

**Minutes of the meeting of the Executive Committee held in the Canteen Hall of
Bamboo Villa on the 1st of February, 2013 at 05.00 p.m.**

The meeting was presided over by the **Vice President, Sri Sumit Roy** in the absence due to leave of Shri Mrinal Chanda, President. After declaring the meeting open Sri Roy asked Sri Bhaskar Bhattacharya to present his report and proposals.

Sri Bhattacharya started the meeting referring to a decision reached in the 1st E.C. meeting that the E.C. meetings were to be held by rotation in the maximum number of buildings. He said that the E.C. meetings were not a water tight compartment. He said that the association will be benefited by the maximum attendance by the general member of the organization. He said that a few years before when the organization had started there were 350+ members who were led by three or four leaders, who tried to solve all the problems. However, today the membership numbers to 856. The management has also started taking oppressive measures much more. Hence, today to survive, all have to contribute and make the present E.C. to work. To do this the members have to participate in larger numbers because the organization belongs to everyone and all should discuss each and every issue whole heartedly and freely. It is not that everyone should attend every meeting, but at least one could come to the association room to discuss and bring up problems and suggest their solutions.

He said that a website will be launched in the very near future. There are huge numbers of problem in the department faced by the officers. Shri Bhattacharya went on to give an example of the problem as was reported by the Bamboo Villa that time barring date in the case of 147/143(3) was being shown as 31st December, 2012. The website is being launched so that all members may have all relevant information readily at hand. This would result in transparency which is the core of Democracy.

Shri Bhattacharya reported that on the 3rd and 4th of February All India MC meeting will be held in Puri. He expressed his concern that the venue chosen was a tourist destination not a place for any meeting. He said that a decision had been taken that maximum number of EC members were to go to Puri and be active observers of the proceedings.

Shri Bhattacharya then read out the agenda of the meeting at Puri. He went on to say that the burning issue is ITO to AC promotion. All the states had demanded agitation on this issue. He stated that 70% of members of ITGOA are ITOs. Entry to Group 'A' does not start unless promoted to AC. From there on the promotion is time bound. Hence if the promotion to AC is delayed the higher echelon will only consist of direct recruit IRS officers. He said that the Board wants just that. He expressed his disgust that the All India Body has failed miserably in this matter.

Reverting to local issues, he said that in the 1st meeting of the newly constituted EC a cell had been formed where the members were requested to submit their problem regarding time barring matter.

He said that as far as processing u/s 143(1) was concerned, Bamboo Villa has been model before the whole of India, in the way the processing was being completed for not only for Kolkata offices, but for Moffussil offices too.

He stated that a problem being faced by the members of the association is that various Commissioners and CCsIT have started to issue letters directing that assessments are to be completed by 5th of February so that the demand falls due by 5th of March and that the demand has to be collected by 15th of March. He said that in a Video Conference on the 30th of January, The Chairperson had actually stated that the States whose collection was below the National Collection Average will have to finish the assessments by 15th February so that the collections might be made by the end of the Financial Year. Kolkata, being just above the National Collection Average, is not required to follow the above guidelines. However, the Commissioners and CCsIT have wrongly started following the above mentioned guidelines ~~which are quite wrong~~. Shri Bhattacharya said that the association has already protested this unwanted pressure created by the higher authorities, and will go on to do so.

Shri Bhattacharya also referred to the recent news of Shri Nitin Gadkari having given the statement that if BJP came to power, he would take into task the officers of the concerned departments probing his cases. He stated that a resolution has been taken in the JCA that apology shall be demanded from Shri Gadkari and that security for the Government Officers will be demanded.

The Secretary stated that the Department has recently started to take action in respect of anonymous / pseudonymous complaints in contrary to circulars of Central Vigilance Commission. He said that a letter has been submitted to CCIT enclosing circulars from CVC and requesting him to ensure that the CVC guidelines are duely followed.

Thereafter Shri Bhattacharya invited the members to discuss their problems also requested them to suggest solutions which would help and benefit the association in the future.

Himadri Panday said that pendency of PAN migration is hampering completion of Scrutiny assessments.

Sandip Basu Sarbadhikari enumerated a problem faced by him in respect of a 263/143(3) assessment. In this case return was submitted at Bhadrak. Hence the PAN is lying with the assessing officer at Bhadrak. However, in spite of a number of reminders there is no response from that end. He came up with another problem faced by him. Hard Disk of his computer was stolen from office. All formalities, like lodging of FIR, etc. has been

done. But as yet he has not received a replacement, which is hampering his time barring work.

Bikas Gain said that Audit of Range may be given to respective TROs of that range.

Indranil Chakraborty stated that ACRs of some senior officers were pending in Jharkhand due to which their promotion to the rank of DCIT is getting delayed.

Asit Baran Das stated that necessary books like Act and Rules are not being given. Data integration outside RCC is difficult due to absence of ready available direction of outstation officers.

Asim Lall Mitra asked whether adhoc promotion could be given to ITOs for AC promotion which was stuck due to CAT Order.

Himadri Panja stated that Field offices suffer from man power shortage whereas non-assessment offices have excess TAs/Sr.TAs.

Sandip Basu stated the problem that Challans could not be given credit to for A.Y.s 2003-04 and earlier A.Y.s

Swapan Chakraborty stated that the system is not allowing correction to the challans before 01.06.2004.

Rajashree Roy stated that Taxpert/Taxhelp is not available to officers of Bamboo Villa offices.

Shanmay Dasghosh suggested that TROs should be given access to ITD applications to view the AIR informations.

Sanjib Roy stated that migration could not be completed if there were processes like payment of refunds were pending. So for pending refunds Scrutiny Assessments could not be completed.

Amitava Sen, VP, in response to some of the issues raised above, stated that -
(1) If migration is sought for then there should be a flag in case of scrutiny cases .
(2) The actual problems for which Migration is pending is not intimated to A.O., who could take necessary steps if it was within his grip to resolve the problem.
(3) If 127 orders are passed, the PAN should migrate even if there are refunds pending.

He said that these matters shall be discussed in the M.C. meeting and if necessary shall be taken up with the DIT, System at Delhi.

Amlan Dutta stated that in cases of 263 & 147 assessments, CIT do not give approval online. Hence, these cases cannot be disposed online.

Debasish Sau said that Postal Department is not collecting the posts, which was probably due to non payment to the department.

Abhijit Ghosh informed ~~said~~ that funds have been received and payments are now being made. Things will get back to normal pretty soon.

Amitava Sen stated that Security has been outsourced. However, at Bamboo Villa there are more problems than other buildings. It is required to depute 3 more persons in night shift and 3 in day shift. He drew attention of the officers that to tighten up security the personnel may want to see the Identity card require to the vouched by a person with an identity card. Visitors may also be test checked for their identity. This may pose some ego problems. Hence, he proposed that only if the house approves the above security measures can be started.

The proposal was approved by the house

Ashim Lall Mitra brought up the problem of uploading of arrear demand in CPC.

Sumit Roy said that a flow chart shall be published in the news letter showing how to upload the arrear demands.

Ashim Mitra asked whether a task force be made up under the guidance and control of CIT CO.

Sumit Roy suggested that the effectivity of the measures proposed in the forthcoming New Letter may be tried out first. If self-sufficiency could not be achieved, other measures could be taken up. Several members unanimously greeted this proposal and also supplemented this by proposing that if required, an in-house team of officers of the same building may be a better alternative to central Task Forces. Sumit Roy agreed with this sentiment.

Himadri Panja brought up the problem that in Bamboo Villa building ASK was receiving documents without verifying the contents of sealed cover. Also letters remains not distributed timely.

Amitava Sen countered that the matter of not opening the documents was discussed with the officers and on their consent it was being done so. However, the problem shall be followed up.

Arup Biswas also supported Himadri saying that returns were still being received which were received in July.

Amitava Sen requested Arup & Swapan to write up a list of ASK related problems so that the same could be taken up with the authority.

Next Sumit Roy asked Bhaskar Bhattacharya to address the problems raised by the house.

Bhaskar Bhattacharya started by saying that the model of Internal Audit was that all the TROs should look after the internal Audit. About four years back the Ministry of Audit had sanctioned around 3052 staff for the specific purpose of looking after the internal audit work. However none were given to W.B. This had been taken up upto the ministry level. Hence the Internal Audit matter is in a bit of Hotch Potch. However, he agreed that the matter needs to be looked into, and resolved to take it up shortly.

He said that the association had already taken up the matter of the deficiencies in the Standard Uploading Procedure, and that a considered letter had been submitted to CCIT stating that the Arrear Uploading cannot be limited to a one-time effort. It has been suggested in our proposal, he said, that the Board may set a monthly target system so that the officers may complete it in manageably small systematic steps. The CCIT has appreciated and recommended our suggestion to the Board. The Member, CBDT, had also appreciated it.

Regarding creation of Task Force, as proposed by some members, Shri Bhattacharya said that it was not feasible for the CIT(CO) to do all the work through a Task Force. The suggestion of In-house task force was a better one. However, the Arrear Uploading problem shall be discussed forcefully at the coming M.C.

Shri Bhattacharya agreed that there is a problem of distribution of staff. There are a large number of officials who work in the non-assessment and know nothing about tax matter. They do not want to get transferred elsewhere. There is also the problem of favoritism & nepotism of the higher authorities. The CCIT has tried to deal with this matter, but has not succeeded fully. However the association was trying to work out a solution.

He said that Ad-hoc promotion of ITOs to AC has no substantial benefit to officers in general. The ad hoc service period ACITs who are not regularized does not count for the period of service as Group 'A'. Only those who are on the verge of retirement may get somewhat benefitted. Ad-hoc promotion is no solution.

He said that Indranil has raised a very important issue. He informed the house that APARs of seven officers in West Bengal out of 50 such officers all over

India had, reportedly, not been received by the Board. This created immense problem for the officers, as all of them were on the verge of promotion. However, the matter was taken up with alacrity by the association, which had thereafter dynamically pursued the matters of writing/reviewing as well as transmission of their APARs to the Board. After these efforts, only the cases of three officers [Quazi Kaushik, Ashok Mondal and Surajit Ghosh] remained unresolved till date, each being in connection with their tenure in regions other than West Bengal. He further added that these were under process, that missing APARs had been conveyed by hand to the relevant reporting/reviewing officers at their respective stations, and that results were expected soon.

Though he lauded the concern shown by Indranil, he said that he would have been much happier if Indranil had brought this up much earlier instead of waiting for the E.C. meeting. In this context he appealed to everyone to come up with problems and suggestions immediately.

Arup Biswas asked whether the IRLA & CPC servers could be merged. This would solve the problems of uploading arrear demands.

Amitava Sen said that the matter had been taken up with the DGIT(System). But it was said that that due to software technicalities, it could not be done. He further drew attention to the fact that the faulty design of the systems module did have one positive side to it, as such: since the software recorded each step of raising of demand, it could serve as a back-up, especially valuable in view of the undesirably poor state of back-record maintenance.

Sayantana Banerjee suggested that the association could demand that the power to rectify the demand in the CPC be placed in the hands of the AO instead of from the code of the Range Head. It would become much simple and easier.

Amitava Sen referred to an instruction issued by CCIT-XI [and some other offices] to the effect that assessments are to be completed by the 6th of February and all collections are to be made within 15th of March. He pointed out that though these instructions were based on observations/instructions which the Chairperson delivered in the last video conference, the very basis was erroneous, since Hon'ble Chairperson's instructions related to only those regions which were performing below the national average in tax collections. Since Bengal was clearly above that average as a whole, and even on the basis of the individual CC regions, these instructions for early disposal were not applicable for this region. He thereafter submitted a draft letter for the approval of the house, mentioning this issue, as well as certain other specific hurdles in the path of early disposal of assessment.

The letter was read out, discussed, and a few additions were suggested by members. Thereafter, house unanimously supported the proposal to submit the letter to the CCIT, CCA, as well as copies to be endorsed to the Board through the CHQ.

The issues and agenda to be moved and emphasized at the MC meeting in the forthcoming meeting were then taken up. After various inputs from different members, Shri **Bhaskar Bhattacharya** went on to summarize the key issues:

1. The developments since the last meeting.
2. To demand holding of regular DPC as per DoPT Circular [with reference to the incorrectness of letter issued by Shri Rana, member, CBDT, unacceptably linking the outcome of judicial decision in the case of N R Parmer (re: seniority of Inspectors on recruitment) with holding of DPCs for ITO to ACIT.]
3. To ask not to allow any CCIT region to hold DPC to the post of Inspector till the issue of Seniority is sorted out.
4. To regularize the adhoc promotion to JCA.
5. To fix the seniority list of ITOs of all batches immediately.
6. The fate of the two cases of A.O./P.S.
7. To discuss the promotion for the year 2013-14.
8. Proliferation of issues.
9. To discuss the total ineffectiveness of Tarang Data card, and the validity of substantial but useless expenditure.
10. To demand two operational vehicle per range as per available circular for all charges.

It was decided that the issues thus roughly earmarked would be drafted into a master document over the weekend under the overall guidance of Sanjay Mukherjee, and will thereafter be presented to the MC.

Particulars of travel arrangements, budget and contact details were also threshed out.

Bhaskar Bhattacharya reported that a New Building Committee was created for Poddar Court on 01/02/2013 from amongst the members of ITGOA at Poddar Court. The members of the Committee were as under.

1. Atanu Debbarman
2. Masud Alam
3. J.K. Saha
4. Tapas Saha
5. Smt Gita Das
6. Smt. Baby Nanda Sur
7. Sri Avijit Haldar (AO/DDO)

He also proposed that Sri Atanu Debbarman would be the Convener of the Committee and, in absence of any representative from Poddar Court, would also act as the E.C. member upto the next AGT. The proposal was unanimously accepted

Lastly, **Bhaskar Bhattacharya** raised the issue of under-utilisation of the associations' Guest House facilities at Dover Lane etc., and spoke on the need for regularization/upgradation. He requested Sukesh Adhikary to coordinate efforts in this matter, in consultation with Sujit Singh, treasurer. He also emphasized that the procedure needed to be completed within a week.

With this the meeting was concluded with a vote of thanks to the chair.

Sd/-

(Sumit Roy)

President