. Sports & Compassionate quota appointments are to be dealt with as per separate instructions.

7. For UP (West) region, the representatives informed that they were not able to trace the records from 1986 to 1991 i.e. for the period, the requisition was made directly by CCIT office to the Staff Selection Commission. DGIT (HRD) advised UP (West) region to obtain the dates of requisition made by them to SSC, by looking into the dossiers of the selected

candidates of those years, as the dossiers would contain details of the requisition letters. SSC regional offices or even neighboring regions may be consulted to get a clue.

8. Mumbai also informed about lack of desired data, as the same were lost during the massive floods which ravaged Mumbai few years back. A Task Force assisted by sub-committees for various cadres has been constituted to prepare and finalize the seniority list. Mumbai proposed to complete all the review DPCs within next 5-6 months.

9. Odisha too was facing the problem of lack of documents. The files of the previous DPCs could not be traced, however, necessary steps were being taken to address the issue.

10. In the other regions, the process of implementation of the N.R Parmar judgment was at various stages like finalization of the seniority list, circulation of the seniority list, completion of review DPCs in some cadres etc. The time frame sought by the regions for completing the remaining work varied from 5-6 months as the total number of review DPCs involve 28 years i.e DPCs held since 1986,(which is the cut off year), and involves about 120 review DPCs.

11. Measures to accelerate the entire process were also discussed. It was suggested, that the circulation of the seniority list, should be for 3-4 days against duration of week or more, being followed by various regions. This would save time. It was also emphasized that the representatives of the associations at local level should also assist in the exercise, specially at the stage of addressing and resolving of objections to the seniority list circulated. DGIT (HRD) requested the President, ITEF to sensitize ITEF representatives to cooperate with the local administration to expedite the process. President, ITEF agreed to do so.

12. Following decisions were taken in the meeting:

- i) Bottom-to-top approach would be followed by all the regions in implementing the decision, which entails re-fixing the seniority list followed by review DPCs starting from the lowest grade and progressing upwards rather than undertaking the fixation of seniority list of Inspectors and ITOs first and then progressing downwards, since the latter method would involve a review of the review DPCs, which would add to the confusion and would extend the period of implementation.
- ii) All the regions to finish the task of implementation of the N.R Parmar judgement by 31-07-2015 and also to send the compliance report to DGIT (HRD).
- iii) Directorate of HRD will monitor the progress of DPCs on regular basis with all cadre controlling authorities.

13. This issues with the approval of Member (P&V), CBDT.

*Yours faithfully,
Surabhi Sharma*

(Surabhi Sharma)

Dy. Director of Income Tax (HRD)

Copy to:-

The webmanager www.irsofficersonline.gov.in with the request to place on the website.