



Income Tax Gazetted Officers' Association

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F.No. ITGOA/CHQ/Sec.Meeting/03/2014-15
16/07/2014

Date:

Minutes of Extended Secretariat Meeting of ITGOA held on 15.07.2014 at New Delhi

In pursuance of the notice dated 05-07-2014, the extended secretariat meeting of ITGOA, CHQ was held on 15-07-2014 in the Income tax office, E-2 Block, Civic Centre, New Delhi to transact the items as per following agenda mentioned in the notice:

- 1) To Discuss & review the decisions taken in the Secretariat Meeting on 01-06-2014;
- 2) To discuss the course of action for speedy implementation of NR Parmar and promotion to the cadre of ACIT;
- 3) To discuss and decide the course of action on other pending issues;
- 4) To discuss and finalise the VII CPC Memorandum;
- 5) To decide the date and venue of the Management Committee Meeting;
- 6) Any other matter which may be brought up with the permission of the chair.

The meeting was presided by Com. Ajay Goyal, President, ITGOA. Following office bearers and members of the CHQ attended the meeting:

1. Com. Ajay Goyal, President
2. Com. Amitava Dey, Vice President
3. Com. Bhaskar Bhattacharya, Secretary General
4. Com. Aravind Trivedi, Addl. Secretary
5. Com. Mohnish Sood, Asstt. Secretary
6. Com. Raghvendra Singh, Treasurer
7. Com. Sanjay Kr. Pandey, Zonal Secretary (East)
8. Com. Satish Bhalla, Zonal Secretary (North)

The representatives from following units were also present in the meeting:

1. Com. A. Sita Rama Rao, President, AP Unit
2. Com. C. P. Soloman, President, TN&P Unit
3. Com. Umesh Jakhar, President, Rajasthan Unit
4. Com. Ravi Shankar, General Secretary, Mumbai Unit
5. Com. Bhagat Singh, General Secretary, Delhi Unit
6. Com. A. Srinivas Rao, Vice- President, AP Unit
7. Com. Rajesh. D. Menon, Mumbai Unit
8. Com. Rajiv Puri, NWR Unit
9. Com. Sitesh Verma, Rajasthan Unit

10. Com. S. L. Garg, NWR Unit
11. Com. R.S. Meel, Delhi Unit

At the outset, the President welcomed everybody present in the secretariat meeting.

The minutes of earlier Secretariat meeting dated 01-06-2014 was placed before the house for approval and the house approved the same after brief narration and discussion.

The president then asked the Secretary General to initiate the discussion on the agenda items.

Implementation of NR Parmar and promotion to the cadre of ACIT:-

The Secretary General informed in details, the present status of DPC for promotion to the ACIT Cadre. The reasons for the delay in the DPC for R.Y.- 2013-14 was that the UPSC had suggested CBDT to seek the opinion of the DOPT and DOLA regarding the revision of seniority as per the verdict of N R Parmar. The requisite opinion of the DoPT & DOLA, in favour of holding the DPC, has been sent to the UPSC by CBDT. As far as the deficiencies of APARs are concerned, it was informed that only one APAR is deficient which will also be completed at the earliest. It was also informed to the house that some officers, who happen to be members of ITGOA, have sent letters / representations to UPSC requesting it not to hold the DPC without revision of seniority as per NR Parmar. All such representations have been forwarded by UPSC to CBDT for comments. Board has sent the requisite clarification to the UPSC on the issue after obtaining a report from the Pr. CCIT, Ahmedabad. UPSC is examining the matter and is likely to hold the DPC in near future.

The office bearers of the CHQ have monitored the matter continuously and made all out efforts for expediting the matter. The Secretary General also informed the members that the office bearers of CHQ have even visited Gujarat and met the members who have filed representations to the UPSC and tried to convince them not to stall the DPC at this stage which is already delayed by more than a year and that it will affect the future carrier prospect of 180 plus ITOs.

It was also informed that on the issue of implementation of NR Parmar decision, the Association was of the view that in the absence of uniform and clear guidelines of the Board, the Pr. CCsIT of different regions are interpreting the decision of Hon'ble Supreme Court / OM of DoPT as per their own understanding. The Association has already taken up the matter with the Board and demanded for the issue of uniform guidelines for revision of seniority in a time bound manner. The attitude of Board on this issue is very pathetic and indifferent, as usual. The Board has opted not to issue any guidelines till date leaving such a crucial subject / matter to the wisdom of the Pr. CCsIT who are not taking uniform stand on this issue. In some regions the seniority is revised from 1986, whereas in some regions, the Pr. CCsIT have taken the view that the NRP is to be implemented after 27.11.2012 leading to resentment among our members.

It was informed that this matter was taken up by the Association in the quarterly review meeting held on 14.07.2014 with the Chairman, CBDT. The different interpretations taken for revising the seniority by the Pr. CCsIT of different regions and its consequences were informed to the board in detail. The Secretary General informed the house that ITEF have supported the demand of ITGOA for uniform implementation of the NR Parmar. The Board should issue proper guidelines with a time limit and in this regard, the FAQ prepared by the HRD should be issued. After detailed discussion on this issue, the Board has agreed to examine the fact and take the decisions at the earliest.

The Secretary General also appraised the house that the Chairman has informed in the Quarterly Review meeting that the DPC of all the cadres for the Vacancy Year 2014-15 shall be held only after finalization of recruitment rules since the Union Cabinet has allowed the promotions upto the year 2013-14 as per the existing/model recruitment rules.

The Secretary General informed that the CHQ is also trying to monitor the revision of the seniority list and in order to study the status of the revision of seniority as per NR Parmar, the CHQ has requested all the units to furnish the details, so that the CHQ may make proper strategy on this important issue. But, till date, very few units have given the requisite information.

The Secretary General expressed the view that due to different interpretation of the instruction of DOPT and in the absence of any guidelines of Board till date, the dispute is not going to be sorted out and there is every likelihood of stay / injunction from a court on the DPC for the post of ACIT. As the promotions to the grade of ACIT have already been delayed by more than one year, it is in the interest of all the fraternity that these promotions are not held up due to litigation. Therefore, it is need of hour that the members should have patience and they should resist from obtaining stay from court for stopping the DPC for ACIT.

Shri Sitesh Verma expressed the opinion that the promotion should be allowed to continue and the revision of seniority should not be linked with the same because the process of revision is a continuous one and may take long to finish.

Com. Rajesh D. Menon expressed his view that the DPC could have been held in the month of March but proper efforts could not be made at that time. He also submitted that the revision of seniority in the case of Shri Rajeev Mohan should be made properly. It was also stated that all the DPC upto the level of ITOs have been held in most of the charges, this shows that the ITEF is properly managing this issue and no stay has been obtained by their members. But, members of ITGOA are trying to get stay to stall the ACIT promotions.

Com. Ravi Shanker suggested that there should not be any hindrance in holding the DPC for R.Y.2013-14. He also expressed that the further DPC for R.Y. 2014-15 and review DPC for the restructuring vacancies for R.Y.2013-14 should also be allowed to be held without any hindrance. The revision of seniority matter should not be an impediment. He also welcomed the support of ITEF on the NRP issue.

It was suggested in the meeting that to expedite the process of revision of seniority as per NRP, the ITEF should ask its regional units to pursue the matter at local level for early completion of the work as it is mandatory for the implementation of NRP at central level.

Com.C. P. Soloman raised the matter of wrong interpretation of instruction on NRP by the Pr.CCIT, Chennai. He informed that the authorities are going to revise the seniority only after date of order of Hon'ble Supreme Court. He informed that the ITGOA and ITEF had jointly made efforts to convince the authorities to follow the interpretation made in all the other regions and to revise the seniority w.e.f 1986. But, till date the authorities have not accepted the request of the members. Every one present in the house expressed that the stand of the authorities is not correct and the CHQ should take up the issue at appropriate level. After the discussion, it was decided that the CHQ will take necessary steps in the matter.

Speaking on the issue Com. Aravind Trivedi, Addl. Secretary asked the members to suggest that what should be the criteria for assigning the seniority of DR, whether it can be other than the date of sending requisition to bring uniformity since year of sending the requisition may be different in many units and it may therefore not be linked with the year of examination. It was informed by Com. Sanjay Pandey that at the Board level, for implementation of the NRP, meetings of the Addl.CIT(Hq) of all the regions were called for and discussions were held. During these meetings, the chart of details of sending requisitions to the recruiting agencies in the cadre of ITIs available with the Board was also provided to these officers for information. But, the Board has not issued any guidelines in the matter till date.

Com Sitesh Verma opined that the reply sent by the Board on the representations of members to the UPSC was not proper. It should be clearly mentioned in the reply that there was no stay at present from any court of law on this issue. He felt that if the same had been informed to the UPSC, that agency might have decided the date for holding of DPC.

Com. A. Sita Rama Rao suggested that the CHQ should help and keep in touch with the concerned offices/officers of the Board for ensuring proper responses in such type of matter.

The matter of review of panel for vacancy year 2012-13 was also raised by Com Rajesh Menon. He stated that after revisions of seniority of ITOs of Pune and Delhi regions in the ITO seniority list, the issue of review of DPC for vacancy year 2012-13 was raised which delayed the regular DPC for vacancy year 2013-14 which was likely to be held in March and could not be held till date. It was submitted that some office bearers of CHQ are going to be benefitted by such review. In reply to this, the house was informed that the delay in regular DPC for vacancy year was on account of issue relating to decision of N R Parmar and not the initiation of review DPC for R.Y. 2012-13. It was further brought to the knowledge of all that the process of Review DPC was initiated by CBDT in the tenure of the previous CHQ and it was finally done on 20.02.2014 which was before the current CHQ was formed and so, the view that current CHQ team or its members are responsible for the delay of regular DPC for vacancy year 2013-14 is not correct.

In reply to the submission of Com. Rajesh D. Menon that the seniority of Shri Rajeev Mohan should be revised properly, it was informed that the seniority of Shri Rajeev Mohan has been revised in pursuance of the Court order and review petition before the Supreme Court is being filed by the Board.

After long discussion on this issue, following steps were decided to be taken:

- A The DPC for vacancy year 2013-14 should be held immediately and
- B The request for initiating the DPC for the vacancies of CRC 2013-14 and 2014-15 should be made and for this purpose the functional requirement should be provided to the CBDT.
- C Demand for issue of guidelines for uniform implementation of NRP in a time bound manner and this process should be continued simultaneously. In this regard, the FAQ prepared and lying with HRD should be issued immediately.
- D The CHQ will raise the issue of wrong interpretation of NRP in TN& P unit with the Board as well as with the Pr. CCIT, Chennai.

Discussion on other pending issues:

A NFSG:

It was informed that the meeting of screening committee is delayed for want of deficient APARs. As on date, APARs of 44 Officers are still pending. Considering the long delay in the matter, the CHQ had raised the issue in the Quarterly review meeting and has demanded that the orders granting NFSG w.e.f. 01.01.2014 to left out Promotee Officers of 2001 batch are passed by 31.07.2014.

Some members raised that no. of deficiency cannot be so high as the promotion of these officers were regularized very recently and the APARs of relevant years must have been examined then.

But it was clarified to the members that the APARs were not verified at the time of regularization as the promotion order was kept in sealed cover due to the order of the High Court in the matter. The units should try to get the deficiencies pertaining to their regions removed at the earliest. It was suggested that the details should be sent region wise so that the units may be in better position to monitor the matter.

B Regularisation of Ad-Hoc JCIT:

On this issue, it was informed that the details of the deficient APARs have been uploaded on the site. Therefore, officially, the regularization process of the Ad-Hoc JCIT of 2002/2003/2004 batch has been initiated.

C. A serious matter was raised by some members that the Member(P) has issued letters to all Pr. CCIT(CCA) to consult DIT(vig) before passing transfer & posting orders. It was informed by the members that the DsIT(Vig.) have given the names of some officers with the recommendation not to post them in assessment charge or at a particular position/ station. There are 9 names in AP, 20 in Rajasthan and 32 in Mumbai regions. There may be similar cases in other units.

It was felt by the house that probably the DsIT(Vig.) have exceeded the brief / intent of the letter of Member(P). The members also expressed that this tool may be used to victimize the members of the Association. The CHQ was requested to take up the matter with the Board and request them to issue proper guidelines in this regard, so that this concept introduced may not become a tool of victimization in the hands of supervisory officers.

D. The representative of Mumbai unit raised the issue of the hostile attitude of ITEF, Mumbai circle and their non- participation in the JCA call with the members of ITGOA, Mumbai Unit. It was alleged that the CHQ did not help to sort out this issue though they were telephonically informed. They also sought to know the discussion made by the CHQ with the ITEF leadership. They were informed that the JCA leadership has discussed that there are problems in some units at the JCA level and to sort out these problems, the JCA had decided to visit these units and to meet the local leadership of both the organizations and try to sort the differences. At this juncture, Com. Rajesh D. Menon categorically told the CHQ not to interfere in the affairs of ITGOA, Mumbai unit and he strongly opposed any such proposed visit. He submitted that the Mumbai unit will resolve the issue itself.

Discussion and finalization the VII CPC Memorandum

It was informed by the Secretary General that the draft memorandum to the VII CPC to be submitted jointly by the ITGOA & IEEF under the banner of JCA has been prepared and the same was circulated among the Units for their suggestions. However no suggestions have been received till date. On his issue, it was expressed by Com. Rajesh Menon that a separate meeting on this subject should be called by the CHQ. The Secretary General informed that the memorandum has to be submitted by 31st July; hence it may not be possible to call another meeting. He submitted that a reminder shall be issued to all the units. All the suggestions shall be discussed in the JCA and incorporated in the draft memorandum.

Decision on the date and venue of the Management Committee Meeting

The Secretary General informed that the West Bengal unit has agreed to host the next Managing Committee Meeting. The date and vane suitable to the local unit was 19th & 20th of August, 2014 at Darjeeling. The house finalized the same as the date and venue of the next Managing Committee Meeting.

The meeting ended with the vote of thanks given by the President to all the participants and to the Delhi Unit for hosting the meeting.



(Bhaskar Bhattacharya)
SECRETARY GENERAL