

JOINT COUNCIL OF ACTION OF INCOME TAX ASSOCIATIONS: WEST BENGAL

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Joint Convenors :Bhaskar Bhattacharya, RupakSarkar & Manmohan Nayak

Date: 16.04..2014.

To
The Principal Chief Commissioner of Income Tax,
West Bengal & Sikkim.

Respected Sir,

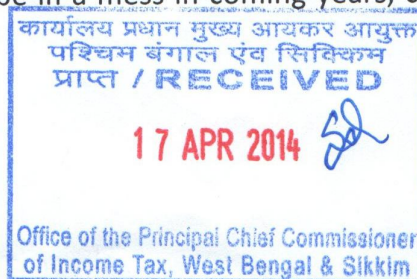
Sub:-Phasing out of 1633 posts from West Bengal Region in coming four years
-as planned by the Board as a part of final allocation of posts & manpower
post CRC, 2013 –matter regarding.

Kindly refer to our earlier letter dated 04.04.2014. addressed to you vide which it was informed that JCA, W.B. Unit was going to revive the agitational programme against the discrimination meted out to this region in final allocation notified by CBDT on 31.03.2014.

Vide the same letter, we also expressed our apprehension in respect of diverting of more posts out of this region in future. Even then also, we could not think of diverting of 1,633 posts out of this region in our wildest nightmare. But that apprehension turns into a big shocker once CBDT has unveiled the scheme of distribution of posts on 04.04.2014. As per the Annexure N of that scheme (Roadmap of phasing out posts from West Bengal), total 1,633 posts are earmarked for phasing out in coming four financial years (up to 2017-18), which include 2 posts of CCIT and four posts of Pr. CIT.

Probably, this is for the first time in the history of Central Civil Services in India that in the name of restructuring of a Department, a particular region of the country is targeted and stripped off 23% of its existing strength. It has an uncanny resemblance with shifting of Capital from Calcutta to Delhi in 1911 by the British as a consequence of their unsuccessful bid to divide Bengal in 1905.

Sir, you are fortunate enough that the post of the Pr. CCIT has not been included in the phasing out list so you don't have to walk down the alley of uncertainty. But kindly think about your not so fortunate colleagues who will man those posts earmarked for phasing out without having any idea about the date of actual diversion of the posts. As per the said scheme, four Pr. CIT charges (Kol.- XVIII to Kol.-XXI) have only been earmarked. But nowhere it is written which two will be moved out first in 2015-16, which one in the next year and which one at the last. Can an officer with quasi-judicial functions to discharge act under such uncertainty? Moreover with phasing out of such a big number of posts in each year, the jurisdictions are to be redrawn for each such moving out. In a nutshell, the West Bengal region will be in a mess in coming years, courtesy the said Scheme of Doom, devised by the Board.



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If continuation of the existing staff strength in West Bengal is so detrimental to revenue collection or the scheme is devised on the basis of actual functional need, then the Board must come up with a plan of diverting all the posts earmarked in one go and not in a phased manner (with a symbolic diversion of 16 posts in the current year). Because the Board has to fulfill its commitment given to the Union Cabinet to collect the additional revenue of more than Rs. 25,000 Crore from the current year itself and there is no moratorium allowed in this regard so far. Hence, it clearly establishes that the phasing out of posts is just in the sake of diverting posts from this region and absolutely without any functional requirement.

Besides the above mentioned self –defeating motto, the said scheme devised by the Board suffers from many grave infirmities. Some of them are as under:

1. While unfolding the plan of diversion of posts, it is told that “This will ensure that the existing surplus staff in some regions is not disturbed, but the surplus posts get adjusted out of the said regions, as and when the existing incumbents demit office on promotion or retirement”. First of all use of plural is misleading when the Board thinks that there is one and only one surplus region. But most importantly, this formula is completely unsuitable for West Bengal Region as heavy diversions have been planned both in the promotional posts and in the feeder posts (like TA to EA or LDC/NS to TA).
2. In the notification dated 31.03.2014, the no. of posts of Pr. CIT in West Bengal region is shown as 28 [presumably 24 Admin CsIT, one DIT(Inv.) and 3 CsIT(Central)]. But in the scheme of allocation, it is shown as 27 (reported as rectified the mistake made in the notification). If the latest diversion is of one CIT (Central) post, what about the officers and staff under that charge. Are they already included in the phasing out list?
3. One unit of investigation is slated for diversion from Kolkata to Delhi giving the excuse of lesser work here, whereas the DIT (Inv.), BBSR is asked to report to the DGIT (Inv.), Hyderabad to rationalize workload of the DGIT (Inv.), Kolkata. Is it a mere contradiction or well thought design to undermine the importance of Kolkata charge?
4. It is stated in the scheme that if a new specialized range of exemption or central is created in such a region where no post of CIT Exemption or Central is placed, that range will be attached to the nearest CIT Exemption or Central charge. But defying its own logic, Range (Exemption), BBSR is put under the administrative control of CIT(E), Hyderabad instead of CIT(E), Kolkata by the Board. So nowadays, not only the tax codes but Geography is also rewritten in the North Block.
6. Even after discussions and deliberations about 10 long months, CIT charges of Burdwan, Muzaffarnagar, Hazaribag and Bhagalpur are still kept under “Transfer” scanner. It is clearly a blot on the Board’s decision making capability.
5. It is also stated in the said scheme all the officers and staff of the attached directorates (around 1900 in number) are presently to be placed under the Pr. DGIT (Admn.), New Delhi as CCA and to be continued so for next 5-6 years. But in the final allocation list notified, Pr. DGIT (Admn.) doesn’t appear separately.

Under the circumstances, we completely reject the scheme of phasing out of posts released by the Board and we demand:

1. No diversion or phasing out of existing posts in any cadre from West Bengal Region.
2. The part of the Scheme of Distribution of posts released by the Board on 04.04.2014., which is clearly biased against West Bengal region must immediately be recalled.
3. Allocation of only additional posts created in the Cadre Restructuring as mandated by the Union Cabinet and West Bengal Region must be allocated with its legitimate share out of those posts.

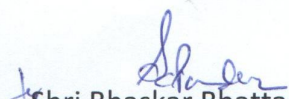
We therefore once again request you to ensure that justice is done to West Bengal.

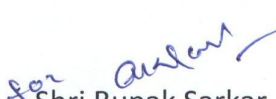
However to protest against the Board's plan to phase out 1633 existing posts from this region in addition to discrimination otherwise meted out to the West Bengal charge in allocation of additional posts, we are compelled to continue our agitational programme of non-submission of reports, non-participation in search & survey etc., as informed earlier. The agitational programme will be further intensified as under:

- i) Pen down from 21.04.2014. to 25.04.2014., when our members will take up only limitation matters.
- ii) Lunch hour demonstration at Aayakar Bhawan on 29.04.2014.

With best wishes for Bengali New Year, 1421.

Yours faithfully,


Shri Bhaskar Bhattacharya
General Secretary, ITGOA ,WB Unit


Shri Rupak Sarkar
General Secretary, ITEF, Bengal Circle
Joint Conveners


Shri Manmohan Nayak
General Secretary, ITEF WB Circle Gr.D

Copy to Joint Conveners of Central JCA for information and necessary action.

Yours faithfully,

Shri Bhaskar Bhattacharya
General Secretary, ITGOA ,WB Unit

Shri Rupak Sarkar
General Secretary, ITEF, Bengal Circle
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