



Government of India
Income Tax Department

Office of the Principal Chief Commissioner of Income Tax [CCA], Kerala
Central Revenue Building, I.S. Press Road, Kochi – 682 018.

F.No.CCIT-CHN/Estt./Misc./2014-15

Date : 24th February, 2015.

All Heads of Offices in Kerala Region.

- Sub. : Compliance of directions dated 27.11.2012 of Hon'ble Supreme Court passed in Civil Appeal No.7414-7515 to 2005 in the case of N.R. Parmar & Others Vs. Union of India & Others – Fixation of inter se seniority of direct recruits and promotees on the basis of DOP&T's O.M. dated 07.02.1986/03.07.1986 - Revision of seniority position in the grades of ITO, ITI and STA – Forwarding of ~~draft lists of proposed~~ revised seniority position of officials-Reg.
- Ref. : Advisory issued by the CBDT in F.No. HRD/CM/220/14/2013-14/412 dated 07.11.2014 and 16.01.2015 respectively, in connection with the above.
- *****

In accordance with the advisory dated 07.11.2014 received from CBDT, the seniority list of ITI, UDC [erstwhile] and TA have been revised from 01.01.1986 onwards {or the date from which the post had come into existence} and thereafter, their promotions to higher grades viz. ITO, ITI and STA respectively were given effect on the basis of revised seniority position so arrived at. The exercise of revision of seniority position of officials in Kerala Region in the presently existing grades of ITO, ITI, STA and TA has been completed by the O/o. Pr.CCIT, Kerala and finalized by the Review DPCs held on 18.12.2014.

2. Subsequently, vide advisory dated 16.01.2015 the CBDT has clarified that the year of seniority of ITIs who had joined Kerala Region from 1995 Examination year is to be reckoned as 1996-97 instead of 1999-2000 [w.r. to advisory dated 07.11.2014]. Accordingly, the seniority position assigned in the case of Shri M. Harishkumar [the only ITI who had joined Kerala Region from 1995 Exam] has been rectified – no Review DPCs had been held for the purpose, since the official retains his original seniority position prior to implementation of Supreme Court decision in N.R. Parmar case.

3. Further, in the CBDT's advisory dated 16.01.2015, it has been clarified that the Supreme Court decision applies to Direct Recruit UDC and TA also, as well as to all other posts of Group B and C where there is a component of both DR and promotion such as post of DEOs, LDCs etc. The cases of DEOs and LDCs will be considered separately.

4. Since, the documents to be circulated in this connection is voluminous, the same are being forwarded to all the email ids available with this office for the perusal of desirous officials and the exercise will be completed by 06.03.2015 positively. Those officials who do not receive the data by email may contact the Establishment-I Section of O/o. Pr.CCIT, Kerala and furnish their email id in order to obtain the data by email.

5. It is stated that no pay fixation needs to be done at present on the basis of revised seniority position of officials circulated as stated above via email. Separate instructions/orders will be issued in this regard in due course, if found necessary.

6. The revised seniority position of officials in the grade of ITO in Kerala Charge will be brought to the notice of the CBDT in order to enable them effecting promotions to the grade of ACIT accordingly. The circulated seniority position of officials in all the grades as stated above via email would finally become effective only when the CBDT completes the exercise of review of ACIT promotions on the basis of reviewed seniority position of officials in the grade of ITO.

7. You are requested to bring the position to the notice of all the officials in your office.

R. MOHAN
Addl. Commissioner of Income Tax [HQ][Admn./Fig.],
O/o. Principal Chief Commissioner of Income Tax [CCA], Kochi.

Copy for information to : CCIT, Thiruvananthapuram / DGIT[Inv.], Kochi.

Copy to: The Secretary, ITRF/ITNOA/ITSEWA, Ernakulam