

ITEF



Government of India
Income Tax Department
Office of the Chief Commissioner of Income Tax, Kerala
Central Revenue Building, I.S. Press Road, Kochi - 682 018.

ORDER

F.No.CCIT-CHN/Estt.IMisc./2012-13[Pt.]

Date : 03rd January, 2013

Sub. : Hon'ble Supreme Court judgment dated 27/11/2012 in the case of UOI & Others Vs. N.R. Parmar & Others in Civil Appeal No.7514-7515 of 2005 regarding determination of seniority of Direct Recruit Inspectors of Income Tax - Setting up of Task Force for re-casting the seniority list of ITIs in Kerala Charge and subsequent effect thereof.
Ref. : Member[P&V], CBDT, New Delhi's D.O. letter in F.No.A.32013/02/2012-Ad.VI dated 26.12.2012 [copy enclosed].

With reference to the above, it has been decided to constitute a Task Force as under, for re-casting the seniority list of Inspectors of Income Tax in Kerala Charge and subsequent effect thereof, in view of the judgment of Hon'ble Supreme Court of India in the case of UOI & Others Vs. N.R. Parmar & Others in Civil Appeal No.7514-7515 of 2005.

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|----|--|----------|
| 1. | Shri Benny John,
Commissioner of Income Tax-II, Kochi | Chairman |
| 2. | Shri R. Sivakumar,
Asstt. Commissioner of Income Tax [TDS],
O/o. CIT[TDS], Kochi | Member |
| 3. | Shri Omprasad U. Menon,
Asstt. Commissioner of Income Tax [HQ][Admn.],
O/o. CCIT[CCA], Kochi | Member |
| 4. | One Officer to be nominated by
Income Tax Gazetted Officers Association, Kerala | Member |
| 5. | One Official to be nominated by the
Income Tax Employees Federation, Kerala | Member. |

2. The above Committee shall call for the representations from affected officials/officers and make a preliminary assessment of the implication so that, a report to CBDT can be sent urgently.

Sd/-
[R. MOHAN]
Addl. Commissioner of Income Tax [HQ][Admn./Vig.],
For Chief Commissioner of Income Tax [CCA], Kochi.

Copy to :-

1. The officers mentioned at Sl.Nos.1 to 3 above.
2. The General Secretary, ITGOA / ITEF, Ernakulam - It is requested that one Officer/Official may be nominated as Member of the above Committee as proposed at Sl.No.4/5 above.

[R. MOHAN]
Addl. Commissioner of Income Tax [HQ][Admn./Vig.]



सत्यमेव जयते

सत्येन्द्र सिंह राणा

Satyendra S. Rana, IRS

सदस्य, कै० प्र० क० बो०

Member, CBDT &

विशेष सचिव, भारत सरकार

Special Secretary to The Govt. of India

D.O. No. A.32013/02/2012 A4 VI

भारत सरकार

Government of India

(वित्त मंत्रालय / राजस्व विभाग)

MINISTRY OF FINANCE / DEPARTMENT OF REVENUE

केन्द्रीय प्रत्यक्ष कर बोर्ड

Central Board of Direct Taxes

नार्थ ब्लॉक, नई दिल्ली - 110011

North Block, New Delhi-110011

Tele : 23093356, Fax : 23093340

New Delhi the 26th December, 2012Dear *Chief Commissioner,*

Sub:- Effect of Hon'ble Supreme Court order dated 27-11-2012 – UOI & Others Vs. N.R. Parmar & Others

Please refer to the Order of the Hon'ble Supreme Court of India dated 27-11-2012 in the case of UOI & Others Vs. N.R. Parmar & Others in Civil Appeal No. 7514-7515 of 2005 regarding determination of seniority of Direct Recruit Inspectors of Income Tax Department vis-à-vis Promotee Inspectors in the light of judgment of Hon'ble Gujarat High Court in UOI & Others Vs. N.R. Parmar & Others.

2. The Hon'ble Supreme Court in their decision dated 27-11-2012 have reversed the decision of the Hon'ble Gujarat High Court and have stated that the date of vacancy and not the date of joining will be the date of determining the seniority of direct recruit inspectors of Income Tax Department. The decision of the Apex Court will have a bearing on seniority of inspectors in the whole country.

3. It is necessary to quickly examine the effect of the Hon'ble Supreme Court judgment dated 27-11-2012 in your region and to intimate immediately the extent to which the seniority of the ITOs who have been promoted from the rank of inspectors can be fixed according to the consequent revised seniority after the Hon'ble Supreme Court Order and examine its cascading effect in the existing seniority lists of ITOs. This exercise need to be completed at a very early date to enable the DPC to meet for promotion in the grade of ITOs to ACIT for the year 2012-2013. Currently, ITOs upto the S.No. 1781 (for General category), S.No. 2860 (for SC category) and S.No. 2868 (for ST category) are in the zone of consideration for the preparation of panel for the year 2012-2013.

4. I shall be grateful if you could indicate within a fortnight your assessment of impact in terms of approximate numbers so as to decide about the number of vacancies to be set apart for this purpose.

Yours Sincerely,

(Satyendra Singh Rana)
Member (P&V)

To,

All CCIT(CCAs)