

Subject: Minutes of the Meeting with JCA on 16-09-2015 under the Chairmanship of Member (P&V) in the Conference Hall, DIT(HRD), Vasant Kunj:

A meeting, under the Chairmanship of the Member (P&V), was convened on 16.09.2015 at 10 am in the Conference Hall of DIT, HRD to discuss the issues raised by the JCA in their call for agitation/strike as conveyed vide their letter no. N-1/2015-18 dated 25.8.2015. The list of Officers and representatives of ITGOA and ITEF, who attended the meeting is placed at Annexure 'A'. The Member (P&V) welcomed the persons present and thereafter the following agenda items were discussed as under:

1. Promotions in the cadre of ACIT, for all regular and CRCs vacancies and upto R.Y. 2015-16 are to be given immediately.

1.1 In the Charter of Demand made by the JCA, the Demand for promotion of ITOs in excess of 180 was highlighted. In this context, it was informed by the Member (P&V), that the demand of the JCA was based on certain premises which were examined threadbare in relation to the extant provisions and Government of India instructions. For the past few months concerted efforts have been made both by Ad.VI Section of CBDT as well as the Directorate of HRD to thrash out the issues raised by the JCA relating to combined/separate vacancies and working strength of ACsIT/DCsIT, chain vacancies, treatment of reserves, quota/rota rules, in order to arrive at a solution, if any. Earlier through various meetings these issues were discussed, considered and analysed threadbare. As a culmination of the earlier discussions held, the demand for promotions of ITOs in excess of 180 [i.e. the number of Direct Recruits requisitioned from UPSC] in V.Y. 2013-14 and 2014-15 considering large scale vacancies in the ACIT/DCIT grade as on date, Member (P&V) explained four issues involving the matter which are as under:

(a) Combined vacancies for ACIT and DCIT cannot be taken together, since from the V.Y. 2010-11 onwards, the vacancies in ACIT grade only is being shown in the calculations given in the proposal for promotions from ITO to ACIT sent to UPSC. ACIT and DCIT are two different grades and have different sanctioned strength as per the IRS Rules, 1988 as well as IRS Rules, 2015.

- (b) As per the Quota Rule, vacancies for the year is to be distributed among PR and DR in 1:1 ratio. In case, the quota of vacancies DRs or PRs is not for some reason is not fully filled up during the year, the same will be carried forward to the next year. But, it is seen that the number of PRs recruited since 2005 till date is 1228 as against the 1156 DRs recruited during the same period. To this extent, the Quota Rules have not been strictly followed. However, to offset the brought forward balance of excess PRs over DRs, more DRs have been taken than PRs during 2007 to 2011.
- (c) Originally, during Cadre Restructuring deliberations with DOPT and CRC (Cadre Review Committee), the department had put forward a proposal for batch strength of 200 DRs and equal number of PRs officers in ACIT grade, but considering the likely stagnations DOPT only accepted a batch strength of 150 DRs. Thus, given that the eligibility period for promotion to DCIT is four years there would be $2 \times 150 \times 4 = 1200$ ACITs, out of which two batches of DRs (300 in numbers) will be counted against probationary reserve. This would leave 900 as the final sanctioned strength of duty posts in ACIT grade.
- (d) In the meeting of ITGOA with FM on 06.09.2013 with representatives of ITGOA, it was decided that CBDT should undertake promotions of about 180 ITO-level officers to the level of ACIT every year. Accordingly, 180 PRs + 178 DRs = 358 ACsIT were recruited in the vacancy year 2013-14 and 180 DRs have been requisitioned from UPSC for the vacancy year 2014-15.
- (e) As regards the letter dated 31.05.13 of the then JS (Admn), CBDT, Shri Lohani, which has been referred to by the JCA in their earlier discussions/communications as also in the meeting held on 16.09.15, it was pointed out that the decision of Hon'ble F.M. to notify 180 vacancies each for the DR and PR quota was subsequent to this letter and the calculation of available vacancies had been taken note of. The calculation of vacancies in this letter has been made by taking into account the reserve of 620 posts on account of training and deputation as also the chain

vacancies which is strictly not in accordance with extant Government of India instructions.

1.2. Member(P&V) also reassured that the promotions of ITOs for the V.Y. 2014-15 will be done at the earliest and there are only 4 deficient APARs which will be removed within a couple of days. It is proposed to submit a proposal to UPSC to carry out DPC, as per seniority list of 2012, subject to the final list as per NR Parmar decision. Soon after the promotion proposal for V.Y. 2014-15 is sent to UPSC, the exercise for promotion of ITOs for V.Y. 2015-16 will be started.

1.3.ITGOA and ITEF reiterated their demand for promoting ITOs in excess of 180 for the V.Y. 2013-14 and 2014-15 taking combined vacancies in DCIT and ACIT grade. They also pointed out that in order to find actual number of DRs and PRs and if there is any balance brought forward, the data of DRs and PRs for the period 2005 onwards is not sufficient and one needs to consider the data since the Quota Rule was made applicable.

1.4. ITGOA and ITEF further pointed out that the entire 2001 batch ITOs have not been promoted to ACIT as yet and about 425 approx. are left so far and requested Member(P&V) to take steps so that as many can be promoted in V.Y. 2013-14 and 2014-15.

1.5.Member (P&V) made it clear once again that the demands raised will be considered by the Board, but to the extent they do not violate the RRs and Government of India Instructions.

2. Filling of Vacancies/Conducting of DPCs in various cadres:

The Pr. DGIT (HRD) informed that the dossiers of the CGLE, 2013 had been distributed to various Regions, the result of CGLE 2014 was declared by SSC and 1017 and 452 candidates in the cadre of TA and ITI respectively had been allocated to the Department. Thus, the entire requisition in the above cadres had been met by SSC. Further, the requisition for CGLE 2015 would shortly be sought by SSC as told by

Chairman, SSC in the meeting held on 11-09-2015 with Pr. DGIT (HRD). This would ameliorate the vacancy problem in the Direct Recruitment quota to a considerable extent.

As regards filling up of vacancies in the promotion quota, orders have already been issued for conducting DPCs in accordance with the existing RRs. Further as the staff side is aware the implementation of NR Parmar decision and holding of DPCs is at various stages in different Regions which is being closely monitored by the Board. The staff side is also aware that there are number of legal issues, including the implementation being contested by some members of the staff resulting in stay being granted by the Ernakulam Bench of the CAT. Efforts are separately being made to get the stay vacated. Further a meeting has also been called with the field offices to discuss about measures to address the vacancy problem especially in the promotion quota.

The Pr. DGIT (HRD) also made reference to the meeting with SSC and the remarks of SSC about inability to conduct the recruitment in the MTS cadre in the current Financial Year. The JCA suggested that the recruitment should be made in the said cadre by Department itself rather than relying upon SSC as this would help to mitigate the huge vacancy in the MTS cadre. It was also decided that the department may explore alternate remedy to the problem.

3. Casual Labour regularization:

The JCA was informed that two separate proposals relating to regularization of casual workers (as per the Apex Court judgment in the Uma Devi case) and for relaxation of eligibility conditions for nearly 2400 casual workers, respectively, had been moved to DoPT for comments. The JCA also demanded for withdrawal of the Board Letter dated 13-05-2013 regarding direct payment to the casual workers in view of the various Tribunal rulings quashing the above Instruction of the Board. The JCA was assured that the matter would be looked into and suitable action be taken.

4. Finalization of RRs:

The Member (P&V) informed that the RRs file had been resubmitted to the Board by DIT (HRD) in wake of the fresh demands of JCA. The proposal would be considered

by Full Board through circulation and in case of any modification in the draft RRs the file would go to F.M for approval.

On the demand of change in the classification of Executive Assistant as Group 'C' as against Group 'B' in the draft RRs, the JCA was informed that the same was in accordance with the DoPT guidelines dated 9.4.2009. The JCA also made reference to other Services where the posts having similar Grade Pay were classified as Group 'C'. The representatives of JCA agreed to give the relevant documents in this regard. On the issue of loss of Compassionate appointment with classification of EA as Group 'B', the Member(P&V) assured that issue would be taken up separately. The JCA demand for relaxation of the qualifying service for promotion of Tax Assistant to Sr. TA and MTS to TA was discussed. A one-time relaxation was requested in order to meet the vacancies in the Sr. TA and TA cadre. Since the relaxation was not part of the finalization of the RRs, therefore the proposal would be considered separately after getting the requisite data from the field after the meeting with representatives of the different Regions scheduled for 22-09-2015

5. Misc. Matter:

JCA made reference to the problem faced by them due to ambiguity in the work allocation between the DIT (HRD) and Administrative units of the Board. Problems were faced in Notification of the RRs as the Administrative section of the Board refused to notify the approved RRs in Group 'C' cadres. Similarly in the Advance Increment matter also there was no clarity regarding the authority who would deal the matter. The JCA requested the Member (P&V) to resolve the issue at the earliest in order to avoid further delay. The Member (P&V) assured that the matter would be resolved.

6. Infrastructure Matter :-

The JCA also raised the issue of the space problem in wake of the Cadre Restructuring and no new purchases/additions to the office space in various regions. The Member(P&V) expressed his concern but also stated that the immediate problem was not that acute as the working strength pre-restructuring and post- restructuring had not changed much except that the officials who moved

on promotion are entitled to more space. Still, the Pr. CCsIT (CCA) must address the problem by ascertaining requirement as per working strength and send proposals for hiring of space without losing sight of total requirement in future considering sanctioned strength and taking long term measures for acquiring properties. The Member(P&V) also mentioned that no decision on policy matter was pending at the Board level and the initiation of the proposals would take place from the field offices. The Member (P&V) informed that recently proposal of hiring space in Mumbai, Pune and Chennai have been approved. It was also emphasized that the local units must have regular meetings with concerned Pr. CCsIT(CCA) for taking steps to address the issue. The Member assured the JCA that the station wise office space requirement as per Sanctioned Strength and Working Strength and the status of the pending proposals (region wise) would be personally monitored. Regarding their demand for laptops for AOs/Stenographers and mobile phones the Member assured that the matter would be taken up with DG (Logistics).

JDIT-II (HRD)
23.9.2015

To:

1. Pr. DGIT (HRD)
2. Sr. PPS to Chairperson to CBDT
3. PPS to Member (P&V), CBDT
4. PPS to JS (Admn.), DT
5. DS (Ad.VI)
6. President, ITGOA
7. President, ITEF
8. President & Secretary IRS Association

ANNEXURE 'A'

Sr. No.	Name	Designation of Officers
1	Sh. A.K. Jain	Member (P&V)
2	Sh. K.C. Jain	Pr. DGIT (HRD)
3	Sh. S.N. Srivastava	ADG (HRD)-1
4	Ms. VismitaTej	ADG (HRD)-2
5	Sh. Anurag Prasad	ADG (HRD)-3
6	Sh. B.D. Mishra	Addl.DIT (PMD & RMS)
7	Sh. Mahesh Thakur	JDIT (HRD-2) CMD
8	Sh. MohnishSood	Asstt. Secretary, ITGOA
9	Sh. M.S. Vengatesan	Joint Secretary, JCA
10	Sh. Subir Kr. Mazumdar	Fin. Secretary, ITEF
11	Sh. Bhagat Singh	Gen. Secretary, ITGOA
12	Sh. Ombir Singh	Asstt. Secretary, ITEF
13	Sh. K Mudhusudan	Joint Secretary, ITEF
14	Sh. Arvind Trivedi	Addl. Secretary, ITGOA
15	Sh. Bhaskar Bhattacharya	Secretary General, ITGOA
16	Sh. Rupak Sarkar	Secretary General, ITEF
17	Sh. Ashok Kanojia	President, ITEF
18	Sh. Ajay Goyal	President, ITGOA