



JOINT COUNCIL OF ACTION
INCOME TAX EMPLOYEES FEDERATION &
INCOME TAX GAZETTED OFFICERS' ASSOCIATION
West Bengal Unit
3, Govt. Place West: Kolkata-700 001.



Joint Conveners:

Susanta Chakraborty
8902198341

Bishnu Pada Mondal
8902198099

Dated: 24.06.2023.

To

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

Madam,

Sub: Request for rescinding the stand/deemed release orders issued for TROs/ITOs and
non-Gazetted employees on 23.06.2023-matter regarding

Kindly refer to the Order No. 60 of 2023-24 and Order No 137 of 2023-24 issued from your good office on 23.06.2023, which has taken us aback.

In this connection, we would request you to kindly recall your interaction with the representatives of ITGOA on 21.06.2023 to discuss the aberrations noted in the ITO AGT Orders dated 05.06.2023 and subsequent modification order among other issues. In the said meeting, you have promised us that your office will be passing the modification order after considering the representations submitted by our members, subsequent to the order dated 05.06.2023. You had also asked us to ensure the compliance of the AGT orders at an early date. Immediately, the ITGOA has issued an appeal to all its members under order of transfer to hand over their charges except in those cases who have represented for a change in their transfer order. Accordingly, our members have started moving to their new charges except where the chain movement is interrupted because of some genuine constraints. However, your Order No 60 of 2023 dated 23.06.2023 has come as a shock, as it is tantamount to an admission that the administration does not have the confidence in the words given to it by the representatives of the recognised association.

Similarly, the members of ITEF were also surprised to see the unilateral Order No 137 of 2023-24 issued on 23.06.2023, whereby all the non-Gazetted employees (ITI/OS/Steno/STA /TA/NS/MTS) under the order of transfer were released from the afternoon of 23.06.2023. It is even more baffling as no discussion on the issue of modification order has taken place with the representatives of ITEF, let alone the release of the employees. It is bemusing that the orders have been received in our mail after the office hours around 7 pm and are yet to be uploaded in your official website till sending of this letter on 24.06.2023. We are at our wits' end to make out what prompted the administration to take such a drastic step when both the associations have been cooperating with your good office in all its initiatives.

Apart from this, the following crucial issues have completely been overlooked while issuing the above orders in such a great haste, which are bound to create serious difficulties both for the individual employee and the Department as a whole:

- i) 30.06.2023 is the limitation date for completing the following statutory functions like
 - a) Compulsory Scrutiny selection by JAOs;
 - b) Penalty cases to be completed by JAOs;
 - c) Penalty cases to be completed by FAOs;
 - d) Issuance of notices u/s 143(2) of the Act by JAOs/ FAOs;
 - e) Assessment cases to be completed as a result of the direction of the Tribunal/ Courts/TP Cases and
 - f) PAN deletion cases considering the last date of PAN-AADHAAR linking.

Sudden change of so many incumbents/ release of so many officers and officials in one go, that too only seven days prior to that limitation date may lead to a chaotic situation.

ii) If all the ITOs under the order of transfer stand unilaterally released on the same day, they will be under no obligation to prepare/receive any charge handover note which may give rise to serious implications regarding time-barring/ judicial matters in future.

iii) In our region, most of the RSA tokens will expire on 30.06.2023 and the officers and officials are in the process of replacing it. These sudden deemed release orders will interrupt the process of replacement. Besides, your good office have also issued the local AGT order in the cadre of Addl/JCsIT [No 57 dated 23.06.2023]. Officers whose name feature in the instant order will not be able to countersign the RSA token activation form, failing which ITOs won't be able to tag their new role with the token. Thus, any system related time barring work will go unattended in this interim period.

iv) It may be mentioned that the Panchayat election in the state of West Bengal is scheduled to be conducted on 08.07.2023. Many of our officers and officials have already been requisitioned by the State Election Commission for the polling duty and presently under their administrative control. Further, they have been attending the training programmes accordingly. Any change of place of posting, specially the change of station prior to the election will cause grave inconvenience to those requisitioned officers/ officials.

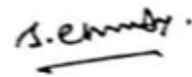
v) Handing over/ taking over the charge or getting released from earlier place of posting and joining a new place of posting needs certain mental preparation. In case of inter station transferees, there are so many other aspects involved like shifting of family, finding out new accommodation, admission of the children etc., which need planning as well as time. Such a sudden deemed release order only disrupts the process.

In view of the above constraints, it is requested to kindly reconsider the deemed release orders and rescind the same. Alternatively, the orders may kindly be modified to the extent of replacing the deemed release date of 23.06.2023 by 03.07.2023 (12.07.2023 in the case of requisitioned officers/officials for polling). It is further requested that suitable modification orders for all the grades (ITO and the grades below) may kindly be issued in the meantime, which will ensure complete compliance of the AGT orders along with the modification orders by the extended deemed release date.

Yours faithfully,



(BISHNU PADA MONDAL)
General Secretary, ITGOA, WB Unit



(SUSANTA CHAKRABORTY)
General Secretary, ITEF, Bengal Circle

JOINT CONVENORS