



I.T.G.O.A. ZINDABAD

INCOME TAX GAZETTED OFFICERS' ASSOCIATION

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Circular No. 12

Dated: 17-11-2015

To,

**The Members of CHQ,
The President / General Secretary of all Units of ITGOA
All Members of ITGOA.**

Dear Comrades,

It has come to the notice of the CHQ that the members in the cadres of AO and PS, belonging to various Units of ITGOA, expressed their anguish and discontent as to why the issues of these cadres were not included in the 5(five) point Charter of Demands submitted before the CBDT by the Central JCA and launched agitation from 09-09-2015. The CHQ owe an explanation to the woe of our members. We are trying to depict the major issues of these cadres in detail with facts and figures available to us and/or presented before the authorities by the JCA/ITGOA in recent past.

A. Recruitment Rules of the AO & PS cadres and its relaxations required

Details of AO/PS cadres & eligibility conditions:

I) For the AO cadre-

Pre-CRC grades	Grade Pay	Sanctioned strength	Mandatory stay in feeder cadre	Post-CRC grades	Grade Pay	Sanctioned strength	Mandatory stay in feeder cadre(as per model RR)*
Senior A.O. General Central Service group A	10,000-325-15,200 (5CPC) 15,600-39,100;GP-6600(6CPC)	5 (as in 2004) 4 (as in 2013)	6 Yrs regular service in the grade of AO-II	Principal A.O. [Sr. AO (as per final allocation)]	15,600-39,100; GP-6600	21	4800 to 6600-6 yrs/ 5400 to 6600-5 years
A.O., GRADE-II General Central Service group	7,500-250-12,000 (5CPC) 9,300-34,800;GP-4,800/	35 (as in 2004) 35 (as in 2013)	3Yrs regular service in the grade of AO-III	A.O. GRADE-II	9,300-34,800; GP-4,800/5	428	4600 to 4800-2 years

B Gazetted Ministerial	5,400 [after 4 years(6CPC)]				400		
A.O., GRADE- III General Central Service group B Gazetted Ministerial	6,500-200-10,500 (5CPC) 9,300-34,800;GP- 4600(6CPC)	774 (as in 2004) 775(as in 2013)	3Yrs regular service in the grade of OS	A.O. GRADE-III	9,300- 34,800; GP-4600	935	4200 to 4600- 5 years

II) For PS cadre-

Pre-CRC grades	Grade Pay	Sanction ed strength	Mandatory stay in feeder cadre	Post-CRC grades	Grade Pay	Sanction ed strength	Mandatory stay in feeder cadre(as per model RR)*
Senior PS General Central Service group B Gazetted Ministerial	7,500-250-12,000 (5CPC) 9,300-34,800;GP- 4,800/ 5,400 [after 4 years(6CPC)]	116 (as in2007) 116 (as in 2013)	3 Yrs regular service in PS or 7 Yrs Combined service as Stg Gr-I +PS	Senior PS	9,300- 34,800; GP- 4800/54 00	417	4600 to 4800- 2 years
PS General Central Service group B Gazetted Ministerial	6,500-200-10,500 (5CPC) 9,300-34,800;GP- 4600(6CPC)	698(as in 2007) 698 (as in 2013)	3 Yrs regular service in Stg Gr-I or 6 Yrs Combined service as Stg Gr-I +Gr II	PS	9,300- 34,800; GP-4600	634	4200 to 4600- 5 years

* DOPT OM No. AB 14017/61/2008-Estt. (RR) dated 24.03.2009 and 12.03.2010

The Proposed Recruitment Rules for the Sr.PS/PS and the Pr.A.O/A.O, Gr.II/A.O Gr.III sent to the DOPT for approval was made available to the Central JCA (the copies of both are attached herewith). On going through the proposed RRs it was observed that the Board had deviated from the recommendation of the Committee set up for framing the same. Immediately a communication was made from the JCA to the Board for not only calling back the proposal from the DoPT but to make suitable changes/amendment as suggested by the JCA. The Draft was called back and after incorporating the amendments the same was resubmitted. The amendments sought by the JCA are as under:

CADRES	PAY BAND & GRADE PAY	QUALIFING SERVICE PROPOSED BY CBDT	QUALIFING SERVICE suggested by the	QUALIFING SERVICE As per Existing RRs	QUALIFING SERVICE Proposal of the JCA
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		(Column No. 11 as per Schedule of RR)	Committee No.6 of CBDT of CRC		
Admn.Officer Grade III	9300-34800 GP Rs.4600/-	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with FIVE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade
Private Secretary	9300-34800 GP Rs.4600/-	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with FIVE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade	Executive Assistant in the pay scale of Rs.9300-34800 with GP Rs.4200 with THREE years regular service in the Grade

It was also observed that the Board had incorporated a Screening Committee for grant of Financial upgradation from Rs.4800/- to Rs,5400/- for A.O, Grade-II and Senior Private Secretary in contrary to the recommendation of the Committee. Since the incorporation of the Screening Committee was not discussed and approved by the Committee set up for framing the RRs of Group-B & C, hence the Central JCA also suggested for removing/deletion of the same from the proposed RRs. The suggestion in this regard submitted by the Central JCA to the Board that the financial upgradation was made available to the Group-B officers by virtue of recommendation of the 6th CPC wherein it was clearly mentioned that on completion of the regular service of 4(four) years in the cadre an officer is entitled to automatic upgradation from Rs.4800/- to Rs.5400/- In this regard the JCA also highlighted various instructions issued by the DGIT(HRD), New Delhi, wherein it was clearly mentioned that the only criteria that required to be fulfilled was that the officer should be clear from vigilance angle. The issue was discussed number of times with the Board and DGIT(HRD) and ultimately they agreed to the proposal of deletion of the Screening Committee.

As regards constitution of Departmental Promotion Committee (DPC) for the cadres of AO & PS, the JCA has suggested as under:-

CADRES	PAY BAND & GRADE PAY	COMPOSITION OF DPC PROPOSED BY CBDT (Column No. 12 Schedule of RR)	COMPOSITION OF DPC suggested by the Committee No.6 of CBDT of CRC	COMPOSITION OF DPC As per Existing RRs	COMPOSITION OF DPC Proposal of the JCA
Sr. Private Secretary	9300- 34800 GP Rs.4800/-	1.Pr.CCIT(CCA)- Chairman 2. An Officer not below the HAG Grade – Member 3. Local Officer not below the HAG Grade of C&CE – Member 4. One SC/ST Officer not below the rank of JCIT - Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) - Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) – Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer, unless one of the members at (1) to (3) belongs to Scheduled Caste or Scheduled Tribe as nominated by the Pr.CCIT(CCA) – Member
Admn. Officer Grade II	9300- 34800 GP Rs.4800/-	1.Pr.CCIT(CCA)- Chairman 2. An Officer not below the HAG Grade – Member 3. Local Officer not below the HAG Grade of C&CE – Member 4. One SC/ST Officer not below the rank	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer , unless one of the members at (1) to (3) belongs to Scheduled Caste or Scheduled Tribe as nominated by the Pr.CCIT(CCA) - Member

		of JCIT - Member	4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) - Member	4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) – Member	
Admn. Officer Grade III	9300-34800 GP Rs.4600/-	1.Pr.CCIT(CCA)-Chairman 2. An Officer not below the HAG Grade – Member 3. Local Officer not below the HAG Grade of C&CE – Member 4. One SC/ST Officer not below the rank of JCIT - Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) - Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer as nominated by the Pr.CCIT(CCA) – Member	1.CIT nominated by the Pr.CCIT (CCA) - Chairman 2. Addl./JCIT (Hqrs.) to be nominated by the Pr.CCIT (CCA)– Member 3. Local Addl./JCIT of C&CE – Member 4. One SC/ST Officer not below the rank of DCIT or Liaison Officer , unless one of the members at (1) to (3) belongs to Scheduled Caste or Scheduled Tribe as nominated by the Pr.CCIT(CCA) – Member

The demand for finalizing the RR of the AO & PS cadres was included in the 5(five) point Charter of Demands of JCA. The issue was discussed in the meetings dated 16-09-2015 and 20-10-2015 with the CBDT. Finally, in the wake of agitation, CBDT sent the RR of the AO & PS cadres, with the incorporations proposed by JCA, to the DoPT. ITGOA will pursue the matter with DoPT also as it was done in case of the IRS RR.

In regard to the promotion in various grades of the AO & PS cadres, in absence of the new RR, the JCA requested the CBDT of issue Executive Instruction for promotion for the R.Y. 2015-16 and accordingly, the Executive Instruction for Gr.B posts was issued on 17.06.2015 [including promotion to the grade of Principal A.O. (though Group A Posts)]. Again, the ITGOA requested the CBDT on 30-10-2015 to hold the DPC for filling up of the post of Pr. A.O.(Gr.A post) immediately. At the same time, ITGOA felt that some kind of relaxation may be required in the eligibility conditions to fill up all the posts in various grades. The sanctioned strength in the cadre of Pr. A.O. was increased from 4(Four) to 21(Twenty one) in the

Cadre-restructuring, 2013. The said posts were also distributed amongst the various charges. The Units were requested by the CHQ to send the names of the officers in its respective regions those who were eligible for the promotion to the cadre of Pr. AO as early as possible so that the CBDT could be pursued to send proposal for DPC to the UPSC. As per our record, most of these 21 posts will remain vacant even after the issuance of the Executive Instruction or the notification of the RR as the eligible candidates are not available in most of the regions. Again, in one or two regions, there may be more than one officer eligible for the promotion in the Pr.AO cadre, but all the regions except Delhi are provided with only one post in this cadre. **In this regard, the ITGOA, TN & P Unit, demands that the promotion in the 21 posts of Pr.AO cadre (Gr. A Gazetted; PB-3, Rs.15,600-39,100; GP-6600) is to be done on the basis of the All India Seniority List of the A.O., GRADE-II or otherwise the relative senior of one region may be denied promotion due to the lack of post in that region while his junior in some other region may be promoted. All the Units of ITGOA are requested to give their views in this issue whether to propose for the promotion in the Pr.AO cadre on the basis of the All India Seniority List (as followed in the cadre of Chief Accounts Officer in CBEC) or to allow this promotion to happen on the Regional Seniority List.** As there is no All India Seniority List in the cadre of A.O., GRADE-II, the ITGOA has to take a call on this and request the CBDT, if decided, to initiate process for preparing the same.

Moreover, as most of these 21 posts will remain vacant due to the lack of eligible candidates in most of the regions, ITGOA proposes, in the QRM dated 21-07-2015, that the required length of service to fill up the post of Principal AO need to be relaxed as there were no eligible officers to fill up such posts. ITGOA requested the CBDT to relax the eligibility condition for the promotion in AO, Grade-II cadre also. The CBDT requested us to submit data and details of officers with length of service available in the feeder-cadre to decide on the relaxation required to fill up such posts. Accordingly, the CHQ requested all the Units of ITGOA vide communications dated 20-08-2015 and 04-09-2015 to provide the requisite data for promotion to the cadre of Pr.AO and also to the cadre of AO, Grade-II. Though 9 of the Units provided us with the data, it was not possible for the CHQ from the data supplied to form a unitary view regarding the years of relaxation required to fill up the posts in AO, Grade-II cadre region wise and it appeared that the relaxation of 1 year in the mandatory stay in AO, Grade-II will help one member to get promotion in the cadre of Pr.AO. Accordingly, the CHQ has written the CBDT for asking 1 year relaxation for promotion to the cadre of Pr.AO.[more relaxation will not help our members so long the promotion is not done on the basis of All India Seniority]. **The CHQ also requests all the Units once again to ascertain whether any post in the cadre of AO, Grade-II will remain vacant in their region following the 3 years mandatory stay condition in AO, Grade-III for the promotion for R.Y. 2015-16 or any relaxation of such mandatory stay is required and inform the CHQ immediately.**

B. Proposal for Commensurate posts:

The Union Cabinet approved Cadre Restructuring in Income Tax Department on 23-05-2013. As a result, two new tiers of scales/grades were introduced in Indian Revenue Service (Income Tax) and even certain upgradation of existing pay scales was taken place in CCIT/CIT cadres.

But, in the Report of the “Committee on Cadre Review of IRS & Restructuring of the IT Department” in July, 2009 which was the basis of CRC, 2013, the commensurate tiers of scales/ grades for Officers of common categories in Administrative Officer and Private Secretary, who cater the higher officers of Indian Revenue Service (Commissioner onwards), were also

proposed as under (at Para 7.6.1 and Table No. 7.3 & 7.4 of the said report) apart from the cadre structure at the level of the then CCIT/CIT only:

Proposed IRS Cadre	Proposed Commensurate PS Cadre(number of posts proposed)	Proposed Commensurate AO Cadre(number of posts proposed)
Principal Chief Commissioner of Income Tax	Senior PPS(43)	Principal AO(43)
Chief Commissioner of Income Tax	PPS(73)	Senior AO(73)
Principal Commissioner of Income Tax	Senior PS(333)	AO Grade-II(333)
Commissioner of Income Tax	PS(602)	AO Grade-III(935)

Though the demand of introduction of additional two tiers and upgradation in existing tiers in IRS cadre could be achieved in CRC-2013, the proposal for commensurate upgradation in AO/PS cadres didn't materialize.

As the demand for commensurate upgradation in AO/PS cadres needs no further justification as the Committee, appointed by the Board, itself devised the upgradation plan as discussed above and the same was also part of the Board's Cadre Restructuring proposal sent to DoPT and DoE and as also there are instances in other Departments where the upgradation in common cadres of AO/PS has taken place and posts in the grade of Principal AO, PPS or Senior PPS in AO/PS cadres are created, the ITGOA demanded, vide its letter dated 10-02-2015, to upgrade existing posts in AO & PS cadres in Income Tax Department to higher grades. The number of posts in the upgraded cadres was proposed in commensurate with the upgradation in IRS Cadre as below:

We propose the following upgradation in AO & PS cadres:

Sl.No.	IRS Cadre	A.O. Cadre to cater & the replacement scale demanded	P.S. Cadre to cater & the replacement scale demanded
1	Principal Chief Commissioner of Income Tax	Principal A.O. PB-3, GP-6600/-*	Senior PPS PB-3, GP-6600/-*
2	Chief Commissioner of Income Tax	Senior A.O./A.O. Grade-I PB-3, GP-5400/-*	PPS PB-3, GP-5400/-*
3	Principal Commissioner of Income Tax	A.O. Grade-II PB-3, GP-4800/-*	Senior P.S. PB-3, GP-4800/-*
4	Commissioner of Income Tax	A.O. Grade-III PB-2, GP-4600/-*	P.S. PB-2, GP-4600/-*

* Pay-scales projected on the basis existing PB & GP

In CRC, 2013, the allocation of AO and PS cadres has been made with the different authorities as under:

Sl.No.	IRS Cadre	A.O. Cadres	P.S. Cadres
1	Principal Chief Commissioner of Income Tax	One Senior A.O. + One A.O. Grade-II + One A.O. Grade-III	One Senior PS
2	Chief Commissioner of Income Tax	One A.O. Grade-II	One Senior PS
3	Principal Commissioner of Income Tax	One A.O. Grade-II + One A.O. Grade-III	One Senior PS
4	Commissioner of Income Tax	One A.O. Grade-III	One PS

After upgradation of the posts in the AO and PS cadres, the proposed allocation will be as under:

Sl.No.	IRS Cadre	A.O. Cadres	P.S. Cadres
1	Principal Chief Commissioner of Income Tax	One Principal A.O. + One A.O. Grade-II + One A.O. Grade-III	One Senior PPS
2	Chief Commissioner of Income Tax	One Senior A.O.	One PPS
3	Principal Commissioner of Income Tax	One A.O. Grade-II + One A.O. Grade-III	One Senior PS
4	Commissioner of Income Tax	One A.O. Grade-III	One PS

And, the proposed strength of the upgraded cadres will be as under:

Cadres of A.O.

Sl.No.	Cadre	Existing strength after CR-2013	Proposed strength
1	Principal A.O.	0	26
2	Senior A.O.	21	91
3	A.O. Grade-II	428	326
4	A.O. Grade-III	935	935
	Total	1384	1404

Cadres of P.S.

Sl.No.	Cadre	Existing strength after CR-2013	Proposed strength
1	Senior PPS	0	26
2	PPS	0	91
3	Senior PS	417	300
4	PS	634	635
	Total	1051	1052

Though the CBDT was requested to send the proposal again to the Ministry for approval and a decision in this regard was taken in the QRM dated 11-02-2015, the ADG-II, HRD, CBDT invited ITGOA to discuss the matter only on 12-10-2015 in the wake of the ongoing agitation. The ADG-II, HRD, pointed out that the DoPT/DoE rejected the proposal for the commensurate posts in these cadres as submitted by the CBDT in the CRC proposal and some new rationale has to be made in favour of this demand to get it through from DoPT/DoE. She requested ITGOA to send some more inputs in regard to the said proposal so that a comprehensive proposal can be sent to the DoPT by the CBDT. The CHQ is working on it and more inputs required to prepare the proposal will be submitted before the Board as soon as possible.

C. Laptop for AO and PS cadres

It was decided in the PGRC Meeting, dated 10-06-2015, that a fresh proposal for Laptops for the officers of AO and PS cadres would be submitted by the CBDT to the competent Authority. The same meeting requested the ITGOA to submit a proposal in this regard to the Board. The said proposal was sent to CBDT on 22-07-2015 by the ITGOA.

The earlier proposal for providing laptops to AO/PS cadres was time and again turned down by IFU/DoE. The proposal for laptop for the AO/PS cadre was sent to CBDT in the line mentioned below:

“Procurement of laptop/note book and identification of deserving officers in various departments of Government of India are presently governed by the O.M. of the Department of Expenditure dated 19.09.2014, which says that laptops/notebooks may be issued to officers in the rank of Deputy Secretary / equivalent (JCIT in our case) and above. Earlier eligibility criteria of deserving officers had been decided by the O.Ms of the DOE dated 19.04.2004 followed by 26.09.2009. As per the former one, Laptops should not be issued to officers below the rank of Joint Secretary and equivalent (CIT in our case), which was further liberalized vide the latter OM, allowing issuance of laptops to officers in the rank of Deputy Secretary / equivalent. The most pertinent point here is that during sanction of laptops to the officers of Income Tax Department in the year 2008, the eligibility for being allotted one started with only the officers in the grade of CIT (as per the then extant O.M. of DOE), whereas in our department officers even in the grade of ITOs (Group B), five tiers/grades below the stipulated grade in general were issued laptops, that too only after obtaining approval of all concerned authorities. The reason was plain and simple. Firstly the Department could be able to impress upon the concerned authorities the dire need of the departmental officers, even in the Group B level to have portable personal computers to discharge their duties (due to unique nature of the duties discharged, portability matters). Secondly, the entire expenditure was to be borne by the Department by means of the special fund named “1% incentive scheme”.

It is apparent from the approval for procurement of laptops this time that the same sets of argument still prevail over the extant O.M. of the DOE. Moreover CBDT issued its own laptop policy on 10.02.2015, which has certain differences with the extant O.M. of DOE, in terms of eligibility, disposal, retention etc. Issuance of separate laptop policy despite existence of laptop policy of the nodal department (DOE) itself establishes that the need of any particular department in any particular vital issue (like procurement and allotment of laptop) is distinguishable. Obviously the case of our Department under discussion is its best example. Being the most important revenue department, its functional requirement is bound to be different. So any cadre of Income Tax Department, even if similar cadre exists in other departments, its functional requirement may be quite different to that of other departments. So the AO & PS cadres of our department shouldn't be painted/equated with other Departments with the same brush and their requirement should be examined separately in the backdrop of the uniqueness in functioning and excelling of Income Tax department.

The reasoning discussed *supra* is applicable to Central Secretariat Stenographer Service (CSSS). Officers of CSSS are supposed to be in the same bracket with the PS cadres of so many Government Departments, as all are basically providing the secretarial assistance to Senior Officers (SAG level and above). However in reality, they are a distinguishable cadre in terms of pay, number of grades, promotional hierarchy etc. So despite discharging the same duty, if the promotional channel and pay of CSSS officers can be so much different from the PS cadres of other departments depending upon the functional need, the same logic straight way applies to issuance of laptop to AO/PS cadres of Income Tax Department.

The duty charts of Senior A.O., A.O. Grade-II and A.O. Grade-III as well as Senior P.S. and P.S. have last been officially released in the Manual of Office Procedure (Vol.-I) in 2003. Since then the functional requirement and responsibility of these two cadres have undergone a sea change, in sync with the changes taken place in the Department. The Department has gradually been evolved from a law enforcing department to a **service providing department** in order to bring about a non-adversarial tax regime. As a result, in last decade, the direct tax collection has been increased six to seven folds, thus taking the place of highest contributor in Government Exchequer pushing below the indirect tax collection to distant second place. And for the entire transformation and success, **exhaustive use of information technology holds the key**. So being connected, even while on move, is a must. Here lies the importance of possessing personal computers including portable ones for the Departmental Officers, from Principal Chief Commissioners to Income Tax Officers to Administrative Officers or Private Secretaries, who are providing administrative or secretarial assistance to the senior officers.

In respect of Administrative Officers irrespective of their grades, the most vital assignment is to act as a DDO. After introduction of networked Pay & Accounts office, only a computerized environment is not enough, it is required to be net-connected. But the real challenge is to perfectly discharge the duty of a deductor in e-TDS regime. It is a fact that though all the DDOs, irrespective of their Departments, have to go through the same formalities; DDOs of Income Tax Department should be the role model and the guiding force with zero error compliance. Working in internet always demands flexibility in working hour or even working away from the office, as internet traffic at peak office hours slows down the system and prevents uploading, report generation etc. to be done during that period. Use of laptop with net connectivity is the only solution. Besides, they discharge their duties in various capacities like working as administrative officer of Commissionerate or Chief Commissionerate, looking after the activities of ASK and Help desk, Building caretaking etc. In all such assignments, they basically provide assistance to Pr. CCIT/CCIT/Pr. CIT/CIT. The requirements to provide laptops to the officers of Income Tax department should be examined in this light. In a nut shell:

1. Income Tax Department has earlier provided laptops to a part of its officers upto the level of ITOs after obtaining the approval of all competent authorities, overriding the extant O.M. of DOE.

2. The action itself suggests that the demand of Laptops for the personnel of Income Tax Department has to be examined separately.
- 3 The phenomenal growth in revenue collection is due to efficient use of information technology and networking. So much so, the Department bagged recently the prestigious P.M.'s award for excellence in public administration. Being connected, even while on the move, is the key to success.
4. As a technical department, the credit for success goes to the entire team not to any individual and the infrastructure provided to them. So there should not be differentiation between the AO/PS cadres and other officers of the Department, as far as providing infrastructure including laptop are concerned.
5. There is sufficient functional justification for providing laptops to AO/PS cadres as discussed above.
6. The demand for providing laptops should be examined in isolation and not in respect of AO/PS cadres in other departments, as various infrastructures, which are highly expensive, have so far been provided to the Department or its officers exclusively, not considering other departments. Also, the '1% Infrastructural Incentive Scheme' is available to the Department of Income Tax only, and not to all other Departments, out of which the Laptops are to be provided."

But the fresh proposal is yet to be sent to the competent authority by the CBDT. In the mean time, the proposal of laptops for other cadres, which was in a very advanced stage, also got delayed in the hands of the competent authorities. So, though the ITGOA and the Central JCA are following it up and pursuing the issue, we also feel that the fresh proposal for laptops for the AO/PS cadres should be sent to the competent authorities after a principal decision is taken for the laptops of the other cadres or else, this fresh proposal may summarily be rejected.


D. Grade Pay of AO/PS

The Hon'ble Principal Bench of CAT, in the hearing of the case relating to the Grade Pay of AO & PS cadres, dated 9th/10th September, 2015, levied a penalty of Rs.3000/- on the Department for not filing the affidavit. The case was again heard on 08-10-2015, but adjourned on 01-12-2015. ITGOA, with help of some of the sincere comrades in Delhi, is keeping in regular touch with the concerned Advocate and also trying to pursue the Board to impress upon the Departmental Counsel to help the Hon'ble Court to reach to a reasonable conclusion fast.

Though the ITGOA and Central JCA felt, from the above detail of the issues, that the developments did not summon the need for an immediate agitation, we strongly feel that the JCA should be ever ready to launch agitation at the cause of the AO/PS cadres alone.

With fraternal regards,

Yours comradely,



(Bhaskar Bhattacharya)
Secretary General

**Ministry of Finance
Department of Revenue
(Central Board of Direct Taxes)
NOTIFICATION**

New Delhi, the ___th of _____, 2014.

G.S.R. ___ In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Ministry of Finance, Department of Revenue, Administrative Officers (Group 'A' and 'B' Posts) Recruitment Rules, 2004 except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the posts of Administrative Officers (Group 'A' and 'B' Posts) in the Central Board of Direct Taxes (CBDT), Department of Revenue, Ministry of Finance.

1. Short title and commencement.—(1) These rules may be called the Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, Administrative Officers (Group 'A' and 'B' Posts), Recruitment Rules, 2014.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts, Classification and scale of pay. - The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

3. Method of recruitment, age limit, other qualifications, etc.—The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) of the said Schedule :

Provided that the recruitment by promotion against posts in AO Grade-III and AO Grade-II in the Region of a Cadre Controlling Authority shall be made only from amongst persons belonging to the cadres of that Region, as indicated against column 11 of the Schedule:

4. Disqualifications - No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said posts :

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing and in consultations with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservations and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Ex-servicemen and any other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

Name of the post	Number of post	Classification	Pay Band and Grade Pay	Whether Selection or Non-Selection post
1	2	3	4	5
Principal Administrative Officer	21*(2013) *Subject to variation dependent on workload	General Central Services, Group 'A' Gazetted Ministerial.	Rs. 15600-39100 + Grade Pay of Rs. 6600.	Selection

Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
Not applicable	Not applicable	Not applicable	Two years
Method of recruitment : whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods		In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	
10		11	
Promotion		<p>Promotion : Administrative Officers, Grade-II in the pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4800/5400 with six years' regular service in the Grade.</p> <p>Note : Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered, provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.</p>	
If a Departmental Promotion Committee exists, what is its composition		Circumstances in which Union Public Service Commission to be consulted in making recruitment	
12		13	
<p>Group 'A' Departmental Promotion Committee (for promotion):-</p> <p>1. Chairman/Member, Union Public Service Commission. - Chairman</p> <p>2. Chairman, Central Board of Direct Taxes. - Member</p> <p>3. Member, Central Board of Direct Taxes. - Member</p>		Consultation with Union Public Service Commission is necessary for amendment or relaxation of any provision of these rules.	

--RRs for Pr.AO ends--

SCHEDULE

Name of the post	Number of post	Classification	Pay Band and Grade Pay	Whether Selection or Non-Selection post
1	2	3	4	5
Administrative Officer, Grade-II.	428*(2013) *Subject to variation dependent on workload	General Central Services, Group 'B' Gazetted Ministerial.	(i) Rs. 9300-34800 + Grade Pay of Rs. 4800, (ii) Non-Functional Financial Upgradation to the Grade Pay of Rs. 5400 upon completion of 4 years in Grade in order of seniority subject to rejection of the unfit, on the recommendations of the Screening Committee constituted in accordance with column 12 of these Rules.	Selection

Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
Not applicable	Not applicable	Not applicable	Not applicable
Method of recruitment : whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods		In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	
10		11	
Promotion		<p>Promotion : Administrative Officers, Grade-III in the pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4600 with three years' regular service in the grade.</p> <p>Note :</p> <p>1. Promotion to the grade of Administrative Officer, Grade-II will be made region-wise.</p> <p>2. Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered, provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors who have already completed such qualifying or eligibility service.</p>	

If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
12	13
<p>[a] Group 'B' Departmental Promotion Committee (for promotion) in Grade pay of Rs. 4800/-</p> <p>1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) - Chairman</p> <p>2. An Officer not below the HAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) -Member</p> <p>3. Local Officer not below the HAG grade, of Customs and Central Excise Department - Member</p> <p>4. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe. - Member</p>	<p>Consultation with Union Public Service Commission is necessary for amendment or relaxation of any provision of these rules.</p>
<p>[b] Screening Committee (for Non-Functional Upgradation) in Grade Pay of Rs 5400</p> <p>1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) or Chief Commissioner of Income tax to be nominated by the Pr. CCIT(CCA) - Chairman</p> <p>2. Two Officers not below the SAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) -Member</p> <p>3. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe.</p>	

SCHEDULE

Name of the post	Number of post	Classification	Pay Band and Grade Pay	Whether Selection or Non-Selection post
1	2	3	4	5
Administrative Officer, Grade-III	935*(2013) *Subject to variation dependent on	General Central Services, Group 'B' Gazetted Ministerial.	Rs. 9300-34800 + Grade Pay of Rs. 4600.	Selection

workload			
Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
Not applicable	Not applicable	Not applicable	Not applicable
Method of recruitment : whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods		In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	
10		11	
Promotion		Promotion : Executive Assistants in the pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4200, with five years' regular service in the Grade. Note : 1. Promotion to the grade of Administrative Officer, Grade-III will be made region-wise. 2. For the purpose of reckoning five years' regular service in the grade, the service rendered by an inter-region transferee in the old region shall not be counted in the new region which he has joined on such transfer, if the transfer is on the request of the officer concerned. 3. Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered, provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors who have already completed such qualifying or eligibility service.	
If a Departmental Promotion Committee exists, what is its composition		Circumstances in which Union Public Service Commission to be consulted in making recruitment	
12		13	
Group 'B' Departmental Promotion Committee (for promotion):- 1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) - Chairman 2. An Officer not below the HAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) - Member 3. Local Officer not below the HAG grade, of Customs and Central Excise Department - Member 4. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe. - Member		Consultation with Union Public Service Commission is necessary for amendment or relaxation of any provision of these rules.	

Ministry of Finance
Department of Revenue
(Central Board of Direct Taxes)
NOTIFICATION

New Delhi, the 6 of August, 2014.

G.S.R. In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Department of Revenue, Central Board of Direct Taxes, Income Tax Department, Senior Private Secretary, Private Secretary (Group 'B' Posts), Recruitment Rules, 2006 except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the posts of ~~Senior Private Secretary, Private Secretary~~ in the Central Board of Direct Taxes (CBDT), Department of Revenue, Ministry of Finance.

1. Short title and commencement.—(1) These rules may be called the Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, Senior Private Secretary, Private Secretary Group B Posts, Recruitment Rules, 2014.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts, Classification and scale of pay. - The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

3. Method of recruitment, age limit, other qualifications, etc.—The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) of the said Schedule:

Provided that the recruitment by promotion against posts in the Region of a Cadre Controlling Authority shall be made only from amongst persons belonging to the cadres of that Region, as indicated against column 11 of the Schedule.

4. Disqualifications - No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said posts:

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing and in consultations with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservations and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Ex-servicemen and any other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

Name of the post	Number of post	Classification	Pay Band and Grade Pay	Whether Selection or Non-Selection post
1	2	3	4	5
Senior Private Secretary	417*(2013) *Subject to variation dependent on workload	General Central Services, Group 'B' Gazetted Ministerial.	(i) Rs. 9300-34800 Grade Pay of Rs. 4800, (ii) Non-Functional Financial Upgradation to the Grade Pay of Rs. 5400 upon completion of 4 years in Grade in order of seniority subject to rejection of the unfit, on the recommendations of the Screening Committee constituted in accordance with column 12 of these Rules.	Selection

Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotes	Period of probation, if any
6	7	8	9
Not applicable	Not applicable	Not applicable	Not applicable
Method of recruitment : 1. Whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods		In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	
10		11	
Promotion, failing which, by deputation.		<p>Promotion : Private Secretary in the pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4600 with three years' regular service in the Grade.</p> <p>Note :</p> <ol style="list-style-type: none"> Promotion to the grade of Senior Private Secretary will be made region wise. Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered, provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors who have already completed such qualifying or eligibility service. <p>Deputation: Officers under the Central Government:</p> <ol style="list-style-type: none"> holding analogous posts on regular basis, in the parent cadre or department in Senior Private Secretary cadre; or with three years' service in the Private Secretary cadre rendered after appointment thereto on regular basis or six years' combined service in the grade of Private Secretary and Stenographer Grade-I. <p>Note:</p> <ol style="list-style-type: none"> The departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appointment by promotion. Period of deputation including period of deputation in another ex-cadre post held immediately preceding this in appointment the same or some other Organization or Department Central Government shall ordinarily not exceed three years. The maximum age limit for appointment by Deputation shall not exceeding 56 years as on the closing date of the receipt of applications. 	

a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
12	13
<p>[a] Group 'B' Departmental Promotion Committee (for promotion) in Grade pay of Rs. 4800/-</p> <ol style="list-style-type: none"> 1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) - Chairman 2. An Officer not below the HAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) - Member 3. Local Officer not below the HAG grade, of Customs and Central Excise Department - Member 4. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe. - Member <p>[b] Screening Committee (for Non-Functional Upgradation) in Grade Pay of Rs 5400 - Chairman</p> <ol style="list-style-type: none"> 1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) or Chief Commissioner of Income tax to be nominated by the Pr. CCIT(CCA) - Member 2. Two Officers not below the SAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) - Member 3. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe. 	<p>Consultation with Union Public Service Commission is necessary for amendment or relaxation of any provision of these rules.</p>

SCHEDULE				
Name of the post	Number of post	Classification	Pay Band and Grade Pay	Whether Selection or Non-Selection post
1	2	3	4	5
Private Secretary	634*(2013)* Subject to variation dependent on workload	General Central Services, Group 'B' Gazetted Ministerial.	Rs. 9300-34800 + Grade Pay of Rs. 4600.	Selection

Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
Not applicable	Not applicable	Not applicable	Not applicable
Method of recruitment : whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods		In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made	
10		11	
Promotion, failing which, by deputation.		<p>Promotion :</p> <p>Executive Assistants in the pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4200 with five years' regular service in the Grade.</p> <p>Note :</p> <p>1. Promotion to the grade of Private Secretary will be made region wise.</p> <p>2. For the purpose of reckoning five years' regular service in the grade, the service rendered by an inter-region transferee in the old region shall not be counted in the new region which he has joined on such transfer, if the transfer is on the request of the officer concerned.</p> <p>3. Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered, provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors who have already completed such qualifying or eligibility service.</p> <p>Deputation:</p> <p>Officers under the Central Government:</p> <p>(i) holding analogous posts on regular basis, in the parent cadre or department in Private Secretary cadre; or</p> <p>(ii) with five years' service in the Stenographer Grade-I rendered after appointment thereto on regular basis in the parent cadre or department or six years' combined service in Stenographer Grade-I and erstwhile Stenographer Grade-II cadre.</p> <p>Note:-</p> <p>1. The departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appointment by promotion. Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or department of the central government shall ordinarily not exceed three years.</p> <p>2. The maximum age limit for appointment by Deputation shall not exceeding 56 years as on the closing date of the receipt of applications.</p>	

If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
12	13
<p>Group 'B' Departmental Promotion Committee (for promotion):-</p> <ol style="list-style-type: none"> 1. Pr. Chief Commissioner of Income Tax (Cadre Controlling Authority) - Chairman 2. An Officer not below the HAG grade to be nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority) - Member 3. Local Officer not below the HAG grade, of Customs and Central Excise Department - Member 4. One Scheduled Caste or Scheduled Tribe Officer not below the rank of Joint Commissioner of Income Tax or Liaison Officer (in accordance with the instructions issued by the Government from time to time) as nominated by Principal Chief Commissioner of Income Tax (Cadre Controlling Authority), unless one of the members at (1) to (2) belongs to Scheduled Caste or Scheduled Tribe. - Member 	<p>Not applicable.</p>