

3rd Circle Conference
Kolkata
21st & 22nd December, 2011

REPORT OF GENERAL SECRETARY

Logo

**ALL INDIA CENTRAL EXCISE
INSPECTORS' ASSOCIATION**

(West Bengal, Sikkim & Andaman Circle)

M.S.Building, 7th Floor, 15/1 Strand Road,

Kolkata-700001

Respected President and other members of the outgoing Circle Committee, newly elected members of the Circle Committee, delegates to this August Body and my dear friends,

It is a great pleasure for me to welcome you and through you to all the members of this Association in this Circle, on behalf of the All India Central Excise Inspectors' Association (West Bengal, Sikkim & Andaman Circle) to this 3rd Circle Conference at the Auditorium of Kendriya Utpad Shulk Bhawan, Shantipally, Kolkata.

After two eventful years since we had our 2nd Circle Conference almost two years back, we have again assembled here today for the 3rd Circle Conference. On behalf of the outgoing Circle Committee, I convey my sincere gratitude to all of you for extending full co-operation, valuable guidance, encouragement and all possible support to this Circle Committee towards the struggle of this Association for the genuine causes of our cadre.

Before going to the discussion on various issues dealt by this Committee during last two years, on behalf of this Association, we deeply mourn the pre-mature demises of our beloved colleagues during last two years. We will, as we have been, always be there to extend all possible help and cooperation to their bereaved families. With grief stricken hearts and tearful eyes, we remember all those victims of natural disasters and socio-political unrest through out India as well as the rest of the world. We also promise solidarity to those who have survived the disaster losing all but their lives. We also remember those guiding and great luminaries who have passed away during this period and we pray peace for all.

Now, let us initiate this discussion with the expectation that this Circle Conference shall be instrumental to make the organization stronger in the service to its members, to this department and ultimately to the society as a whole.

ORGANISATION

All India Central Excise Inspectors' Association (West Bengal, Sikkim & Andaman Circle) is perhaps the largest integrated circle of this Association consisting of 33 units/zones with nearly 1600 members at present. It is of enormous proud and grand pleasure for me that you had considered my name to shoulder the responsibility of General Secretary of this Circle two years back. I had been inspired to accept that responsibility for the greatness of this duty, even with the limitation of my capability.

There may be various official norms for official recognition of any Service Association. But the true recognition of the Service Association happens only through its organizational network, organizational activities and capability (achieved through these activities) to compel the Administration to act towards the overall welfare for its members.

In course of time our Inspectors' Association has increased its organizational strength in both local and national level. It has become visible through the success of the various programmes organized by our Association. It is also visible from the approach of the Administration of almost all levels towards our Association. Even now-a-days the

Administration gives due credence and recognizes our views on various matters of our department even if that is not directly related to our cadre. Our Association is basically a welfare organization for our cadre. Apart from different cadre related issues, our Association also tries to stand always beside our members whenever and wherever needed, particularly during medical exigencies. The activity of this Circle Committee during its tenure is being discussed in this report.

It is possible to achieve any goal by any Association only with the all-round participation/involvement of its members in all its activities. Members of the Zonal/Unit Committees played very commendable role in this aspect always. With such efforts of the Zonal/Unit teams, Association have been successful to organize recognizable gatherings in the various programmes organized by this Association on several occasions in different venues. Most of the members used to be present in all the meetings held at different zones time to time on various issues. In all such meetings open interactions with the members helped us to get the much required feed back from our members. Similarly the participation of the Zonal/Unit office bearers in the meetings convened by the Circle Committee have always been praiseworthy. Zonal/Unit office bearers from very distant places had attended those meetings sincerely. Members of the Circle Committee visited most of the units but concedes its inability to cover each and every office (where our members are posted), which could have enhanced the interaction to a higher degree. It is felt that we should continue to put more effort/energy in this matter as there are more rooms which can be unveiled to achieve even stronger cohesion amongst the members. But irrespective of success and failure, throughout these two years we have tried with sincere and utmost efforts to face challenges before us.

COMPASSIONATE APPOINTMENT

This matter has been our one of the most prior issues which we have tried our level best to look into. It pains our heart; it brings tears in our eyes to see the faces of the helpless family members of our friends who have left us premature. We can never take away the pain of this immense loss of these helpless persons. So it has been our maximum endeavors always to atleast help them to get appointment for one of the family members of the deceased person in this department on compassionate ground. Our task was really tough due to various avoidable as well as unavoidable constraints in this type of appointment. However, against all odds, after a long time, the figure for appointment on compassionate ground has touched double digit this year. At present moment not a single application on compassionate ground in graduate category is pending. But at the same time due to non-availability of vacancy, several applications on compassionate ground in non-graduate category are pending for appointment. It is a matter of great concern for everyone to have a solution to this issue at the earliest; otherwise these applications can never be considered due to time limit for appointment on this ground.

DISCIPLINARY PROCEEDINGS AND HARASSMENT OF OFFICER

Huge pendency of Vigilance cases had become a grave concern for our Association. It was learnt that the pendency of the Kolkata Zone was the highest in the CBEC. Time frame stipulated by the CVC had never been followed at any stage of proceedings in any of the cases. Vigilance cases were being dragged for years together, resulting in immense sufferings for the charged officers. It is needless to mention that every Association

propagates practice of values by its members in the society in general, and within the Departmental ambit in particular. It was also noticed that the officers were implicated in such cases which were not at all related to corruption. Non vigilance aspects were misconceived to spell out vigilance cases proposing for major penalties. Officers were also facing indiscrimination in cases of common disciplinary proceedings. A procedure had been adopted following a meeting of the Commissioners with the Chief Commissioners in April 2006 that for the vigilance cases wherein two or more officers from two or more different Commissionerate were involved, a common Disciplinary Authority should be appointed to avoid inordinate delay and for the sake of equity in judgment. It was also decided that the Disciplinary Authority of the senior most charged officers should be appointed as the Common Disciplinary Authority in such cases. Previously in such cases, only the proceedings used to be common as much as the presenting officer and the enquiring authority were common. The common enquiry authority (I.O) used to submit the enquiry report to the respective disciplinary authorities of the charged officers. So, in the cases where a Group A Officer is involved, the cases were referred to the Ministry for further action. But, normally, the vigilance cases involving officers up to Group B level were supposed to be disposed of locally, in the Commissionerate level. Referring those cases to the Board/Ministry, thus, not only led to delay in finalizing the same, but also summarily scraped the Appellate forum for the junior level officers. Our association demanded immediate attention to this matter from the authority so that the harassment faced by the officers was stopped and disciplinary proceedings were not delayed due to lackadaisical attitude. At last the Chief Commissioner of this Zone issued circular in December-2010 to done away with this Common Disciplinary Authority concept. Naturally, at present the disciplinary cases are being disposed off with less delay. We have tried to pursue these cases in all possible ways for early disposal. As a result a large number of cases which were delayed for years together have either been disposed off or at an advanced stage of disposal. Moreover almost all the cases in the Appellate forum of Chief Commissioner have been disposed off. We are really grateful for that. However, so far we have been unable to get any satisfactory break-through in the cases involving other investigative agency. In coming days, this matter should get top most priority and the Administration has to be made convinced to take up the matter very seriously with other agencies for speedy disposal of these cases.

WELFARE

We believe that the sit of welfare should be at the mind of every Association functionary as well as it must emanate from their heart and we try to follow this absolutely for our Association. Welfare-related matters were always and are still among the foremost reasons for the existence of our Association and since the present Circle Committee took over the charge of the state unit of the Association on 12.01.10, the welfare activities conducted by the committee have been receiving the highest importance and remained among the most visible expressions of the Association. During this period, some of our members and their families have become the victim to sufferings from serious diseases and accidents. In such occasions, our Association tried to stand by its distressed members in their hour of crisis and provided all possible assistance. Apart from holding the regular but immensely important event like annual 'Blood Donation Camp', we also took the

unique initiative of 'Welfare Fund' to offer financial support to the helpless members for medical treatment.

Blood Donation Camps: Our Association has traditionally borne the main responsibility to hold the annual All-Association sponsored Blood Donation Camp and we successfully organised the camps in 2010 and 2011. In 2010, the total number of collection was 126 units and with wide campaigning, the number rose to a record 180 this year. As a result, we have been able in both the years to supply our unfortunate colleagues having thalassaemic children, with requisite number of blood cards to suffice for the whole year and thus, we joined our comrades in their struggle against the dreadful disease. We also helped out our colleagues by providing blood cards as well as blood donors, as were required, in cases of accidents and operations and all requests for arrangement for blood could be satisfied during the tenure of present Circle Committee. With still a sufficient number of blood cards in hand, we can assure the members that the Association is ready to meet any such future crisis in coming days also.

Welfare Fund : According to the resolution passed in the State Convention on 12.01.10, 'Welfare Fund' was created under the aegis of the Association with one-time contribution of Rs. 500/- from the members which is deposited in a separate account with the Central Excise and Land Customs Co-operative Credit Society Ltd. Financial assistance on interest-free loan basis is provided in cases of medical emergency from this fund to the members in urgent need of money against their request to enable them to cope up with the crisis in the beginning and the amount is to be repaid as early as possible or latest by the reimbursement of the medical bill. So far a considerable number of our members have availed themselves of the benefit of this unique initiative which include cases of kidney transplantation, operation for spinal tuberculosis, immediate hospitalization following major road accidents etc. and most of them either repaid or have started repaying the money. However, though the Welfare Fund was established in early 2010, contributions towards the same is yet to be received from some zone / members and they are hereby requested to come forward with their contribution and be part of this welfare measure. Some members will pass out and many more will join the Association in future, but it gives satisfaction to imagine that the corpus of the fund will only continue to grow and the Welfare Fund will always be there to lend a helping hand to the members in distress.

ACCOMMODATION

It was the idea that after commissioning of Kendriya Utpad Shulk Bhawan at Shantipally, the office accommodation problem in Kolkata would be solved. However, due to some lop-sided planning and discontinuation of some rented office like Poddar Court without proper assessment of the actual space requirement, the problem is still remaining. The problem has been further amplified to satisfy the fancy of some senior officers that reminded us the stories of colonial era. One can find the best of the facilities and the most luxurious ambience are reserved for the senior officers in the front block of K.U.S.B. in contrast to the unhealthy and very much uncomfortable offices provided for us in the back portion of the building. It is extremely in-human to do work particularly in the western side offices of this building without air-conditioning. After constantly raising the issue in all the JCMs, some of the rooms have been provided with Air-Conditioners. Demand for regular water supply, proper maintenance of this building (particularly toilets) and a C.G.H.S. dispensary are still pending. The demand for proper sitting

arrangement and a permanent stage in this auditorium of K.U.S.B. is yet to be granted. The severe problem of office infrastructure in Service Tax Commissionerate has also been pointed out by us. Particularly it has become a nightmare for the officers posted in ST Commissionerate to manage the records for thousands of assesses of this Commissionerate. In CCP head quarters at Custom House the sections are in horrible conditions in the back drop of royal chamber of Commissioner which is unnecessarily renovated/refurbished on a routine manner. Godown at Mangoe Lane is yet to be shifted in spite of the fact that any fatal accident can occur at any moment there. Different Customs stations including office infrastructure are in really deplorable condition. These matters have been discussed with the CCP and raised in JCMs at number of times. Even these demands were raised during the agitation programmes in CCP. We have not stopped our protest in the backdrop of the false promises from the Administration to solve those problems. Problems of Nizam Palace Office and Tollygunje office have been raised to the Commissioners of Kol-IV and Kol-VII respectively. Accommodation problem of Haldia Commissionerate at Princep Street office has been a long pending issue since the creation of this Commissionerate. With the shifting of two divisions (Haldia-I and Haldia-II) to Haldia from Princep Street office, it has decreased the problem to a very small extent. Association is trying to convince the Administration to solve the problem in a way which is acceptable to everyone. Keeping in view the future need also, towards long term solution, we also proposed for building a separate office complex for Customs (Preventive) as well as Central Excise & Service Tax formation in Kolkata. Accommodation problem in the Siliguri Commissionerate has been deteriorated over the years and now it has come to an alarming position, particularly in C.R.Building in Siliguri. Matter has been raised in JCM and OCM level for a number of times. We understand that accommodation and related office infrastructure problem is a perennial problem of our department, which cannot be solved overnight. Some matters can be solved quickly while most problems require long term view and naturally longer period to get resolved. But all these problems can be solved with sincere effort if it is wanted to be solved seriously. We have tried our best in this respect and we believe that we will be able to achieve all our legitimate demands with our constant effort.

TRANSFER POSTING NORMS

It is the duty of the Association to keep a strict watch on the transfer orders to see that the agreed transfer-posting norm has been followed. We have just followed that in a transparent and un-biased way. In both the years, during our tenure we have faced a lot of hardship to compel the Administration to amend the transfer orders where this norm has not been followed in true sense and spirit. However against all odds, we have been successful to get the rectified transfer orders in most of the cases. Moreover, we have been able to convince the Administration to consider almost all the representations in this respect during this period. Few more points have already been submitted to the Administration for addition in the existing Transfer-Posting Norm. The new Committee should take up the matter for implementation.

TRAINING

We have pleaded for proper training of Inspectors before their posting in CCP formations. Training programmes in our department should be scheduled in accordance

to the place of posting of Inspectors i.e. an officer who is posted in audit should be given audit related training. Moreover it was requested to impart Induction Course Training to all the new Inspectors immediately. It has been observed that lot of confusion still exists regarding Automation in Central Excise & Service Tax (ACES) as well as Computer Assisted Audit Programme (CAAP). Keeping in view the importance of these two programmes at present as well as in the coming regime of GST, we proposed for a permanent cell in Chief Commissioner's Office for training and refresher course on ACES and CAAP. We encourage our members to avail the facilities of various training programmes and also to participate in the refresher course to keep themselves updated with the various changes in the functioning of our department from time to time.

UNIFORM ALLOWANCE

Initial Equipment Allowance of uniform for 'summer area' was fixed at Rs.1500/-, while for 'summer-cum-winter area' the same was fixed at Rs.2000/-. The Annual Replacement Allowances for the said two categories were fixed at Rs.1000/- and Rs.1250/- respectively (vide letter F. No. A-27018/1/99-Ad.II (A), issued by the Under Secretary, Min. of Fin., Dept. of Rev. Govt.Of.India). Moreover, 'Calcutta' was classified as an area 'where there is need for both summer and winter uniform' (vide letter F. No. B-12014/2/76-Ad.II-A dated 26th October 1976 of the Under Secretary, Dept. of Revenue & Banking, Revenue Wing, Govt.Of.India). In spite of such specific clarifications, officers of some Commissionerates were denied the higher rate of Annual Replacement Allowance applicable for Kolkata due to whimsical and irrational objections raised by the PAOs. In order to have a permanent remedy on such discriminatory policy, Association raised the matter to the Chief Commissioner who, being convinced that anomaly prevailed in the existing system, made a reference on 9th July 2010 to the Under Secretary (Ad.IIA), CBEC, New Delhi and communicated his direction to all Commissionerates of this zone to pay uniform allowances at the rate appropriate for treating Kolkata as summer-cum-winter area in view of the divergent practices that are being followed in different Commissionerates of the zone. With this communication, the anomaly has been resolved and our members also received arrear differential amount.

CONFIRMATION

Since this Committee has taken charge, we have been raising the issue of holding of Confirmation DPC of Inspector in successive JCMs, as it has been pending since 2004. But our former Chief Commissioner had been obstinate in his stand that at present formal declaration of confirmation was not required. His view was that anyone was considered 'deemed confirmed' after successful completion of two years of service. It is unfortunate that none of us could convince him the requirement of confirmation. However with the change in Administration, we have taken up the matter verbally with the new Chief Commissioner and with further effort of the new Circle Committee, the matter is hoped to be resolved soon.

INCREASE OF STRENGTH OF INSPECTORS IN KOLKATA AIR-PORT

As per revised Air-pool policy the sanction strength of Inspector in Kolkata Air-port is 72. However the number of officers to be posted there from Central Excise formation has not been revised yet. On the insistence of this Association, correspondence in this matter

had been done by the Chief Commissioner of Customs with Board. A large number of vacancies still existed in Kolkata Air-port which was to be filled up by Inspectors of Central Excise. As these vacancies could only be filled up by Central Excise Inspectors, the matter was taken up with both the Chief Commissioner of Central Excise as well as Customs formations so that Central Excise Inspectors of this zone could be posted there to fill up those vacancies. With continuous effort of this Association, ten more Inspectors of West Bengal Central Excise Zone had been selected for posting in the NSCBI Airport, Kolkata in addition to the usual vacancy of two Inspectors for this zone. To sustain this process, continuous watchfulness on the part of this Association is required to be kept, as various vested interests play a crucial role for preventing posting of the Central Excise Inspectors of this zone to Kolkata Airport.

T.T. SHED INCIDENCE

The Association has successfully foiled an attempt of taking over 'T.T. Shed', a LCS under the jurisdiction of CC(P) since last 40 years, by the Customs (Port). In terms of Section 7 of the Customs Act 1962 read with the Board's clarification in this regard, the LCS was earmarked for export/import with Bangladesh as well as for in-transit movement of cargo through riverine protocol route. Of late, T.T. Shed has gained gravity as import station for in-transit movement of cargo in Barges to North-East India (like Assam, Tripura etc.) for Govt. sponsored Power Project through Ashugunj , Bangladesh. A Public Notice was also issued by the Commissioner of Customs (Port) declaring their administrative control over 'T.T. Shed'. Prompt and timely intervention of the Association with the jurisdictional as well as the highest level of administration ultimately yielded the coveted result, which is evident from the reference made to the Kolkata Port Trust Authority by the Commissioner of Customs (Port) to the effect that T.T. Shed and its adjoining area including the four storied building could also be used for storage of EXIM cargo for the imports and export looked after by Customs (Port). The credit for retention of 'T.T. Shed' must go to our members posted there, as their valuable inputs helped us to storm into the scenario for successfully snatching out the issue in the interest of our cadre.

DUPLICATE SERVICE BOOK AND TIMELY PAYMENT OF DUES

Issuance of duplicate service book is a very old issue. However till now, not all our members have got their duplicate service book and in few Commissionerates, this process had never been initiated. Similarly, timely payment of various allowances becomes a distant dream in most of the cases and in few Commissionerates the situation is further pathetic. Administration always takes the argument of either shortage of fund or scarcity of ministerial staffs. However none of these matters have ever become a deterrent for instant payment for the Group A officers. Both these issues have been raised to the different levels of administrations including JCM forum on number of occasions. It is requested that unit/zonal committees should continuously pursue the matters and ask the Circle Committee to intervene whenever and wherever required.

REGULAR PROMOTIONAL DPC AND SUPPLEMENTARY DPC

It is observed that every year during determination of vacancies in a particular year in Superintendent Cadre lot of confusion arises and as a result the panel for promotion is

exhausted before the period for which the above panel is prepared. For preparation of panel according to the vacancies all possible aspects including vacancies arising out of deputation postings should be considered carefully and properly. Our Association has tried to keep liaison with the DPC unit in this matter for necessary assistance. In both the years during our tenure, we have tried to ensure the timely issuance of promotion order at the end of each month and in both the years we have been successful to convince the administration to hold supplementary DPC for promotion to Superintendent grade, so that promotion is not further delayed for our most stagnated cadre of Inspectors.

MACP FOR INSPECTORS

We are grateful that the DSC meeting for MACP is being held regularly, more than once a year (almost thrice a year). Naturally most of our members who have completed ten years of service as Inspector could get the benefit of MACP. Notwithstanding this we know that few of our members are still left out. We request to our unit/zonal committees to see that in their respective units/zones during preparation of list for the MACP of Inspectors from their Commissionerates, any name of the Inspectors due for MACP are not missed out from consideration.

FIXATION OF BASIC PAY WITH RS.4600/- GRADE PAY

Inspectors who have joined this department on or after 1.1.2006 have been getting their initial pay fixed at Rs.17140/- according to the pay-rule after 6th CPC. However, Inspectors who have joined before 1.1.2006 or have been promoted before or after 1.1.2006 have been getting their initial pay fixed below Rs.17140/- after implementation of 6thCPC. In fact at present the initial basic pay for a promotee Inspector is fixed almost Rs.1200/- less than a direct-recruit Inspector (whose initial pay is fixed at Rs.17140/-). Similar type of anomaly existed in CBDT also. However a circular had been issued by CBDT on 2nd November, 2010, allowing stepping-up of pay on similar cases. At first we have been trying to convince the PAOs attached with different Commissionerates that the Inspectors who have joined before 01.01.2006 and who have been promoted before 01.01.2006 and were getting the basic pay less than Rs. 17,140/- as on 01.01.2006 could be given the benefit of stepping up of their pay (as clarified in the CBDT circular as mentioned above). However the PAOs were not ready to do that without a similar type of clarification from CBEC. We have also approached the Chief Commissioner to take up the matter with the CBEC immediately for issuance of such type of circular to rectify this anomaly. Our Central leadership has been looking after this matter very seriously and it has been learnt that the file has been cleared recently and it is going to be implemented soon.

CEC MEETINGS AND ALL INDIA CONVENTION

During these two years we have attended and delegates from this zone have taken part in the discussions in the three CEC meetings held at Jaipur, Indore and Delhi in January-2010, July-2010 and February-2011 respectively. Delegation from this circle has attended the All India Convention held at Bangalore in June-2011. The main issues during all these meetings were stagnation, cadre restructuring, change of ratio, regional disparity in promotional prospect, pay anomaly, Rs.5400/- GP issue, notional fixation from 1.1.96 etc. apart from various other national and local issues related to our cadre. With detailed

discussions on these issues, ways to tackle the issues were determined and accordingly programmes were chalked out.

AGITATIONAL PROGRAMMES

We have organized quite a number of agitation programmes and successful participation in these programmes has proved the impulsiveness among general members to follow the 'path of fire', as and when required. As per decision in the Indore CEC, Agitation Programme was started from 25th August 2010. On that date a Lunch Hour Demonstration programme was organized, followed by black badge wearing from 30th August-2010 to 3rd September-2010 and a Lunch Hour Dharna Programme on 3rd September-2010 in front of Chief Commissioner's office. Another whole day Dharna Programme was organized in Chief Commissioner's office on 15th of September-2010.

Charter of Demand:

1. Notional fixation of pay of Inspectors of Central Excise in the pre-revised scale of Rs. 6500-10500 with effect from 01.01.1996.
2. The ongoing cadre restructuring exercise to cater to the aspirations of Group B executive cadres and to be finalized after formal and recorded consultation with the Association. Restructuring should be completed within December 2010.
3. Inspectors next promotional grade pay should be Rs. 5400/-
4. Abolish Control Room duty and Uniform in Central Excise and Service Tax.
5. Fixation of minimum pay corresponding to pre-revised scale of Rs. 7450-11500 consequent to up-gradation ordered on 13.11.2009.
6. Anomaly in pay of 1992 batch Inspectors who received ACP prior to 20.04.2004.
7. The 1% incentive on incremental revenue should be utilized for providing facilities and infrastructure for lower level staff also.
8. Lift the ban on ICT
9. J.C.M should be conducted in Board and at local level regularly at periodic intervals.

During 2nd half of the year 2010, constant efforts were exerted by the AICEIA to have a minuted meeting with the Association regarding Cadre Restructuring Proposal. As time was running out, and the Cadre Restructuring Process was going to be finalized without proper discussion with the Cadre Associations, a delegation of the Joint Action Committee of the Associations in the CBEC represented to the Union Revenue Secretary and met the Chairman, CBEC with the demand to solve the issue and threatened for Agitation Programme if the matter was not sorted out immediately. Ultimately with the intervention of the then Union Revenue Secretary a copy of the Cadre Restructuring proposal was handed over to the Associations. This had been a great achievement on the part of Joint Action Committee, other wise we did not even get a chance to see the Cadre Restructuring Proposal before it was implemented. This movement also culminated to compel CBEC to conduct minuted meeting with the cadre Associations afterwards.

As a result of the decision by AICEIA for joint movement with Superintendents' Association, a Dharna programme at Jantar Mantar (Delhi) and Lunch Hour Demonstration in Chief Commissioner Office alongwith submission of charter of demands was organized on 20th April-2011. Later delegates from this Circle have also

participated in a whole day Hunger Strike (Anshan) alongwith Superintendents' Association in front of Jantar Mantar (Delhi) on 6th May-2011. The charter of demands as mentioned above was included in these two joint programmes.

Delegates from this Circle also participated in the Confederation convened 'Parliament Rally' on 23rd February-2011.

In addition to these, we had organized Agitation Programmes in Chief Commissioner Office and different Commissionerate Headquarters including CCP on various occasions for our different local issues.

NEW PENSION SCHEME AND P.F.R.D.A. BILL

The most blatant and severe attack on the rights of the government employees is the introduction of new pension scheme by Govt. of India. In the name of economic liberalization, the only aim of this scheme is to make available the hard earned money of its poor employees for corporate investment and for manipulation through the stock exchange. Though the Government could not pass the bill in Parliament yet, but it had not deterred the Government to implement this contributory pension scheme through executive order for employees who have joined after 2004 and to convert the age old statutory defined benefit of pension for government employees into a contributory pension scheme under the mercy of most uncertain and manipulative market economy. We are certain that it would be implemented for all government employees, once it is passed in the Parliament. The Confederation of Central Government Employees Union and the All India State Government Employees Federation had jointly taken the decision to oppose the PFRDA bill on its introduction in Parliament (during Budget Session on 2011) by organizing a two hour walk out programme. Accordingly our Association also organized demonstration programmes in offices across the country. On 25.11.2011, a March to Parliament was organized as part of the ongoing movement against the PFRDA Bill, with thousands of Central and State Govt. employees gathering at Delhi to make their collective voice heard against the said Bill. In response to the call made by the Confederation of Central Govt. Employees and Workers to participate in the same, President and Asstt Secy. General of the AICEIA along with some of our members attended the protest at Delhi. We are determined to fight this onslaught on working class.

LTU

We believe that at present we need not explain to you the tremendous threat that we are going to face through introduction of Large Tax Payer's Unit (LTU), as you are aware of the facts through your participation in various meeting and programmes organized by the Association against introduction of LTU. It is the most convenient way to downsize our department where only 8% of the total staff strength would be utilized to collect 80% of the revenue. Naturally remaining 92% of the staff strength will be very easy to declare excess to do the 20% of the remaining work. Naturally the threat is impending as it has already been started in other metros and we have to protest this move always. With your constant support and participation in the agitation programmes organized by our Association we have been able to thwart the opening of LTU in Kolkata till date.

CHANGE IN RATIO FOR PROMOTION

On 3rd August, 2011 the Hon'ble Supreme Court in its verdict on the case of anomaly in the ratio between the feeder cadres in Central Excise and Customs formation for promotion to the post of Asst. Commissioner, directed CBEC to amend the Recruitment Rule by revising the ratio according to the cadre strength of each feeder cadres and implement the same by 31.12.2011. AICEIA has already submitted its representation to the Board in this matter.

COURT CASE ON RS.5400/- GRADE PAY ISSUE

All of you are aware of the fact that the case of Grade Pay Rs.5400/- after four years service with GP Rs.4800/- (for Inspectors with ACP/MACP) has come in our favour from the verdict of the Division Bench in Hon'ble Chennai High Court. It was understood that CBEC would not implement the order without going to the Hon'ble Supreme Court. You are all aware that as per decision in Chandigarh C.E.C., AICEIA has been giving all the logistics and financial support to the petitioner of this case, Shri M. Subramaniam (Ex-Gen.Secy. of AICEIA, Salem Branch). For this purpose AICEIA has created a legal fund with donation from the members. After much dilly-daily, CBEC ultimately filed the SLP in the Hon'ble Supreme Court and prayed for stay on the verdict of the Division Bench in Hon'ble Chennai High Court. Though leave has been granted, the silver lining is that the stay has not been granted.

INTER COMMISSIONERATE TRANSFER

Ultimately CBEC has conceded to the demand of Inter Commissionerate Transfer (ICT) which has been raised by AICEIA. It will be of great help for a large number of our members who have been posted much away from their home state.

IN-SITU PROMOTION SCHEME

The Board meeting held on 12th January 2011 had a detailed discussion on the proposal for revision in the ratio of feeder cadres for promotion to the grade of Asst. Commissioner, keeping in mind the wide disparity and delay in promotion, both within the feeder cadre vis-à-vis the other two feeder streams spread across different zonal formations, for which DGHRD was directed to chalk out a scheme. Considering the factual aspect that Central Excise stream constitutes about 86% against their counterpart's ratio of about 11% and less than 4% respectively in Customs Preventive Superintendents and Appraisers, the alternatives like (i) revision in the feeder cadre ratio, (ii) applying the combined length of service (Inspector + Superintendent) for promotion to Asst. Commissioner, (iii) applying (i) & (ii) simultaneously and iv) in situ promotion to the next higher grade on the basis of combined length of service and their pros and cons were discussed at length. The proposed in-situ scheme recommended for an Inspector after ten years of service would become Superintendent (in-situ), after twenty years of combined length of service as Inspector and Superintendent (in-situ) would become JTS (in-situ) i.e. with GP Rs.5400/- and after five years as JTS (in-situ) would become STS (in-situ) with GP Rs.6600/-. The Board was of the opinion that the proposed in situ promotion, with all its stated advantages and disadvantages, might not yield the coveted result to best serve the interest of the affected cadres and felt that an introspective examination of the two formats of in situ promotion was required before finalization of

the issue. The Board has, therefore, formed a three-member committee of ADG (HRD), JS (Admin) headed by the Member (P&V) to examine the benefits and shortcomings of the proposed measures. Later two more members, DG (HRD) and another Member (CBEC Board) were included in that Committee. However after that no more initiative has been noticed from the CBEC on this issue. It may be mentioned here that such type of in-situ promotion scheme in lieu of ACP/MACP scheme is continuing in some other departments under Govt. Of India. On the other hand, let us look at the benefits given to the organized Gr. A service in reference to the OM issued by DOPT on the matter of Non-Functional Upgradation for upgradation of officers of organized Gr.A services in PB-3 & PB-4. We can see that whenever an IAS officer of the state of Joint Cadre is posted at the centre to a particular grade carrying a specific grade pay in PB-3 or PB-4, the officer belonging to organized Gr.A services, that are senior by two years or more and have not so far been promoted to that particular grade, would be granted the same grade on non-functional basis from the date of posting of the IAS officers in that particular grade at the centre. Therefore, our bosses in IRS cadre are reaping the benefit of this scheme. However, we, the stagnated cadres of Central Excise will not even get at least the pay protection through in-situ scheme, while our friends in Customs or Income Tax will get even the functional promotion during the same period. CBEC has entirely indifferent attitude to our plight and is totally reluctant to provide any benefit to us.

CADRE RESTRUCTURING

Perhaps the most talked after issue of these days is the ensuing Cadre Restructuring in our Department. In the month of April-2010, Smt. Renuka Mann, Director General, Human Resource Development, CBEC visited Kolkata and interacted with the cadre Associations on the issue of cadre restructuring. Our Association had submitted proposal for West Bengal to DG (HRD). After going through that proposal she invited our Association to her office in New Delhi to discuss that proposal in detail. Accordingly a delegation from the West Bengal Circle of our Association visited Delhi at the end of April-2010 and discussed that proposal along with supportive facts and figures with Smt. Renuka Mann, DG(HRD); Shri M.S.Arora, ADG(HRM); Shri S.Duttamajumder, Member(Central Excise) and Shri P.N.Vittal Das, Member(P&V). We had published that proposal in our mouthpiece 'Ujjivan'. Subsequently along with other Associations we have persuaded Chief Commissioner of Central Excise & Service Tax, Kolkata Zone to send a report to DGHRD keeping in view the present and future requirement of Commissionerates in this zone, so that no Commissionerates were abolished and few more Commissionerates were created in this zone through cadre restructuring. Ultimately a report had been forwarded by the Chief Commissioner to DGHRD in the first week of August, highlighting revenue collection, assessee base, vast jurisdiction as well as future potential considering the introduction of GST in near future. However it was too late and it had been understood that DG(HRD) had already finalized their proposal on restructuring. Meanwhile the West Bengal Circle Committee had decided to try to get an appointment of Shri Pranab Mukherjee, Hon'ble Finance Minister to apprise him about the situation of West Bengal Zone of our department and also to request him for its remedy. Accordingly, a delegation from West Bengal Circle of our Association met the Union Finance Minister on 8th September 2010. A representation was handed over to him and we had been successful to apprise him about the situation at that time.

In the mean time, with constant efforts from AICEIA in coordination with other Associations copy of the Cadre Restructuring proposal was handed over to the Associations. We had been really thankful to our All India Body for their constant effort to compel CBEC to propose the increase of the entry level Group A post almost threefold to remove stagnation, which was reflected in that proposal. At the same time, it was also noticed that the proposal would further aggravate the disparity in promotional avenue among the different zones as well as it would further widen the gap between the promotional avenues among Customs & Central Excise. These observations along with other objections were pointed out by the AICEIA and demands were also proposed by the AICEIA in its representation before the CBEC. The representation of AICEIA in this respect had already been published in Ujjivan.

As our apprehension of deprivation of West Bengal Zone in this Cadre Restructuring Proposal proved to be true from that proposal, we had been advised by our Secretary General to represent this issue once more before the Union Finance Minister. In spite of his extremely busy schedule, Shri Pranab Mukerjee, Union Finance Minister gave an appointment on 25th November-2010 to the President and General Secretary of West Bengal Circle of our Association. During that meeting, Shri Pranab Mukerjee could immediately recollect the earlier representation which we made before him on September-2010. He expressed his astonishment as the matter had not been addressed till that time. The Cadre Restructuring proposal vis-à-vis its effect on West Bengal Zone had been discussed with him in brief. He then received the written representation again and assured us to look into the matter. On collective insistence from the cadre Associations of this zone, the Chief Commissioner in his letter dated 13th December 2010 addressed to the Chairman, CBEC, once again reiterated the rationale behind creation of two additional integrated Commissionerates under their respective jurisdictions in Haldia and Bolpur, at least two additional Service Tax Commissionerates, a separate Customs (Preventive) Commissionerate at North Bengal and one additional Audit Commissionerate retaining the number of existing exclusive Central Excise Commissionerates unchanged. It was also emphasized that new sanctioned strength should be created for Audit Commissionerates keeping the existing sanctioned strength of each existing Commissionerates intact. The office-bearers of the Association, during their visit to Delhi had apprised the Chairman, Member (P&V) and ADG (HRM) with submission substantiated by evidence that Kolkata Zone had been deprived of one additional Service Tax Commissionerate, simply due to incorrect reflection of revenue figure. Moreover, an additional Audit Commissionerate was also due to this zone, as in general one Audit Commissionerate had been proposed to be allotted for every three executive Commissionerates. The importance for setting up of an exclusive Customs (Preventive) Commissionerate at Siliguri too gained gravity due to the proposal of the Chief Commissioner as well as the endorsement of the Chairman during his visit to Siliguri on 20th January 2011.

It is learnt that at present the cadre restructuring proposal is under process for approval at an advanced stage in D.O.P.&T.

CONCLUSION

“Where the mind is without fear and the head is high;
Where knowledge is free;

Where the world has not been broken up into fragments by narrow domestic walls.....”

The motto of our Association reminds me these lines from Tagore’s creation. During our tenure, we have faced many challenges. We have tried to do justice to our duties to the best of our abilities. We can humbly submit that all the problems afflicted to our members could not be solved by us to the desired extent. But we tried to attend all the issues with utmost sincerity. We have worked as a team and shared the success and failure together. We tried to keep co-ordination and tried to build up trust with other organizations both within and outside our department. This has helped to do our work with much ease than expectation. We expect that this strength of relationship would continue to help our cadre in future activities and movements.

I express my best wishes to the new Circle Committee with the expectation that they will be able to fulfill the aspirations of the cadre with more active participation of general members. Once again, I express my gratitude to all of you.

I now commend this report for discussion.

Kolkata
21st December, 2011

(Kedar Nath Maitra)
General Secretary