



Income Tax Gazetted Officers Association

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To,
All Members of I.T.G.O.A,
(Through: President/General Secretary of all Units)

Comrades,

'Greetings for Prosperous & Peaceful New Year 2014'

This communiqué is at a time which is both torment and exigent. On one hand, pentafurcation of ACIT vacancies consequent to Cadre Restructuring has adversely affected promotional avenues of our members and this cannot be corrected without absolute unity amongst our membership. But, on the other hand the issue of allocation of new posts as suggested by Sub-Committee No. 1, has unleashed centrifugal force that threatens to pit different Units of ITGOA against one another, thereby **striking at the very roots of our united struggle.**

2. On the above dilemma, the following factual position, needs to be considered by each and every member of ITGOA, because these are actually being voiced by many members :

- a. When, I.T. Dept. is a single entity under the Central Govt., how can its employees have different stagnation (i.e. Waiting period for promotion) to the same grade like Inspector to ITO. To be more specific, stagnation for Inspector to ITO in UP(E)-Lucknow, Rajasthan-Jaipur, Bihar-Patna & T.N.&P-Chennai is around 10 Years, whereas the same for W.B.-Kolkata and Orissa-Bhubaneswar is around 4 Years and **average stagnation for the entire country is around 6 Years.**
- b. The above grievance gets compounded for those Inspectors who have joined the department on the basis of an All India Exam (i.e. Combined Graduate Level Exam conducted by SSC) and one with higher rank become junior to one with lower rank, in the higher grade of ITO because of the difference in stagnation level in their respective regions and at times the allotment of regions is not as per their choice. Further, as promotion of ITO is to All India cadre of ACIT, such anomaly not only persists, but is apparent thereby causing untold frustration.

- c. The above grievance is not imaginary or hypothetical and this can be seen from the fact that an General category Inspector of SSC Exam 1988 from W.B. is JCIT today, whereas such Inspector from Bihar is promoted as ACIT in 2013. Further such Inspector of SSC Exam of 1986 & 1987 from Mumbai, TN, Kerala, Delhi, NWR etc. are still DCIT, whereas their counterparts from W.B. are JCIT and will be Addl. CIT in 2014 or 2015.
- d. Although, the difference in stagnation is bound to be explained by the contention that the grades of 'Inspector' & 'ITO' are not All India Cadre and the waiting period for promotion in different regions will depend upon the respective sanctioned number of posts. But, precisely for this reason, in all Cadre Restructuring exercise, stagnation is one of the criteria for allocating the number of posts amongst different regions.
3. ***"Proof of the Pudding is in eating"***, In line with this old adage, members may note that the **threat to our united struggle is not a figment of imagination, but a reality**, as JCA-West Bengal has already started an agitation on the issue of allocation and ITGOA-UP(W) Unit has raised an objection on the reduction of number of posts in the grade of ACIT in their region. Similar grievance is raised by ITGOA-Karnataka Unit that they stand 3rd in terms of revenue collections but are 9th in terms of manpower deployment and they have not got their rightful due in allocation of posts. In this particular context, **all Units are requested to analyse the report of Sub-Committee No. 1**, which has been circulated vide Email of 18-12-2013 and for sake of convenience, salient points of the same are discussed below :
- a) Firstly, the report is an exhaustive study of all the factors like work-load, existing stagnation, number of stations, Revenue collected with also potential in future, etc. These aspects have inter-linkages and also collectively decide on the manpower requirement of each region. Therefore, there is a compelling need for a holistic approach to these aspects, in the best interest of the Department, because our member's career, cannot be at variance with the needs of the Department.
- b) All the additional 20,751 posts were not proposed to be distributed by the Sub-committee according to the formula determined by it. **Only the determination of location of new Pr.CIT posts and their supporting staff was to be proposed as per the formula determined.** The criteria for the **distribution of the large majority of posts have already been prescribed in the cadre review committee report** and for the most part, the Sub-committee has followed the prescriptions laid down therein except where modifications was absolutely necessary on account of **new requirements, manpower constraints or increased workload**, which along with consequential changes to the norms prescribed in the cadre review report, are discussed at length in the report.

- c) Accordingly, the Sub-committee decided to allocate the posts according to the formula laid down by it as the same was felt to be the most scientific manner of allocation that would balance the requirements of all regions. The said formula is as under :

Recommendation: The posts of Administrative Commissioners may be distributed following a quantitative and qualitative approach. Following parameters may be used for the quantitative approach:

- Scrutiny Workload for FY 2012-13 (30%)
- Effective assessees as on 31.3.2013 (15%)
- PAN holders as on 31.3.2013 (15%)
- Budget Collection during FY 2012-13 (15%)
- Budget Collection during FY 2011-12 (9%)
- Budget Collection during FY 2010-11 (6%)
- Number of Districts (10%)

The above formula was after considering the suggestions of ITEF which was 55% for Scrutiny Work-load, 20% for Revenue, 10% for Geography (which has been accepted as it is), 15% for Stagnation and none for Effective Assessees and/or PAN holders. Merits/demerits of formula as per ITEF's submissions are discussed in paras 69 to 76 of Sub-committee's Report. The difference in stagnation level as per para 2(a) above has been stated in Para 71 of the report with information from all the regions as a basis and this relative stagnation has been considered for allotting one extra CIT to Lucknow, Rajasthan & Bihar. But, this is after allotting as per the above formula, but **without any reduction from the existing numbers of CIT.** This will be clear from following table :

CCA	CIT (Admn)					Remarks
	Computed	Existing	Requested	Proposed	Diff(+/-)	
Ahmedabad	19	20	22	21	1	Growth potential (Gandhidham)
Bangalore	16	12	13	13	1	As Requested
Bhopal	11	9	13	11	2	As Comptued
Bhubaneswar	5	3	4	4	1	
Chandigarh	18	18	19	19	1	Gurgaon
Chennai	18	19	25	20	1	
Delhi	24	16	23	23	7	
Guwahati	7	5	5	5	0	
Hyderabad	14	12	13	13	1	As Requested ¹
Jaipur	10	10	10	11	1	Stagnation factor
Kanpur	10	10	14	11	1	Growth potential (Ghaziabad)
Kochi	5	6	6	6	0	Same as existing
Kolkata	15	24	26	24	0	Same as existing
Lucknow	9	9	10	10	1	Stagnation factor
Mumbai	42	27	32	32	5	As Requested
Nagpur	3	4	3	3	-1	As Requested
Patna	8	8	8	9	1	Stagnation factor
Pune	17	13	17	15	2	
	250	225	263	250	25	

Table : CCA wise distribution of Administrative CsIT

The Sub-committee therefore concluded that after all posts were allotted according to the revenue, workload and geography criteria, if some posts remained, a liberal view could be taken in respect of three regions (UP-E, Rajasthan & Bihar) to help them tide over acute stagnation higher than national average of 6 years (for Inspector to ITO).

- In view of the above, Kolkata region have not got additional 2 CITs as projected by them, because the number computed is 15 whereas the existing strength was 24. **However, no post of Administrative CIT was curtailed in Kolkata.**
- Further, since the number of Pr.CIT was frozen by the CRC, the need for additional posts on account of growth potential and relative stagnation in smaller regions (in terms of revenue collection and man-power) was possible because the number computed was restricted to the demand in certain regions. **The regions where less number of CITs were allocated than the computed one are Mumbai- 10, Bangalore-3, 2 each in Guwahati & Pune and 1 each in Bhubaneshwar, Delhi and Hyderabad.** This enabled to allocate 1 post of Admn. CIT each in the Lucknow, Rajasthan and Patna regions, on account of acute relative stagnation in the region. Further, this also enabled to allot post to other regions such as Ahmedabad, Bhopal, NWR, Chennai and Kanpur more than the computed one, on account of growth potential in the respective region. **Therefore, each of the 7 Unit (Mumbai, Delhi, Karnataka, NER, Pune, Orissa & AP) can logically raise an objection on the proposed allocation which if listened to, will be to the detriment of Gujarat, MP, NWR, TN & UP-W.**
- **Thus, sanctioned posts in various cadres are going to either remain the same or increase in all regions including W.B. Region, post-restructuring.** No post in any cadre is going to decrease except two posts of CCsIT, which have been moved out of the region.

4. Following are developments on other fronts :

 **Promotion of ITO to ACIT**

All the work relating to collection of APAR & Vigilance Clearance for DPC relating to RY 2013-14 (for around 180 posts) have been completed and proposal will be sent to UPSC shortly. However, the legal tangle due to OA & interim order of CAT (Ahd.) will have to be sorted out first and only then DPC can be actually held. Further, sending of the proposal to UPSC is also linked to Board's guidelines for implementation of NR Parmar decision as UPSC suggested for FM's approval and DOLA opinion.

Promotion of ACIT to DCIT

DPC for 2009 batch for granting promotion with effect from 01-01-2014, has been held and Orders are expected in time. Here, it has been gathered there are lot of deficiency w.r.t APAR of FY 2012-13. All Officers whose promotions are to be from 1-1-2014 are requested to ensure that their APAR of 2012-13 is complete and sent to Board, so that a review DPC can also be held without any loss of time.

Promotion of DCIT to JCIT - 2004 batch

Regular follow-up with CBDT is being made for the 15/16 officers who were left-out (due to deficient APAR) from the Ad-hoc Promotion to the grade of JCIT effected in October-2013. In this regard, it has been informed that barring 2, APARs have been received in all other cases and a review DPC will be held shortly.

ITGOA has also taken-up the issue of prospective regularization of Ad-hoc JCIT of 2000 and 2001 batch officers and Chairperson has assured that the matter will be sorted-out with DoPT so that no objection is raised later, similar to that of ante-dated DCIT promotion.

Promotion of 2000 batch JCIT to Addl. CIT have also been pursued and it is gathered that DPC for the same has already been held.

Implementation of Hon'ble SC Judgment in case of NR Parmar

Finally, efforts of ITGOA is bearing fruits and CBDT is convinced that the said judgment of Hon'ble Apex Court cannot be ignored and will have to be given effect to and for this a uniform guidelines is required for all CCsIT (CCA). HRD held two meetings (on 3/12 & 11/12-2013) of Addl. CIT (HQ) of different regions, V&L / Ad.VII sections of CBDT and also with ITEF & ITGOA. In these meetings, all aspects of implementing the said judgment was discussed and it has been decided that :

- The decision is applicable to all grades and not just to Inspector.
- The revision in seniority, based on correct recruitment year, will have to be from 01-03-1986, which is the date from which DoPT OM dated 07-02-1986 & 03-07-1986 was applicable.
- CBDT/HRD will study all the correspondences with SSC (recruiting authority) for determining the correct Recruitment Year in respect of SSC Exams for various years, so that no grievance left unattended and for absolute clarity for implementation.

Considering these developments, ITGOA would once again reiterate its appeal to all its members to desist from any action to bring stay on the ACIT Promotion, as ITOs of 2001 and Inspectors of 1991 & 1992 are waiting for their promotion as ACIT and any further delay in ACIT promotion will be a permanent loss in seniority, to our members.

Creation of the posts of Sr.PPS/PPS/Spl.AO/AO-Grade-I

In the QRM meeting held on 9th December, 2013 Member(P) gave categorical assurance that proposal for creation of these posts will be sent within one week from the promotions to the cadres of Principal CCIT, CCIT (HAG+).

5. All the Unit leadership is requested to have a threadbare discussion on the issues highlighted herein above, by soliciting every member's opinion on the same, if need be by giving wide publicity to this Circular. However, care must also be taken to ensure that our unity is held intact, because there are much fierce struggle ahead, especially the belligerent attitude of both Administration and Direct Recruit IRS Officers.

6. Before signing off, we are reminded of following famous sayings of Revered Sh. Rabindranath Tagore, renowned India poet/playwright and Nobel Laureate, which aptly describes our predicament and show the way out of such situation :

"Every difficulty slurred over will be a ghost to disturb your repose later on"

'Let us not pray to be sheltered from dangers but to be fearless when facing them'

"You can't cross the sea merely by standing and staring at the water"

LONG LIVE ITGOA ; LONG LIVE OUR UNITY ; LONG LIVE JCA

Yours comradely,



**(Rajesh D. Menon)
SECRETARY GENERAL**