|  |  |
| --- | --- |
| income tax | INCOME TAX EMPLOYEES FEDERATIONKERALA CIRCLECentral Revenue Buildings, I.S.Press Road, Kochi-682018.Telephone No.(0484)2795549 Mobile: 08547000175e-mail: itefkera@gmail.comFax No.(0484)2395508Website:itefkerala.com |

President : K. Babu Thomas

General Secretary: K. S. Sajeev Dated: 22-07-2013

To

The Chairman,

Cadre Restructuring Local Implementation Committee,

Kochi.

Sir,

 Sub: Cadre implementation committee meeting on 23-07-2013 – Suggestions on RR.

 Ref: F. No. CC-CHN/Cadre Restructuring/2013-14 dated 17-07-2013

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

 The Income Tax Employees’ Federation, Kerala Circle places the following suggestions with respect to the item no. 1 of the agenda i.e. discussion on issues arising out of merger of various post as Executive Assistant before the committee for discussion.

Recruitment rule of Inspectors

* As per the cadre restructuring notification the feedre cadres of ITI viz. OS, Sr. TA, SG Gr.1 and DEO stands merged to one cadre i.e. Executive Assistant.
* Before formulating the RR for ITI, the inter-se seniority of the EA has to be fixed in accordance with the DOPT guidelines.
* In the EA cadre there can be two categories – EA [ministerial] & EA [Stenographer] with combined seniority.
* The feedre cadre of ITI should be EA with combined seniority only. There should not be any quota system to ITI cadre.
* The promotions to ITI to be made from the combined seniority list of EAs and Date of Passing list of EAs alternatively.
* DR quota to be maintained at the present percentage i.e. 33.33%.
* The residency period of EA for promotion to be maintained at 3 years.
* For computing the qualifying service, period spent in any cadre carrying GP 4200 to be taken into consideration.
* Ministerial examination and Departmental Examination for ITIs to be cleared

A brief history

* The recruitment rule of inspectors was notified on 28th December, 1969 and amended in 8th September, 1986. In the said rules, the feedre cadres were Supervisors [all grades] Head Clerk, erstwhile TAs, UDCs and Stenographers [all grades]. These feedre cadres of inspectors were drawn from two different channels viz. Ministerial and Stenographer. A ratio i.e. 3:1 was fixed between these channels for promotion to ITIs. The ratio has remained unchanged for last 27 years. This is inspite of the directions of the DOPT that such ratios has to be revisited every five years and necessary modifications made, if need be [DOPT RR guidelines]. However, such an excercise was never undertaken in the Department.
* Post restructuring, in 2001, the ministerial cadres of the Department were re-designated as Office Superintendents, Sr. Tax Assistants and Tax Assistants. Instead of amending the existing recruitment rules, the promotions for RY 2000-01 and RY 2001-02 were done on executive instructions of the CBDT [48[1]/2001-AP/DOMS/166/403 dated 04-06-2001 and 09-07-2001]. As per these instructons, the feedre cadres were:
* For RY 2000-01 : OS, Assistants, TA, UDC and SG Gr. I, II & III
* For RY 2001-02 : OS, STA, DEO Gr-C & B, TA, UDC and SG Gr. I, II & III
* In both these years the 3:1 ratio continued to be adopted.
* As the promotions couldn’t be made after the RY 2001-02 for want of RR, CBDT issued another instruction on 02-10-2003 directing to make promotions on adhoc basis . As per this instruction the ratio was modified to 4:1 and the promotions were limited to OS, STA and SG I & II.
* In 2005, CBDT again issued another instruction to regularise all these adhoc promotions. In the said instruction, it was directed to follow the DOMS instruction of 2001. Thus the ratio of 3:1 was again adopted. [F No A 41015/19/2002- Ad VIII dated 07-03-2005].
* On 15-03-2013, the CBDT vide F No HRD/CM/123/4/2012-13 clarifying a query raised by the Andhrapradesh CCIT as to the eligibility of TAs to be promoted as ITIs, stated that the cadre which has not been included as a feedre cadre for the adhoc promotions of 2003 cannot be included as a feedre cadre for regular promotion.
* In Kerala, as in many other regions, the recruitment of stenographers were almost non-existent from the year 2005. Hence continuing with the old ratio of 3:1 became anomolous as the stenographers benefitted from accelarated promotions to ITI. From 2012 onwards, SG-Gr-II[Merged cadre of SG-II & III with GP 2400, who joined after 2008, began to be promoted where as the 1997 UDCs are yet to become ITIs. As on 31-03-2013 there are only 27 stenos as against 392 ministerial staff.
* It was in light of the above , the merger of the cadres of OS, STA and SG- Gr.1 carrying GP 4200 was mooted. This was in consonance with the recommendations contained in the VIth pay commission report as approved by the Union Cabinet. The very idea of creation of Executive Assistant Cadre in IT Department was to create a composite cadre that would be the sole feedre cadre of ITIs. The merger which has come into effect vide the cadre restructuring notification will thus put an end to the skewed ratio system.

Need for maintaining DR quota at 33.33%

* The need for maintaining the DR quota at 33.33% is imperative as the ITIs post constitute the promotional avenue for the majority of the minsiterial and steno cadres. The total strength of ITIs is approx. 13,000 where as the strength of ministerial/ steno cadres is 44,000. Out of 13,000 posts, only about 8750 post are available for promotion. Any increase in the DR quota would further bring down the promotional posts and would in turn adversely affect the career progression of the employees and would thereby undermine one of the objectives of cadre restructuring proposal.

Qualifying period to be maintained at 3 years

* The residency period of the Executive assistants should be maintained at the present period of 3 years for promotion to the cadre of ITIs. For quantifying the period, the starting date should be date of acheiving the GP of 4200 other than by way of MACP and not the date of creation of the Cadre of Executive Assistant. If this clause is not incorporated in the RR, future promotions, especially of those belonging to SC/ST, will get stalled for the next three years.

Ministerial examination and ITIs examination to be cleared

* As it stands today, an official is permitted to appear for the ITIs examination only after clearing the ministerial examination. On creation of the EA cadre there is a possibility that those who have not cleared the minisiterial examination is assimilated into the cadre. If the pre-requisite condition that for appearing for the ITI’s examination, the Ministerial Examination needs to be cleared is taken away, a few official may draw undue advantage of having required to appear for only one examination.

Executive Assistants.

* This is the merged cadre of promotional posts. Hence, the entire post to be filled by way of promotion.
* The promotions to be made from the combined seniority of TAs and Steno-Gr II.
* No quota system to Executive Assistants as this could create anomolous situations in the future.
* Promoted TAs can be designated EA[Ministerial] and SG-II promoted can be designated EA[Stenographer]
* The residency period of TAs/ SG II for promotion to be maintained at 3 years.
* If the qualifying service is increased, a large no. of EA posts would remain vacant for a long period of time.
* Departmental Examination for ministerial cadre to be cleared.

Detailed Note

* This is the merged cadre of OS, STA and Steno- Gr-1 having the GP of 4200. Since only promotional cadres are merged, there need not be any DR quota in EA cadre. The feedre cadres of EA should be TAs and Steno-Gr-II, both carrying the GP of 2400. Promotions to EA cadre should be made by making a combined seniority list of TAs and Steno-Gr.II based on their date of joining the Cadre. No quota system is to be proposed to this cadre as this could lead to anomolous situations in the future.
* EA cadre constitutes feedre cadre for 3 cadres viz. Income-tax Inspectors, Administrative Officers and Private Secretaries. Therefore, for convenience, the EAs promoted from ministerial cadres has to designated EA[Ministerial] and EA[Stenographer] and promotion to AO has to be the exclusive privelege of the EA[ministerial] and PS that of EA [Stenographer].
* The merger of various cadres has to be done in accordance with the instruction of DOPT in this regard. The seniority of the merged cadre should be determined by the date of attaining the GP of 4200 without considering any MACP granted. The Interse seniority with respect to those employees who attained the GP of 4200 on 01-01-2006, ie the effect date of VIth pay commission, should be fixed taking into consideration their pre-revised pay scales and date of attaining those scales.
* The residency period of TAs and Steno-Gr II for fpromotions to next posts are 3 years and 5 years respectively. Since promotions to the EA cadre has to be made from a combined seniority list, the residency period of the TAs/ Steno – Gr. II should only be period of 3 years for promotion to the cadre of EAs. If the period is increased, a large number of vacancies would remain vacant for a long period of time. As on 31-03-2013 there are only 63 TAs/ Steno –II eligible for promotion to EA.

**Administrative Officer**

* The feedre cadre should be EA[ministerial] alone.
* Residency period for promotions to be fixed at 3 years.
* Ministerial examination to be cleared by DEOs
* No additional qualifications than the existing to be imposed.

**Private Secretary**

* The feedre cadre should be EA[Stenographer].
* Residency period for promotions should only be 3 years.
* No additional qualifications than the existing to be imposed.

**Tax Assistants**

* 25% posts to be filled through promotion and the rest through DR.
* Feedre cadre for promotion to be MTS/LDC/NS.
* Present eligibility criteria to be continued.
* Residency period to be maintained at 5 years.
* Computer eligibility test to be cleared.
* Officials may be permitted to appear for computer test after completion of two years in the feedre cadre.

**Stenographer Gr.II**

* Model RR to be followed.
* 100% DR

**NS/ LDC**

* Present RR to be continued

**MTS**

* 100% DR
* Model RR to be followed

Yours faithfully,

[A.G. Narayan Hari]

ITEF nominated member.