JOINT COUNCIL OF ACTION

INCOME TAX EMPLOYEES FEDERATION &

INCOME TAX GAZETTED OFFICERS ASSOCIATION

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Joint Convenors

KP Rajagopal & Rajesh D Menon

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Cir.M-12/12-15/                                                                                          Dated:  23rdAugust,2012

Dear Comrades,

          Reference is invited to our circular dated 17th August, 2012 about the constitution of the Interim Committee headed by two Members of the CBDT to look into the grievances and issues raised by the JCA in the Charter of Demands.

First meeting of the said Committee with representatives of the JCA took place on 22-8-2012 at 3.30PM.  The meeting was presided by Shri S.S. Rana, Member (IT) & Shri S.C.Jaini, Member (R).  Shri S.K. Lohani, JS (Admn), Shri A.K.Chaturvedi, DS, Ad-VI and- Shri Gimkhan Mang, US Ad-IX were present from Official side. Later Shri K. Madhavan Nair, Member (Inv) also joined the meeting.  JCA was represented by Comrades Ashok B Salunkhe, A. Sitarama Rao, Rajesh D Menon, K.P.Rajagopal, Ashok Kr. Kanojia, Anantharaman N.V. Iyer and Baswa Nand.  The meeting was held in a very cordial atmosphere and all items in the 16-point Charter of Demands were discussed.

Prior to the above meeting, the representatives of the ITEF had a meeting with Ms. Archana Ranjan, DG (HRD) and Shri Manoj Joshi, DIT (HRD) at 11.00AM and discussed the issues pending with HRD.  Outcome of the said meeting are as under.

1. **On the matter of Cadre Composition.** The Directorate has assured that the Directorate will expedite the proposal for merger of cadres in the same grade pay will be finalised and put up to Board for approval. The proposal for merger of SCD in the mainstream cadres were also discussed and the proposal to this effect will also be expedited for approval of the Board.
2. **Fixation benefit on up gradation of pay to Inspectors/PS/AOs in the pre-revised scale of 7450.**The Directorate will earnestly pursue the matter of fixation of pay of the above categories, pending with the Department of Expenditure.
3. **3.     Grand Financial benefit to Office Supdt. and Stgr. on promotion.** In the background of Government agreeing in the Anomaly Committee Meeting to grant incremental benefit on promotion, this issue has been allowed to pend.
4. **4.     Advance Increment to Sr. TAs & Stgr. Gr.II.** The Directorate will again take up the matter with the Department of Expenditure.
5. Regarding issuance of clarifications sought by various Chief Commissioners on the following issues pending with the Directorate for long, we have been assured that the necessary clarifications will be issued immediately.

a)    Implementation of MACP in the case of Notice Servers.

b)    Counting of past services rendered by inter-charge transferees for promotion to the cadre of Sr. TAs.

c)     Consideration of on merit candidates of SC & ST for promotion.

**Outcome of the meeting with Interim Committee headed by Members of CBDT**.

1. **Cadre Review proposal**.  The Official side shared the present status on the matter.  It was officially informed that the same is pending with the Committee of Secretaries.  Inspite of sufficient inputs and justification provided and earnest steps being taken by the CBDT, the impasse continues.  It was therefore decided in the meeting to suggest to the Board the proposal for sending a joint team of Officials and representatives of the three Associations to the Finance Minister to seek his intervention and appraise him the need of early clearance of the proposal. But, this will be preceded by a meeting of the interim committee with HRD & JCA, for bringing about a consensus on contentious issues and forge a united front.
2. **2.     Agreement with JCA on CPC functioning** **& stop outsourcing of regular nature of works:**The committee after discussion decided to have further deliberation in the matter in the presence of DG (System) etc. and  to suggest to the Board to maintain statusquo in these matters till a finality is reached.
3. **Regularisation of Casual Labours:**After detailed discussion it was decided that ITEF shall provide details of the situation obtaining in other Department in general and the modus oprandi adopted by the Railway in regularising  the casual labours.
4. **Provision of Mobile handsets to All:**  It was decided to direct the CIT (C&S), CBDT to expedite the proposal to the concerned for approval as has been decided in the quarterly review meeting.
5. **PROMOTIONS**
   1. ITO to ACIT

After thorough deliberations, following was agreed to :

1. Proposals for the panel year 2012-13 along with back-log vacancy of 2011-12  will be sent to UPSC latest by 28-8-2011.
2. Board has already written a Letter to UPSC for regularization of Ad-hoc promotion (effected on 30-3-2011) to the grade of JCIT for 2000 & 2001 batch, numbering to 295. This will be followed-up for early regularisation. Thereafter, proposals for regularizing similar Ad-hoc promotions effected on 27-10-2011 & 14-8-2012 will be sent to UPSC. Promotion Quota out of the Chain vacancy in the grade of ACIT consequent to regularization of the above JCIT promotions, will also be taken-up in a time-bound manner.
3. **B.    ACIT to DCIT**

Following actions were proposed :

1. Lettter written to DOPT for a one time relaxation for promoting 2006 batch officers w.e.f  1-1-2011 will be followed up.
2. Promotion for 2007 batch officers will be effected immediately on removal of deficiency of APAR and outer limit for the same will be 15-9-2012.
3. Once the relaxation is received from DOPT for 2006 batch, similar relaxation will be sought for 2007 batch also for promoting them w.e.f 1-1-2012.
4. In the event, requisite relaxation from DOPT is not forthcoming, then possibility for giving notional promotion w.e.f 1-1-2011 & 1-1-2012, will be explored.
5. IRS Rules 1988 be amended such that date of entry in Group ‘A’ be the date of reckoning for promotion to the grade of JCIT (JAG)
6. Work relating to promotion of 2008 batch officers will be started immediately, so that promotions can be granted on time i.e.1-1-2013.
7. **C.    GENERAL**

With an eye on permanent settlement of the grievance relating to undue delay in promotions to all grades, it was decided that there is an urgent need for streamlining the Reporting & Reviewing of APAR and then maintain the same in electronic format. For this a core team will be formed at Board and also at CCIT(CCA) level, involving representative of ITGOA.

Once the existing APARs are all digitized, then in future, responsibility will also be fixed for not meeting the deadlines stipulated.

1. **ALL INDIA SENIORITY LIST OF ITO**

After deliberations, it was decided as under :

Authenticated data will be called for from all CCsIT (CCA) w.r.t Promotions to the grade of ITO from 19-6-2001 to 31-12-2011 within 2 weeks i.e. by 7-9-2012. Thereafter the All Indian Seniority List of ITOs will be compiled.

1. **IMPLEMENT HON’BLE SC’S ORDER OF S.K. SHUKLA UNIFORMLY**

After deliberations, it was decided that this issue be deferred, as the Court judgments and its applicability in general needs further study.

1. **GRIEVANCE RELATING TO TRANSFER POLICY & TRANSFERS**

After a thorough discussion, in the presence of Shri K. Madhavan Nair [Member (Inv.) /Placement Committee], it was decided as under :

1. All the grievances relating to Transfers of DCIT/ACIT be placed before Chairperson-CBDT on 23-8-2012, along with the request that the relieving may be deferred for those who have represented till a final decision.
2. In case, if all the requests cannot be considered now, on account of the need to fill-up the vacancies in deficient regions, then such cases will be considered at the time of posting of officers consequent to promotion for panel year 2012-13 or in AGT-2013.
   1. GENERAL

With an eye on permanent settlement of such grievances, a definite proposal for suitable change in the Transfer Policy shall be made, after discussion in the Interim Committee or a separate committee as decided by CBDT.

1. **1% INCREMENTAL INCENTIVE**

On all the points raised by JCA, it was decided that CIT (CO) will be asked to follow-up with appropriate authorities and report back, before next meeting.

10. **AMENDMENT TO IRS RULES 1988**

OBJECTION  TO  CONCEPT  OF  ‘YEAR  OF  INDUCTION’

After detailed discussion, it was decided that on 23-8-2012 Members of Interim Committee for Grievance redressal will find out from the DG (HRD), status of the file and also on the assurance of Chairman, CBDT given in meeting held on 30-5-2012 for withdrawal of the file. The issue will be discussed  in next meeting.

AMENDMENT FOR  AD-HOC  FILLING  UP  OF  ACIT & JCIT

This will also be taken-up with other amendments, after discussion with JCA.

11. IMPLEMENT CAT-MUMBAI’s ORDER FOR NOTIONAL EFFECT FROM 1.1.1996 :

On this issue, it was informed that while DOLA was against filing of any further appeal Dept. of Expenditure has advised to file appeal. Meanwhile, ITGOA will submit a detailed note justifying acceptance of the said judgment. CBDT will then take-up the matter with Dept. of Expenditure

12. DEPUTATION ALLOWANCE TO MSTU OFFICIALS  :

The interim committee felt urgent need to bring about a uniformity in the rate of Deputation allowance / Special Pay to officers/officials in NADT & DTRTI and MSTU. A detailed note in this regard properly justifying such a dispensation will be submitted by JCA and the same will be followed by HRD & CBDT.

The Committee also discussed modalities and framework for Permanent Machinery for Grievance Redressal to be set up in the Department at all levels.  It was decided that the JCA will submit its written suggestion and the same will be finalised in the next meeting of the Committee.

The above development, we reiterate, has come about only because of the pressure and sanction created by all of you by successfully implementing the agitation from 3rdMay, 2012 to 17th August, 2012.  We once again thank all members of JCA for the same.

With greetings,

Yours fraternally,

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| **(K.P. Rajagopal)** | **(Rajesh D. Menon)** |

**INCOME TAX EMPLOYEES FEDERATION**

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Cir. No. 7/12-15                                                                              Dated: 18.08.2012.

Dear Comrade,

Agitational Programme under JCA and positive outcome.

            This has reference to the JCA Circular  dated 17.8.2012 in which we have informed the result of the agitation.  The Board has shown a very sincere approach towards our grievances especially after the new Chairperson took over charge on Ist August, 2012.  It must be clarified here that some of the Demands pertaining to the ITEF is pending for long time only because there was no sincere efforts on the part of the concerned to take up those issues with various authorities/Departments.  Nor the incumbents-in-office of the Chairman, CBDT, has shown any interest in directing the Officials to do the needful in the matters concerning the grievances of the employees.  Therefore, the very purpose of the agitation was to bring  compulsion on the Chairman and Board to show concerns towards the problems of the employees and have periodical discussion and take sincere efforts for the redressal.  The demands in the  first phase of agitation was to make the then recalcitrant Chairman to hold the much delayed Quarterly review meeting with the representatives of the JCA.  Upon the successful nationwide Dharna the Chairman was forced to convene the meeting on 30th May, 2012.  Though the outcome of the meeting was totally disappointing, we had waited for a month to get the minutes of the meeting circulated.   The Secretariat of ITEF which met on 25th June 2012 and later the JCA meeting held on the same day reviewed the situation.  The meeting taking into account the insincerity on the part of the Board especially that of the Chairman to hold meaningful dialogue and settle our issues,  decided to launch the second phase of agitation to force the authorities to bring about a  purposeful mechanism instead of the present derailed negotiating machinery to resolve our issues.

            The JCA was noticing the Changed attitude of the Authorities after the new incumbent took over charge of the office of the Chairman,CBDT.  Secondly, it is for the first time the Board has constituted a committee of Members of CBDT to look into the grievances and issues raised by the JCA.  This Committee, as can be seen from the terms of reference, is not only mandated to look into the issues, but to suggest the course of action required to be done.  Apart from these two the Committee will also suggest ways and means of establishment of a Permanent Machinery to address grievances of employees on an ongoing basis. The Committee has been asked to complete the above task within a period of a fortnight.  It was in this background, and in order to create a peaceful atmosphere during the period the above committee has to function, the ITEF after consulting available members of the Secretariat decided to suspend the agitation and put forth our opinion for a similar decision in the  JCA.  The Secretariat is hopeful that the sanction created by our successful agitation will definitely reflect in the decisions and recommendations of the Committee.

National Convention of Trade Unions on 4.9.2012.

The meeting of the leaders of the Central Trade Unions held at New Delhi on 11th July, 2012 at the BMS Headquarters adopted a resolution to call upon the Indian Working calss to intensify the united struggle against the anti people policies of the Government.  The said meeting also decided to convene a National Convention at Talkatora Stadium, New Delhi on 4th Sept. 2012.  The Confederation has asked its affiliates to send their Office bearers to attend the said convention at New Delhi.  Accordingly all the Secretariat members are requested to attend the Convention as delegates from the ITEF.

Confederation Campaign programme for the December 12th Strike.

            The Confederation of Central Govt. employees and Workers on 26th July, 2012 in the massive rally of the employees declared its intention to go for a one day strike action on 12th December, 2012 on our 15 point Charter of Demands.  The Confederation has drawn up various programmes to be carried out at all places before the one day strike. Among others,a campaign programme by the central leaders of the Confederation at State Headquarters have been chalked out.  The Circle leaders are requested to carry out the programme as indicated in the enclosed confederation circular No. 14 dated 14.08.2012 in coordination with the State Committee of the Confederation

Secretariat Meeting of ITEF on 4th Sept. 2012.

            A Special Secretariat meeting of the ITEF will be held on 4th Sept. 2012 at 3.ooPM .(i.e. immediately after the Convention of the Trade Unions are over).  The Notice for the meeting is enclosed.  In consultation with the President, it has been decided to invite the Circle General Secretaries of ITEF, who are not members of the Secretariat to this  Meeting.  They are also requested to attend the convention of the Central Trade Unions which will be held at the Talkatora Stadium on the same day at 10.30AM.

With greetings,

Yours fraternally,

KP Rajagopal,

Secretary General.

To All Secretariat Members and Circle General Secretaries.