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INCOME TAX GAZETTED OFFICERS' ASSOCIATION

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To

**The Presidents/General Secretaries,
The members,
Of all the Units of ITGOA.**

Dear Comrades,

Subject: Implementation of judgement in UOI vs. NR Parmar and promotion to ACIT cadre.

Ref: Minutes of the Extended Secretariat Meeting of ITGOA circulated on 08-01-2015.

Please refer to the Minutes of Extended Secretariat Meeting of ITGOA held at New Delhi on 04-01-2015 circulated on 08-01-2015. Among other issues, the Meeting took stock of the situation in relation to the revision of seniority as per advisory issued by CBDT in pursuance to the decision of Hon'ble Supreme Court in the case of Union of India vs. N. R. Parmar.

The Meeting revisited the objections raised by some of our members earlier while conducting DPC from cadre of ITO to ACIT for the R.Y. 2012-13 and 2013-14 without implementing NRP and also, the overwhelming frustration of the entire membership for the inordinate delay in holding DPCs for promotion in the cadre of ACIT. The meeting decided that the promotions on the basis of the existing seniority list subject to further revision as per NRP might be allowed and, at the same time, ITGOA must put all its efforts, region-wise and at all India level, to ensure the implementation of NRP at the earliest.

The meeting also discussed that the Advisory issued, even after one corrigendum, was not properly addressing the year-wise fixation of seniority at everybody's satisfaction. One more corrigendum, correcting the position regarding the 1995 SSC Examination has been issued on 16-01-2015. There may be more issues which need to be corrected, but to rectify the Advisory in all these issues will take some more time and so, it was proposed that all Units/concerned members may identify such issues where rectification is required in the Advisory and send them to CHQ with details but in the meanwhile all of us should see to it that the process of

implementation of NRP continues / is taken up strictly following the existing Advisory subject to further changes to avoid further delay.

Only four of the regions could complete the job of implementing NRP till date. It is the duty and responsibility of the respective Pr. CCsIT (CCA) to adhere to the time-limit given by the Board and get the revision of the seniority done as per the guidelines in their regions. As majority of the regions have failed to complete the job on earlier two time-limits fixed by the Board, the corrigendum issued on 16-01-2015 once again fixed the target date of 30-01-2015. Compelling the Pr. CCsIT(CCA) to complete the job by the time given is to be ensured by the respective Units.

As the attendance in the meeting dated 04-01-2015 was poor (only 6 out of 18 regions were present and other 2 Units expressed their views in writing), it was decided by the house that the decisions taken in the meeting be circulated to all the Units for their views/opinions/suggestions, and accordingly, the minutes was circulated on 08-01-2015. All the Units were requested to forward the same to the CHQ, discussing the issues in their respective Unit meetings if required, within 7(seven) days of receiving this minutes and the CHQ would act according to the views/opinions/suggestions expressed by majority of the Units. But unfortunately, none of the Units, who were absent in the said meeting, expressed their views/opinions to the CHQ except Gujarat. Only the Gujarat Unit expressed their view in writing, vide letter dated 15-01-2015, objecting any move by the CHQ to pursue the competent authority for conducting DPC for the promotion in the cadre of ACIT before the revision of seniority of ITOs as per the implementation of NRP (the letter of Gujarat Unit, addressed to the CHQ, is attached herewith).

We all know that the career prospects of PR officers are left paralyzed in the debate of NRP. But most of us are not in a position to implement NRP fast, even after the issue of Advisory for uniform implementation, and we are also not unanimously ready to accept ACIT promotion before complete implementation of it. The members chose to debate among themselves in social networks, but most of the Units prefer to stay away from the process of reaching into a conclusion and deciding something concrete on the issue. You must appreciate that CHQ can neither act upon the views expressed by the members in social networks nor decide on issues by its own, without the official views expressed by its constituent Units.

It is important to reiterate here that the CHQ has made persistent efforts to ensure implementation of N R Parmar uniformly at the earliest possible date by taking following steps:

- Strengthening of JCA and ensuring that the demand for uniform implementation is raised from the platform of JCA;

- Issuance of advisory / guidelines and its subsequent amendments with deadline by CBDT;
- Regularly consulting all the units about the progress in its implementation;
- Regularly discussing with CBDT/HRD for monitoring the progress.

However in the present circumstances, it is apparent that the implementation will necessarily take more time than expected because of multiple Review DPCs, non availability of records and necessary amendments in the advisory based on specific instances being brought to the notice of ITGOA/ CBDT/ HRD. More so, the CHQ is unable to act upon materializing more promotions in the cadre of ACIT so far either the Units complete the job of NRP immediately or agree for the promotions subject to implementation of NRP.

Considering all the facts stated above, I, on behalf of CHQ, once again request all the Units to take a call on the subject and express their views/opinions/suggestions in regard to this most contentious issue today without any further delay. I must admit and state that the CHQ is bound to and ready to put its entire effort behind any decision taken by majority of its constituent Units.

With warm regards,

Yours comradely,



(Bhaskar Bhattacharya)
Secretary General

Encl: as above

