



INCOME TAX GAZETTED OFFICERS' ASSOCIATION

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Circular No. 6

Dated: 12-10-2014

To,

**The Members of CHQ,
The President / General Secretary,
All Units of ITGOA**

Dear Comrades,

We congratulate to all our members who have recently been promoted in the cadre of ACIT. Regular DPC for promotion of 180 ITOs to ACsIT for R.Y. 2013-14 was convened by UPSC on 2nd & 3rd of September, 2014 along with a review DPC for R.Y. 2012-13 and the order was passed on 10-09-2014. The posting order for these newly promoted officers were passed on 23-09-2014 placing all of them in their present region of posting.

The present status on various issues affecting our members is as under:

1. Implementation of the NRP and holding of future DPCs for promotion to ACIT Cadre

The bigger task ahead of us is to complete the implementation of NRP decision nationwide in a uniform manner and recast the seniority list of ITOs as fast as possible so that further promotions to the grade of ACIT become possible for the vacancies, both regular and CRC, which are already due. Owing to the concerted effort of JCA, the Board has finally issued guidelines for the uniform implementation of the decision of the Hon'ble Supreme Court in the case of N R Parmar in the form of an advisory addressed to all Pr. CCsIT on 29-09-2014. But unfortunately, the Board has advised the Pr. CCsIT to implement NRP only in the cadre of Inspectors of Income Tax and to complete the exercise of conducting review DPCs latest by 10-10-2014. The JCA, vide its letter dated 29-09-2014, objected it immediately and demanded a corrigendum of the advisory stating that NRP is to be implemented in all cadres below ITI where

direct recruitments are there. Even after a frequent persuasion by JCA for last 10 days, the Board is yet to take a decision in this regard and naturally, the dead-line of 10-10-2014 passes away without any real effort to complete the job. We will put all efforts to convince the Board to come out with a corrigendum of the Advisory in this regard along with a fresh time-limit in the QRM scheduled on 14-10-2014. Further, it has been raised by certain members that the recruitment years mentioned in Annexure-1 of the CBDT advisory dated 29-09-2014 may not be correct. The only intention of JCA is to implement NRP in uniform manner all over the country and the Units are requested to point-out categorically where the so-mentioned recruitment years create non-uniformity in fixing seniority of ITOs in different regions so that the CHQ can initiate further necessary action.

Once the All India list in the cadre of ITOs is finalized then it will enable the CHQ to pursue with the Board to hold DPCs for the CRC vacancies for the RY 2013-14 & 2014-15 as well as the regular vacancies as per Model calendar for holding of the DPC. As you all are aware that the major difficulty in holding the DPC for the RY 2013-14 was the non-implementation of the judgment in the case of N R Parmar, therefore, all efforts should be made, after the necessary correction of the Advisory, to pursue the Pr. CCIT to prepare the draft seniority list in accordance with the terms mentioned in the Boards letter and submit the same to the Board within the fresh time period set by the Board.

The CHQ has already proposed CBDT for filling up all available vacancy in the cadre of ACIT. Finalization of year-wise vacancy in the cadre of ACIT and completion of deficient APARs are required for this exercise along with the seniority list. We are persistently trying to get the job of vacancy calculation done by the appropriate Directorate of CBDT. The list of deficient APARs has already been circulated vide communication dated 12-09-2014. The CHQ has approached the DIT (PRPPOL) for updating the deficiency list and to upload the new one immediately. The Unit General Secretaries are also requested to follow it up with the Administration and the members of their respective Units whose names are appearing in the deficient list to complete the APARs.

2. NFSG to 2001 batch

Finally, the Screening Committee met on 17-09-2014 to grant NFSG to the left out promottee officers of 2001 batch. The order of 65 officers has been passed on 08-10-2014 granting NFSG w.e.f. 01-01-2014. But the same was not granted to another 25 officers on the ground of deficient APARs. All the General Secretaries of the respective Units are requested to find out the fate of the deficient APARs in respect of these left out officers from the local administrations and intimate the same to the CHQ immediately.

3. AO/PS Grade pay

The Gr. Pay and Laptop issues of the AO/PS cadres are already taken up with the authority and these will be pursued with right earnest till the end. The issue of Grade pay for the AO/PS was last heard in the Pr. Bench, CAT, on 17-08-2014. In this hearing the department has pleaded for more time but the court refused to grant the same and the final hearing in the matter had been fixed on 09-10-2014. The matter was taken up by the CHQ with the counsel appearing on our behalf and the issues relating to his non-appearance on earlier hearing were sorted out. But unfortunately, the case was not taken up on 09-10-2014 and was adjourned on 21-11-2014 again.

4. T & P orders

Some requests of our members for the T & P orders in the cadres of Addl. CIT/JCIT and DCIT/ACIT have already been accepted and suitable orders have been passed by CBDT. In the cadre of DCIT/ACIT, the order in respect of officers posted in Directorates was passed on 29-08-2014 and another order of 66 officers was passed on 09-09-2014. All the newly promoted ACsIT were posted in the regions where they are posted now by an order dated 23-09-2014 and very recently, order no. 182 was passed on 10-10-2014 comprising the name of 19 more officers posting in their choice stations. All the officers who were transferred out of their home-station in 2010 & 2011 have been transferred back to their desired regions by these orders and at present there is no such case pending before the CHQ to pursue. Though the CHQ was pursuing those cases of 2012 batch of officers who suffered the cross-country transfer two years back, only a few of them could find place in these orders so far. Still, we are happy to note that the lady-officers of 2012 & 2013 who suffered cross-country transfer could be send back to their home-states. The CHQ is still pursuing for more transfers in this cadre.

In the cadre of Addl.CIT/JCIT, 6(six) orders have already been passed (Order No. 70/82/112/116/136/179) by the Board and some of the representations among the members of ITGOA have been considered. The CHQ is regularly pursuing the Board for considering all other similarly placed officers and we hope to find more orders in this cadre soon considering more officers sending back to their home-stations.

5. IRS Recruitment Rule

As per the decision of last MCM at Darjeeling, the CHQ requested the Board to provide it with the copy of the proposed IRS RR that had been sent to the DoPT for approval. The Board was reluctant to provide us the copy officially. The CHQ had got no option but to write to the Secretary, DoPT in the matter and the objection was submitted before DoPT on 17-09-2014. The same was also intimated to the Hon'ble FM, MoS(Finance), Minister-in-charge of DoPT, the

RS and the CBDT. Subsequently, the DoPT has issued an OM dated 24-09-2014 instructing all the Cadre-controlling Authorities of Gr. A Services to publish the proposed amendments in the existing rules in the official websites and to call for the suggestion/opinion of everybody concerned. As the same was not done by the CBDT, the CHQ had again requested the Secretary, DoPT on 30-09-2014 to ensure that the proposed IRS RR be uploaded in the Departmental Website.

6. Effective date of DCIT promotion and regularization of Ad-hoc JCSIT of 2001 batch

Letters in this regard have been submitted on 08-10-2014 before CBDT highlighting the facts. The matter is under regular pursuance and will be discussed in the QRM scheduled on 14-10-2014.

I assure that further development on the above issues and many more issues / demands which the CHQ is seized of, will be intimated immediately to all our members.

With warm regards,

Yours comradely,



(Bhaskar Bhattacharya)
Secretary General