

Minutes of the Joint Consultative Machinery held on 26.02.2024 in the Chambers of the Hon'ble PCCIT(CCA), NWR, Chandigarh.

A meeting of the Joint Consultative Machinery of North West Region was held in the Conference Hall, 1st Floor, Aayakar Bhawan, Chandigarh on 26.02.2024 at 11:30 AM. The meeting was chaired by Sh. Mahesh Thakur, CIT(Admn&TPS), Chandigarh. The following members were present for the meeting:

Officers Side:

S.No.	Name of the Officer	Designation
1	Aditi Singh	Addl. Commissioner of Income Tax(Hq)(Admn), Chandigarh
2	Abhinav Agnihotri	Dy. Commissioner of Income Tax(Hq)(Admn), Chandigarh
3	Mohnish Digra	Dy. Commissioner of Income Tax(Hq)(Vig), Chandigarh

Staff Side:

S.No.	Name of the Official	Designation
1	R.S. Walia	President, ITEF, NWC
2	Arvind Dagar	General Secretary, ITEF, NWC
3	Shekhar Tomar	Member, JCM
4	Vinay Kumar	Member, JCM
5	Amit Tiwari	Member, JCM
6	Rakesh Kumar	Member, JCM
7	Krishnu Ram	Member, JCM
8	Bhupesh Kumar	Member, JCM

The chairman welcomed all the officers and participants from the staff side. Sh. Abhinav Agnihotri, Dy. Commissioner of Income Tax (Hq)(Admn), Chandigarh placed the agenda of the meeting before the house of discussion. The various agenda points and the discussion held on the same are enumerated as under:

1. Transfer Policy:

- a. **Transfer on Stay Basis** - For computing stay, Chandigarh & Mohali shall be treated as single station and Panchkula being the CCIT & multi CIT Office should be treated as separate station.*

Response: The point was discussed, however, no underlying rationale for the demand raised was found justified. Further, it will lead to unusual long stay of 12 years i.e. 6 + 6 years at adjacent stations. However, it was discussed that officials opting for Tricity as their preference would be sensitized to specifically mention Chandigarh/Panchkula/Mohali in the comment box against the

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Tricity option. The administration will take into consideration the choice of place mentioned in the comment box.

- b. Postings at Hard Station** - Solan station should also be treated as Hard station in the line with Transfer Policies of ITGOA as the working and climatic conditions for both officers and officials are same.

Response: The staff side was apprised that the geographical/other factors do not render Solan to be treated as hard station. However, considering the request of the ITEF, it was decided that for AGT-2024 Solan station will be treated as difficult station on par with Amritsar and Jammu stations. However, the same shall be reviewed next year in line with Transfer Policies of ITGOA. Further, the definition of difficult station as being incorporated in the drafted policy is reproduced as under-

“Difficult Station – It comprises of Jammu, Amritsar and Solan stations. The officials opting for difficult station as their choice shall complete their cooling off after two AGTs, subject to the condition mentioned in Para No. 3.2. Further, as far as possible, such officials will be given their preference postings over the officials posted at normal stations.”

- c. Tenure** - The tenure of an official at a station should be counted from AGT to next AGT.

Response: The demand was accepted and the policy is being modified accordingly. Further, the definition of AGT as being incorporated in the drafted policy is reproduced as under-

“AGT: - AGT stands for Annual General Transfer. AGT is undertaken once a year wherein online representations are sought from all of Group-C and Group-B (Non-Gazetted) officials for transfer and postings.”

- d. Transfer on Promotion** - If an official gets promotion within Group B (Non-Gazetted) & Group C Cadres, and has not completed tenure at

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that particular station may be retained at same station for the Balance Station Tenure subject to availability of Vacancies.

Response: On the issue of transfer on promotion, it has been discussed that there is a requirement to introduce a priority list of the officials who have got promoted and/or completed the stay at given station. The following order of priority among "transfer on stay basis" and "transfer on promotion" will be followed and incorporated in the policy:-

Priority-1: An official who has completed his stay at a station and is on promotion.

Priority-2: An official who has completed his stay at a station.

Priority-3: An official who has not completed his stay at a station but is on promotion. However, if stay of such official is less than 1 AGT at a station and is on promotion, then the official may be retained at that station for at least 1 more AGT.

- e. *The staff side proposed that the officials who belong to the state of Himachal Pradesh and UT of J&K should be given priority over other officials who opt the postings at Stations in the state of Himachal Pradesh and UT of J&K as Hard Station.*

Response: It was apprised that this principle is already being followed in AGTs.

- f. **Transfer on Loan Basis** - *In view of the recent new recruitments and declining shortage in the cadre of Inspector & Office Superintendent, the transfer on loan basis in these cadres should be adjusted only against the Loan on Transfer.*

Response: It was informed that as separate guidelines for transfer on Loan basis already exists, no action is warranted on this matter.

- g. **Postings at Amritsar & Jammu Station** - *Keeping in view the conditions/distance of Amritsar & Jammu station, after completion of*

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cooling-off period the officials posted at these Stations should be given priority to their choice of station in comparison to the officials posted at different station (other than Hard Stations).

Response: The demand was accepted and the policy is being modified accordingly.

- h. Transfer on administrative Grounds** - The staff side proposed that the officials should not be transferred out on Administrative Grounds merely only on the basis of complaint forwarded by the respective Reporting Officer. In these cases, before making such transfer on administrative grounds, a proper enquiry should be conducted to check the veracity of the facts. There should be no mid-term transfer and posting orders (station change).

Response: The transfer/posting on administrative grounds, if any, is not a regular phenomenon. Further, the transfer and posting of the official on administrative grounds, if any, is done as per existing transfer policy.

2. Requirement of Office Space/Infrastructures:

- a. Residential accommodation at all stations:** The members from staff side raised demand of arraigning residential accommodation for official posted at all the Pr.CIT/Pr.DIT/CIT/Addl.CIT/Jt.CIT offices. Further, the staff side raised concerns about the dilapidated conditions of residential quarters at various stations of NWR.

Response: The DCIT(Hq)(Admn) apprised that various projects in respect of residential accommodation for officials are already under process and the staff side was advised that proposal for new requirements, if any, should be sent through proper channel.

- b. Office space for staff in the Department:** The staff side raised concerns regarding shortage of office space and other infrastructure facilities in lieu of joining of new officials in the department.

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Response: The DCIT(Hq)(Admn) apprised that a letter for the same will be circulated.

- 3. Removal of Data Entry Operators:** *The members of the staff side raised demand of removal of Data Entry Operators from the offices where sufficient working strength is available.*

Response: The DCIT(Hq)(Admn) apprised that a letter vide number 1221 dated 09.10.2023 in this regard has already been issued to all the HODs of North West Region.

- 4. Issue of Harassment of Group 'C' Officials and Handling of APAR Matters:**

The members of the staff side raised concerns about awarding poor grade/adverse remarks by the reporting/reviewing officers to Group 'C' officials without giving any show cause/explanation/memorandum to the affected officials which is against the principal of natural justice and also the clear violation of the prevalent rules/procedures of handling of APARs.

Response: The DCIT(Hq)(Vig) apprised that the all the reporting/reviewing officers will be sensitized about the said matter and a letter in this regard will be circulated.

- 5. Guest House Booking:**

The members of the staff side raised concerns about the transparency in Guest House Booking as officials find it very difficult to get booking in departmental guest houses.

Response: The DCIT(Hq)(Admn) apprised that the all details of the Guest Houses in North West Region necessary for booking are available on 'NWR Aayakar-Connect' Mobile Application. Further, the staff will be sensitized to book guest houses to provide necessary facilitation to all the officials.

- 6. Timely issuing of APAR deficiency list in all the cadres:**

The members of the staff side suggested that APAR deficiency list should be

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published in the month of September of every year. Further, the members of the staff side raised concerns stating that many of the reviewing officers are still not providing the copy of APAR to the official despite instructions being issued by O/o PCCIT vide letter dated 29.05.2020.

Response: The DCIT(Hq)(Vig) apprised the members that work on APAR deficiency list is under process. Further, it was assured that all the reviewing officers will once again be requested to provide a copy of APAR to the concerned official.

7. Search and Survey Duties: The members of the staff side raised following concerns:

- (i) *Staff should be deputed for search duty from nearby stations for example if search is to be conducted in Punjab and J&K, the staff should be deputed from Punjab and J&K itself.*
- (ii) *Provision of night stay and vehicle on the date of search should be provided.*
- (iii) *Vehicles should be provided to employees after completion of search so they were left to reach their homes at their own.*
- (iv) *The search operations should not be conducted on Fridays and Mondays as in recent times it has become a common practice.*
- (v) *If any official has to attend the search duty continuously for a period of more than 3 days, then as far as possible, replacement should be provided after 3 days.*

Response: In this regard, DCIT(Hq)(Admn) apprised the members that search operations being very confidential in nature, requisition is made based on information and strategic basis and the same cannot be bound by any specific rule. Further, a letter will be circulated shortly to DGIT(Inv), Chandigarh to follow the SOP dated 07.09.2021.

8. Creation of benevolent fund:

The members of the staff side stated that the issue of Creation of Benevolent Fund was initially raised in the JCM held on 12.08.2021 and as per minutes of Meeting

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of JCM held on 12.08.2021, the CIT (Admn & TPS) Chandigarh submitted that the matter has already been taken up and is consideration at an All India level by Directorate of HRD as the CBDT (HRD) vide its letter dated 05.07.2021 recommended/highlighted the need of the Creation of Benevolent Fund. But no actual progress has been made in this regard so far.

Response: In this regard, CIT (Admn & TPS) apprised the members that discussions have been held with the central body from time to time on this matter. Further, the matter warrants a joint meeting of all the associations i.e., IRSA, ITGOA and ITEF. A meeting of all the associations would be organized soon.

9. CGHS Facility:

The members from the side requested that the jurisdictional Principal Commissioner of Income Tax should be directed to send the proposals for CGHS facility where this facility is not available.

Response: The CIT (Admn & TPS) apprised the members that the facility of CGHS is under the Ministry of Health and Family welfare. However, the ITEF should send a proposal in this regard to the concerned CCsIT/PCsIT so that matter is followed up with the Ministry of Health and Family Welfare.

10. Shortage of Budget:

The members from the staff side raised concerns regarding acute shortage of budget under the head 'Fuel and Lubricants', 'Domestic travel allowance', 'Medical Expenses', 'Rewards' and Leave Travel "and "medical expenses" (mostly at the field offices). Due to this, bills of these heads for are pending with the most of the DDOs since long.

Response: The Addl.CIT(Hq)(Admn) assured that budget have been allocated to the concerned HODs as per their requirements in the respective heads. Further, necessary directions have been issued to the budget cell in the office of PCCIT, Chandigarh for allocating the budget to the respective charges as per the demand for the aforesaid budgetary head.

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11. **Sports and Recreation activities:**

The members of the staff side raised demand that funds should be made available under the head sports and recreational activities so that the officials may properly practice and participate in the Sports Events.

Response: The Addl.CIT(Hq)(Admn) apprised the members that there is no separate budget head for these activities and also requested the members from staff side to send proposal for the same.

12. **Seniority List:**

The members of the staff side raised demand that final seniority list of inspectors, office superintendents, STA/TA, Stenographer Grade-I & II and MTS have not been circulated till date and the same should be circulated as per DOPT Guidelines in the month of September before the conduction of DPCs every year.

Response: The DCIT(Hq)(Vig) apprised the members that the same is pending due to ongoing litigation matters in various courts wherein stay have been granted by Hon'ble Courts.

13. **Operation Vehicle:**

The members of the staff side raised concerns stating that operational vehicle should be made available to the officials carrying out official duties as per CBDT policy. Despite issuing various letters, no compliance is being made by the officers.

Response: The DCIT(Hq)(Admn) apprised that a letter in this regard will be circulated shortly.

14. **Appointments on Compassionate Ground:**

The members of the staff side raised concerns about pendency of large number of request for appointments on compassionate ground.

Response: In this regard, the DCIT(Hq)(Admn) apprised the members that

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the appointment on compassionate ground is in final stages and the same will be processed as soon as the report is received from the compassionate committee.

15. Uniformity in passing of Petrol Bills of Inspectors & Notice Servers:

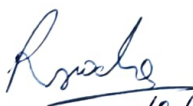
The members of the staff side raised concerns stating that the petrol bills of Inspectors & Notice Servers are not being passed at some stations of NWR by the authorities in spite of having budget under the relevant head.

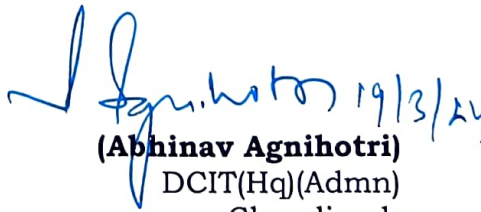
Response: In this regard, the Addl. CIT(Hq)(Admn) apprised the members that a letter in this regard will be issued to all the field offices.

16. Other issues: The members of the staff side also raised some other issues which are as under:

- i. *Review DPC of Inspector (Against the vacancies arising after the Review DPC of ITOs).*
- ii. *Inclusion of name of Notice Servers in the order of reimbursement of Briefcase/ Bag to the officials.*
- iii. *Granting the seniority from 10.08.2006 to the Daily Wagers, whose services were regularized in 2010.*

Response: It was communicated to ITEF that a proper note on the issues may be submitted so that necessary action may be initiated.


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President, ITEF
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**GUIDELINES FOR ALL GROUP-B (NON-GAZETTED) AND GROUP-C OFFICIALS
OF NORTH WEST REGION FOR INTRA-REGION TRANSFER POSTING &
ROTATION.**

In supersession of all other guidelines and policies regarding transfer and posting of Group-B (Non-Gazetted) and Group-C posts, the following is the Intra-Region Transfer guidelines for Group-B (Non-Gazetted) and Group-C posts of North West Region. These policy guidelines shall take effect from Annual General Transfer-2024.

AGT: - AGT stands for Annual General Transfer. AGT is undertaken once a year wherein online representations are sought from all of Group-C and Group-B (Non-Gazetted) officials for transfer and postings.

Difficult Station – It comprises of Jammu, Amritsar and Solan stations. The officials opting for difficult station as their choice shall complete their cooling off after two AGTs, subject to the condition mentioned in Para No. 3.2. Further, as far as possible, such officials will be given their preference postings over the officials posted at normal stations.

1. Transfer on Stay Basis:-

1.1 For transfer on stay basis, all the stations in the region may be categorized as under:-

S.No	Category	Description	Tenure of the station (In AGTs)
A	Category:S1	Station where office of PCCIT/ CCIT/ DGIT are located.	6
B	Category:S2	Station where office of PCsIT/ PDsIT/ CsIT/ DsIT/ Addl.CsIT/ Addl.DsIT / JCsIT/ JDsIT are located	4
C	Category:S3	All other stations except S-1 and S-2	3

For instance, if an official is transferred to a Category S-1 station in AGT 2024, then the permissible tenure for Category S-1 station will be completed in AGT 2030.

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1.2 For computing stay Chandigarh, Panchkula and Mohali shall be treated as a single station.

2. Posting at Hard Station and Difficult Station: -

2.1 All the stations in state of Himachal Pradesh except Solan, Baddi, Parwanoo, Nahan, Una will be treated as hard stations for all the officials. Further, Solan station will be treated as difficult station for all the officials.

2.2 All the stations in UT of Jammu and Kashmir and Ladakh except Jammu, Kathua and Sambha will be treated as hard stations for all the officials. Further, Jammu station will be treated as difficult station for all the officials.

2.3 Ferozepur station in the state of Punjab will be treated as hard station for officials who do not belong to state of Punjab. However, Amritsar station will be treated as difficult station for all the officials.

2.4 Any official on completion of his/her tenure of one AGT on any above mentioned hard station will be transferred, to the station of his/her choice or to any nearby station as far as possible.

3. Tenure: -

3.1 Cooling-off period for officials posted at hard station will be one AGT. Cooling-off period on transfer from a station/difficult station will be two AGTs i.e. an official can apply for transfer from a station only on completion of minimum of two AGTs at that station.

3.2 Cooling-off of an official will be considered completed only when his stay at that station is minimum 75% of the total stay between the applicable AGTs. Further, period of leave will not be counted towards stay at the hard/difficult station.

3.3 After hard station, priority will be given to officials posted at difficult station for transfer to their choice station over the officials posted at stations other than hard stations and difficult stations.

3.4 No official, who has completed the prescribed tenure at a particular station,

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would be transferred from his/ her station unless request for the same station has been received from another official. In cases, where an official is shifted from a particular station to accede to the request of another official for posting at that station, the person with the longest stay at a particular station in that cadre should be transferred first.

3.5 The tenure of an official at a station will start from his/her date of joining at that station.

4. Transfer on promotion:-

On promotion of officials within Group-B (Non-Gazetted) and Group C, official may not be compulsorily transferred out of station if he/she has not completed his/her stay at station and vacancy exists on the same station in the cadre to which he/she has been promoted and no request for that station has been made by any other official. However, if such promoted official is retained at the same station, while calculating his/her total stay for that station in the new cadre, stay in his/her previous cadre at that station will also be counted for that purpose.

4.1. If a promoted official is required to be transferred out of station based upon demand, then the following order of priority will be followed:-

Priority-1: An official who has completed his stay at a station and is on promotion.

Priority-2: An official who has completed his stay at a station.

Priority-3: An official who has not completed his stay at a station but is on promotion. However, if stay of such official is less than 1 AGT at a station and is on promotion, then the official may be retained at that station for at least 1 more AGT.

5. Rotation:

5.1 For the purpose of rotation, the charges should be classified as Sensitive Charge and Non-Sensitive Charges as under:

Sensitive Charge: It shall include posting under all the charges under

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DGIT(Investigation), International Taxation, TDS, I&CI, JAO and Exemption.

Non-Sensitive Charges: It shall include posting in the Faceless Hierarchy, Audit, CO, ITAT, RTI/MSTU, Appeals Unit, Pr.CCIT, HQ of CCsIT & Pr.CsIT of Jurisdictional hierarchy, HQ of DGIT(Inv.).

5.2 Total continuous tenure in the DGIT(Inv.), Charge shall not exceed four years in a particular cadre. Further, an official who has completed his/her tenure of four years in DGIT(Inv.) may again be posted to DGIT(Inv.) charge after the completion of his/her tenure in Non-sensitive charge. However, posting in the headquarters of DGIT(Inv.) at Chandigarh station shall not be counted towards calculating the total tenure of 04 years.

5.3 An official shall be rotated from Sensitive to Non-sensitive charge ideally after a period of 02 years. However, in exceptional cases, tenure may be extended upto maximum of 03 years.

5.4 The official would be rotated from one seat to another seat at the same station after an ideal period of 02 years and not exceeding 03 years.


6. Miscellaneous:

(a) For the purpose of these guidelines, TA & Sr.TA and Stenographer Gr. I & II would be treated as same cadre respectively.


(b) The officials who have less than two years to retire on the date of the AGT orders will ordinarily not be transferred out on stay basis. Such official will be given posting of his/her choice, or any near-by station, subject to availability.

(c) The officials who are aged 55 years or above may not be normally posted to hard stations and difficult stations, unless they have specifically asked to be posted at hard stations and difficult stations.

(d) Transfer on medical grounds will be considered only in the case of major diseases/serious medical condition of employees and his/her dependents and having due regard to the medical facilities at the relevant station.


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(e) The officials having child studying in 10th & 12th class during the financial year in which AGT is being done, shall not be dislocated or transferred out as far as possible from the station till next AGT.

(f) Pregnant employees and the female employees having child less than one year old, should not be transferred out from their existing station or should be transferred to nearby station, as far as possible.


(g) The Prime Office Bearers of North West Circle Union i.e. President, General Secretary and Treasurer will not be transferred out on stay basis during their tenure. However, the extension may not be granted continuously for more than 02 AGTs.

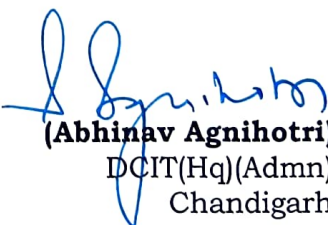
(h) The officials joining NWR on Loan basis shall be posted in deficient stations for a period of 1/3rd of their total tenure in NWR.

(i) Regarding couple cases and PwD officials, the DoPT guidelines and the CBDT guidelines shall be followed.

7. Savings:

Notwithstanding anything contained above, transfer on administrative grounds and due to administrative exigencies will be at the discretion of the Administration. Further, employees and representatives of ITEF may submit a representation in this regard, after such transfers have taken place.


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President, ITEF
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