

UJJIVAN

FOR MEMBERS ONLY

(Mouthpiece of West Bengal, Sikkim & Andaman Nicobar Circle
of All India Central Excise Inspectors' Association)



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CUSTOMS HOUSE, 15/1, STRAND ROAD, 7TH FLOOR, KOLKATA-700 001

Editorial

Dear Readers,

First and foremost, wish you all a very happy new year 2012 and a very happy and colourful Holi. Though belated, still, better late than never. As you are all aware of, our Association has gone through a process of Elections during the month of January, 2012, which eventually led to the formation of a new Circle Committee during the last Convention held at Kendriya Utpad Shulka Bhawan (KUSB). The entire chain of events went into the way of publication of this Mouthpiece, within the scheduled deadline. However, that shouldn't sound like an excuse, as we hope to amend our ways in near future and will try to ensure that Ujjivan should reach the hands of our members at the end of each quarter, in accordance with our planning for publishing it on a quarterly basis. We are also committed to publishing it in our web portal next time which is going to be launched very shortly.

As stated above, this Association is going through a process of transformation. On the regional front, as far as the West Bengal Chapter is concerned, a fresh new Circle Committee has been elected, consequent to the elections held on 8th of December, 2011. We thank all our members for extending their all out co-operation towards the formation of the said committee and for taking their precious time out of their busy schedule and in making it a grand success. As for the development on the All India scenario is concerned, there have been much, and we hope we will be able to keep you abreast with the same, vide this Mouthpiece.

As a matter of fact, we want to keep things simple. We are quite aware of the fact that a large number of our members are now-a-days browsing the net on a daily basis. This is what inspired us to demand for a separate web portal for this circle during the convention and hence we are working at it. It is also true that not all of our members have the resources/expertise/time to browse the net and keep in touch with what is happening around them. In an effort towards that goal, we feel that this Mouthpiece comes in handy and helps a member to keep in touch with the happenings around him/her.

In respect of the above, there have been a plethora of developments on both regional as well as All India level. As far as the West Bengal chapter is concerned, apart from formation of the new Circle Committee along with distribution of the portfolios, there have been other developments as well. Recently, the JCM was held. The issues placed from our forum were discussed in detail and it was assured by the Chief Commissioner of Central Excise, Kolkata, that the same will be addressed upon in future. Besides this, a lot of work has been done so far as welfare activity is concerned, the development of which has been discussed in detail in this Mouthpiece.

Further to that, 2 sets of orders, both incidentally issued by the Commissioner of Customs (Preventive), Kolkata contained transfer orders of 37 and

12 officers. The first order was issued just during the elections and the second order issued during last month. This Association vehemently protested against the arbitrary and irregular manner in which these orders were issued, as it was not quite understood by us as to what led to the issuance of such orders, when AGT is just round the corner! It needs to be brought to your notice that our organization succeeded in forcing the cancellation of the first order of 37 officers, with the status as "Kept in abeyance". As is our motto, we will not take things lying down. Rather, we are in hot pursuit of cancellation of the second order containing names of 12 officers. We always believe that anything against norms should be strongly condemned and we are committed to stand by it.

On the All India front, work on 'Restructuring' is going on. Also, recently CEC meeting was held at Hyderabad. The developments of both, as well as various other issues are discussed in detail in this Mouthpiece.

Many a times, it so happens that we, in the midst of our hectic office schedule, sometimes feel that there is not much of an activity going on in our Association. Friends, be glad to know that such is not the case. There is both a micro level (zonal committees, from where it may appear such) and a macro level (our circle committee) where things ultimately conspire. Here, it is pertinent to stress that none of these two levels are small; each has its own importance. It is the combined effort of these two levels through which ultimately the results are achieved. Lots of persuasion, lots of effort, lots of sweat and lots of hard work go in the process of raising our demands, persuading the same and ultimately seeing to it that the demands are met. Members and portfolio holders have to go through the ordeal day in and day out. We do not want any publicity for whatever little we are able to do. Because, at the end of the day, we feel that it is our duty to stand by our members, whenever they are in distress or whenever they solicit our co-operation.

We are always open to criticism. Rather than being cynics, we sincerely believe that without criticism no one can move ahead. It also indicates, on the other hand, that we as an Association are on a dynamic path, and not a static one. It is quite natural that when we work, we will commit mistakes. But, learning from our mistakes will make us much more stronger, much more potent. We, in fact, will be happy if our members come forward and point to the same so that we can rectify it in the long run. However, it is our true belief that while criticism is welcome, it should be in constructive form and not destructive. It is only then that we, as an Association can achieve our long standing demands.

We intend to make this Ujjivan more newsworthy and worthwhile in the days to come.

APPEAL FROM THE SECRETARY

Dear Friends ,

This is the first issue of Ujjivan of the newly elected and formed Circle Committee. I know all the members are eagerly waiting to know something about the future activities on which this newly formed Circle Committee is going to place their emphasis on.

Before going to point-wise discussion, I would like to extend my sincere thanks, from the core of my heart, to all those members who had taken part in the healthy democratic process to elect and express faith in the elected set of 23 members to represent them before the authority and to other fora in the next two years.

At the outset, I would like to request and appeal to each and every member to come forward and be pro-active in the matters of the association and participate in all programmes of our organization through their respective Unit Committees and also as a general active member. I hope and believe all the Unit Committees will initiate associational works as per the programmes set by the Circle Committee. Without the active participation of members of the Unit Committees we cannot achieve the level of success and well being for our cadre that we always dream of.

I congratulate all the members for their earnest participation and strong moral support in the “Call of one day Strike” by the **Confederation** on **28th February 2012** and made it a historical day for the working class. I also congratulate the members for boycotting the “Central Excise Day” on **24th February 2012** called by the newly formed Joint Action Committee.

I would like to touch on some of the sensitive issues which we have already taken up sincerely with the authority.

COMPASSIONATE APPOINTMENT

This matter has been of utmost priority and will continue to be so. We have already taken up pending cases for appointment with the authority and are vigilant that no such case is rejected due to time constraints. In this aspect we have already requested the authority to calculate the vacancies of direct recruits properly.

DISCIPLINARY PROCEEDINGS AND HARASSMENT OF OFFICERS

There is a huge pendency of Vigilance cases which is of utmost concern for our Association . There are several instances where vigilance cases are being dragged for years together. This matter will be given top most priority and the Administration shall be convinced to take up the matter very seriously for speedy disposal of these cases. This matter has been already highlighted in the last JCM. We have also formed a committee at the circle level to update the status of these vigilance cases .

WELFARE

We believe that this Association is chiefly a welfare association and would request each and every member to be part of these welfare programmes in these tough times when people and society are being more mechanized with little time for others. Like the previous years we have initiated to organize the Blood Donation Camp which is to be held on **11th April 2012** at KUSB, Rajdanga. Our Association will be only too happy if one and all, irrespective of which group or category one belongs to, come forward enthusiastically and be a part of such welfare measures and schemes whole heartedly and make it a grand success.

ACCOMMODATION

The Associational stand is to oppose the shifting the Haldia Divisions to Ranihati from 25, Princep St. and Barackpur , Khardah- I & II Divisions to Barackpur . In respect of Haldia Divisions we have requested to the Authority to shift the divisions in a convenient place which may not be within the jurisdiction of this Commissionerate. Regarding 4, Braboune Road , it can be said that there is enough space for these three divisions and there is no justification of shifting of these from one rental house to another. However, all these points has been raised in the last JCM and we have registered our protest against such decision and the authority has verbally given us assurance not to vacate the 4 , Braboune Road office premises.

Different problems in KUSB , Rajdanga , 39, Rabindra Sarani, Tollygunj , in various CCP formations , Siliguri, Bolpur and Nizam Palace has been brought to the notice of authority. Demand for Centralized A.C. in Rajdanga Building , Bolpur , Nizam Palace etc. immediately has also been placed.

TRANSFER POSTING NORMS.

This Association has always sought for transfer postings according to the stated norms and will continue to strive for the same. However, it may be informed that a new transfer posting norms is being formulated by the circle committee in consultation with the authority which is expected to match the spirit of the times.

REGULAR PROMOTIONAL DPC AND SUPPLEMENTARY DPC

It was noticed that the panel for promotion to the post of Superintendent would have been exhausted by February and there could not be any promotions in the month of February . We timely intervened and took up the issue with the authority and convinced them to organize the supplementary DPC on the 23rd of February. In this connection it is to inform that Regular DPC for the year 2012-13 is proposed to be held around the end of March'12 and an extended panel has been suggested.

WEBSITE OF THIS CIRCLE COMMITTEE

We aspire to create a web portal for this circle so that information can be circulated to our members with lightening speed and also to enhance communication among the members to further consolidate the pillars of this association. The details of the said website of our circle shall be circulated as soon as the same is launched.

CONFIRMATION OF INSPECTORS :

This issue has already been taken up with the authority. It has been assured by the proper authority that the work of confirmation of 697 Inspectors is expected to be completed within two or three months. The works has already been under process. This was also an important agenda point in the last JCM.

I reiterate that as unfortunately made out by some, this organization does not belong to any group, any fraction or any selected few. This organization belongs to each and every member and each and every member is part of our happy family. I hope each one of you will fight any evil design bent on dividing us. Long Live the Association.

Comradely Yours

(AHINDRA BANDYOPADHYAY)
SECRETARY

CEC Meeting of the AICEIA at Hyderabad

The Central Executive Meeting was held on 27.01.2012 and 28.01.2012 at Hyderabad. Here are the excerpts from the action taken report as submitted by Shri Kousik Roy, Secretary General, AICEIA:

1. Completion of the process of collection of DDO Certificates and submission for recognition along with the new constitution of the Association.

All the Office bearers and members of the Association with their grit and determination have made it possible to once again collect the DDO Certificates to establish our membership base and our rightful claim for renewal of recognition. The said certificates along with our new Constitution have been submitted to the Board on 12.12.2011. However, in spite of the fact that collection of DDO Certificates is not the job of the association seeking renewal of recognition and that check-off is to be conducted by the administration itself, we have co-operated with the administration to make their work easier.

Except Mumbai zone, we have received DDO certificates from almost all parts of this country. In Mumbai at least more than 1100 members are getting their membership fees deducted from salary and due to lack of supervision these DDO certificates and contributions are not reaching to the Association for several years. Members of Mumbai are requested to deposit the cheque in the Association Bank Account henceforth. Once again we are able to submit more than 35% DDO certificates to Board for renewal of recognition.

2. Transfer & Posting Policy:

CBEC has formulated a revised transfer policy for Group-B (Gazetted and Non-Gazetted) and has circulated the draft transfer policy. We have submitted our suggestions and comments to the Board and DGHRD on this issue.

3. Ratio for promotion to Group A:

It was discussed in our Delhi CEC held on 5th February, 2011 that on November 2010 we had a serious discussion on this subject with Customs Preventive Service Federation at Chennai as a case was pending at Supreme court on the subject matter and CBEC was not submitting one affidavit for more than two years, in this background on June 2011 we had discussions with the Customs Preventive Service Federation and the CE Superintendents' Association on the issue of change of ratio for promotion to Gr.A posts. Superintendent Association have not agreed to submit any joint representation in this regard. Nevertheless, we have submitted one joint representation with the Customs Preventive Service Federation on the change of ratio issue on June 2011, at Kolkata and met the Chairman CBEC in 11th July 2011 to discuss the issue. On 3rd August 2011, Supreme Court pronounced its judgement and directed the department to revise the ratio of promotion to Assistant Commissioner in accordance to the sanction strength of different feeder cadres. The ratio was revised and now it is 13:2:1; a draft recruitment rule has been published accordingly, we have submitted our reply and tried to put our concern on this issue.

- **Hon'ble Supreme Court order dated 3.8.2011 :**

On the issue of conducting Review DPC's effective 1997 in the wake of the recent Supreme Court Order on the ratio case, the CBEC remains adamant on their stand that the apex Court has not directed to conduct review DPCs and the revised ratio will be given effect to only prospectively. In this regard, we have expressed our strong reservations on the motivated interpretation being resorted to by the Board in a manner that favours the Customs Appraisers' stream, eventually leading to injustice meted out to officers from the Central Excise side.

4. CR proposals and implementation:

Our Association has primarily two demands from the CR:

1. Removal of stagnation in the cadre of Inspector of Central Excise
2. Removal of regional disparities in promotions to the cadre of Supdt. of CE.

Letter from CBEC directing all the CC/DG's for implementations of CR and to send proposals for reorganization of the field formations has been sent during September 2011. Immediately after the news we persuaded for a Board meeting, which ultimately held on 17th Oct, 2011 in the presence of JS(Admn). The Member (P&V) had categorically assured that it would be the topmost priority of the Board to provide the much needed boost-up to the stagnating Group B cadres by ensuring the promotions in the ensuing restructuring exercise, and also that a mechanism would be worked out to address the regional disparities that obtain in promotions from the grade of Inspectors to Superintendents across different zones presently. However, drawing of an All India Seniority List of Inspectors in the near future was ruled out. When it was pointed out that we have been

living on these assurances for decades now, it was advised to wait till the Board unveils what has been planned for the days to come for us.

The file dealing with restructuring of CBEC is pending in the DoP&T. It is also learnt that the Board has not made any significant changes in the original proposal, and even after 6 rounds of queries and corresponding responses and justifications with the DoP&T, it is reported that the proposal has now lost its original shape and slicing is being done in the level of Principal CC and in different Class-I level post inclusive of Group-'A' entry level post.

5. Lifting of ban on ICT:

One long standing demand of this Association, after years of relentless persuasion, has been acceded to by the CBEC during October 2011. The Board met on 25th October, 2011 and in a major decision, lifted the ban on Inter – Commissionerate Transfers. Since the Board's communication lifting the ban on ICT has thrown up some confusions and has stipulated some avoidable preconditions, the AICEIA has written to the Board requesting for clarifications/amendments of the same. The matter has further been taken up with senior officials of the Board concerned with the matter, and it is hoped to get resolved soon.

6. On resolving the issue 'senior drawing less pay than juniors': the manner of fixation of pay of the inspectors of central excise after the revision of grade pay of Rs.4600/- from Rs. 4200/- :

The aforesaid methodology for fixing pay by stepping it up to bring it at par to that of a junior (Rs.17140/- from 01.01.2006); on which the Chairman CBEC has written demi officially to the Secretary (Expenditure) following VIP references to the Finance Minister, purely on this Associations' efforts. Subsequently the matter was cleared by Expenditure; and now CBEC has sent the draft clarification to be issued for the DoP&T's concurrence, as required by Deptt. of Expenditure, to whom the original reference was made by the Board. We have pursued the issue vigorously all along. It was understood that the first part in relation to seniors drawing less pay than juniors arising out of fixation of pay after revision of grade pay from 4200/- to 4600/- was agreed by DoE on 18th November 2011 itself and for the manner of fixation part i.e. grant of one additional increment to all those Inspectors who got promotions or recruited before 01.01.2006 due to the upgradation to the pay of Rs.7450/-, DoE referred the file to DOPT, who had returned after putting the onus on Expenditure. Board could not issue the order as the two issues are processed through a single note. However, on 17.1.2012 the President & SG met the officials at DoE and successfully persuaded to delink the issue so that CBEC could issue orders on the issue of Rs.17140/- shortly on the lines of CBDT, which solves the problems of a good number of officers to a great extent.

7. Grade Pay of Rs.5400/- after 4 years of ACP:

SLP filed by the Union of India before the Hon'ble Supreme Court challenging the Judgment vide which the Madras High Court had allowed grant of GP of Rs 5400/- to ACP recipient Inspectors after 4 years was heard by the apex court along with the caveat filed by us.

The Supreme Court prima facie observed that since Career Progression scheme has been brought in to grant relief to stagnating cadres, the Government's case does not appear strong. However, the Assistant Solicitor General pleaded that the issue would have huge financial implications and requires detailed hearing. Thereupon Court granted leave but refused the Government's plea to stay implementation of the subject Madras High Court judgment. We have to find the possibilities to take up the case for an early hearing by the apex court.

8. DPCs to be convened by 31.3.2012:

Though all the benefits accrued at the top do not automatically flow downwards in the department, the ill effects and wrongs do definitely get carried down. With reference to DOP&T's OM No. 22011/1/2011 – Estt D dated 11.03.2011, wherein it was instructed to all Ministries that DPCs for filling up vacancies should be held at least two months before the commencement of vacancy year. Consequent to the new instructions of DOP&T, CBEC was requested to issue urgent instructions to the cadre controlling authorities so that DPC could be conducted for the next calendar year well in advance. It will be worthwhile to note that vide DOPT O.M. No.22011/1/2011-Estt(D) dated 25th March 2011 it was requested to all department and ministries to nominate an officer of the level of the Joint Secretary as the designated authority for ensuring timely holding of DPCs and to certify adherence to the model calendar for all DPCs.

We have taken up the issue with the Board and it is seen that many CCAs are abiding by the DOPT instructions and are conducting DPCs in their zones during this year itself for the vacancies arising during 2012-13.

9. Review of the revised pay scale with effect from 21.04.2004 :

It was after the vigorous efforts of our Liaison Secretary Com. Shibaji Ch.Nayak that we got an appointment from Shri Rama Chandra Kuntia, Rajya Sabha M.P from Orissa, a very important functionary of the INTUC. The Hon'ble M.P. had raised the issue of notional fixation of Inspectors from 1.1.1996 in Rajya Sabha on 24th March 2011. His letter dated 7.4.2011 on the same subject was forwarded by Hon'ble F.M. A meeting was held with Sh. Pawan Kumar Bansal, Hon'ble Minister of Parliamentary Affairs, on 15.10.2011 at Chandigarh with the able support of our Chandigarh Circle through Sh. Manoj Nayyar, President, and Sh. K. C. Shajgotra, Branch Secretary. The Hon'ble Minister was kind enough to listen to the Association's point on the notional fixation issue. He has assured us to take up the matter with the Finance Ministry. The representation of the Association dated 14.10.2011 was handed over to the Hon'ble

Minister. The notional fixation of pay of Inspectors wef 01.01.1996, on which the Chairman CBEC has written a DO letter to the Secretary (Expenditure) following VIP references to the Finance Minister was purely on this Associations' efforts.

During October 2011 we had a discussion with the Secretary General of Superintendent's Association on the rectification of pay scale and its arrears issue. Though the demand for notional effect from 01.01.1996 was ruled out by Superintendents' Association; AICEIA tried to convince him the need to bring all the organisations of Revenue Department together. When the Superintendent Association under the leadership of Shri.Ravi Malik expressed their inability to change the issue from 01.01.1986 to 01.01.1996 then we asked about joint agitation programme to the tune of strike action. It was narrated to the Superintendents that AICEIA had already made some VIP references successfully; the need of the hour is to launch agitation and to submit a joint representation to the Hon'ble F.M. in this regard. However, till date no positive reply has been received.

10. Meeting with Chairman

The President and the SG had several meetings with Chairman, CBEC , Member (P&V) and Joint Secretary (Admin) and other officials of CBEC during this period of time. On 11.07.2011 Office bearers of Customs Preventive Officers Federation also attended the meeting. We forcefully presented our case for revision of ratio, implementation of base cadre seniority, removal of acute intra-cadre/inter-cadre stagnation etc. with Chairman, who gave us a patient hearing and directed the concerned officials to speed-up the action in all these matters.

11. IN-SITU promotion:

On in-situ promotions, the Member (P&V) was non-committal and said that such proposals were fraught with too many incongruities and she was doubtful that a workable dispensation of in-situ promotions can ever be designed. When it was pointed out by us that it was a scheme that was mooted by the Board itself, consequent to various organizational programmes undertaken by this Association, she assured that with re-structuring on the anvil, career prospects of Gr B officers will definitely see a marked improvement.

12. Strike action on 28th February :

All India Strike call given by the Steering committee of Central and State Government Workers on 28th February 2011 on the following agenda:

- No Contractorisation of work of permanent/perennial nature and payment of wages and benefits to the contract workers at the same rate as available to the regular workers of the Industry/establishment

- Amendment of Minimum Wages Act to ensure universal coverage irrespective of the schedules and fixation of statutory minimum wage at not less than Rs 10,000/-,
- Remove the ceilings on payment and eligibility of Bonus, Provident Fund; Increase the quantum of gratuity.
- Assured Pension for all. Scrap PFRDA bill; reintroduce pension and provident fund for all those who have joined after 01.01.2004.
- Enhance interest rate on G.P.F immediately.
- Merge 50% D.A. with Pay Band and announce next Pay Commission.
- Compulsory registration of trade unions within a period of 45 days and immediate ratification of ILO conventions 67 and 96.

Our Association being a part of Confederation of Central Government employees and workers and as it was decided in the meeting of Confederation held at Kochin on 25th December 2011 that Confederation would be joining the Strike call on 28th February 2012; therefore, our Association shall participate in the strike call on 28th February, 2012 as our All India President presented his speech in the above meeting in favour of the said strike call.

Issues raised through the Confederation:

The following issues have been sponsored by AICEIA to the Confederation for inclusion in the Charter of Demands for agitations to be taken up by the Confederation:

- No Contractorisation of work of permanent/perennial nature and payment of wages and benefits to the contract workers at the same rate as available to the regular workers of the Industry/establishment
- Amendment of Minimum Wages Act to ensure universal coverage irrespective of the schedules and fixation of statutory minimum wage at not less than Rs 10,000/-,
- Remove the ceilings on payment and eligibility of Bonus, Provident Fund; Increase the quantum of gratuity.
- Assured Pension for all. Scrap PFRDA bill, reintroduce pension and provident fund for all those who have joined after 01.01.2004.
- **Enhance interest rate on G.P.F immediately.**
- Merge 50% D.A. with Pay Band and announce next Pay Commission.
- Stop unnecessary expenditure on advertisements and concentrate on enforcement of economic laws.
- Give effect to the revised pay for Inspectors of Central Excise from 1.1.1996.
- **Stop discrimination between Promotees and DRs in the ACP scheme and permit anomaly claims of seniors when juniors draw higher scale of pay.**

- Provide infrastructure in terms of work place, equipments etc. in the field for executive work.
- Grant Local Travel Expenses for Inspectors on par with Inspectors of Income Tax.
- Grant Rummaging allowance for Officials posted in Customs area on par with the Officials of Customs.
- Implement the Revised ratio of promotions from Superintendents of Central Excise to Group 'A' as per the existing strength in Central Excise and Customs with retrospective effect from 1997.
- Create new posts of Assistant Commissioners for functional requirements.
- Strengthen Audit and Preventive wings in Central Excise and Customs and Audit and survey in Service Tax.
- Abolish Control Room and Uniform for Central Excise and Service Tax.
- Grant adequate uniform allowance for three sets of uniform for Customs work.
- Implement Cadre Review immediately in CBEC.
- Conduct departmental council meeting immediately.

Parliament march:

Meeting of the Confederation was held in New Delhi on 22-7-2011 to which the Vice-President and the Joint Secretary (North) attended. March to parliament with regard to New Pension Scheme was taken up in the said Confederation Meeting. As was decided in the aforementioned meeting, a march to Parliament on 25.11.2011 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 ASG of the AICEIA along with other members also attended the protest at Delhi.

The President of the AICEIA also attended the National Council Meeting of the Confederation of CG Employees & Workers held at Cochin on 16.12.2011 which was inaugurated by Com. P. Rajeev, Hon'ble M.P., Rajya Sabha. Com.K.K.N.Kutty, Secretary General submitted the report narrating the activities of the confederation and the national and International developments of the last one year. 14 point charter of demands was presented and the meeting gave a go-ahead for the proposed general strike on 28.2.2012. The charter includes the call for scrapping of new pension scheme, revision of GPF interest rates, OTA etc. and merger of DA with Pay. We thank our members for making the said strike a success.

PFRDA BILL:

The Central Government had introduced the New Pension Scheme (NPS) with effect from January 1, 2004 (except for armed forces) for its employees. In respect of Central Government employees who have joined in Government Service on or after

1.1.2004, this scheme is mandatory. Pension Fund Regulatory and Development Authority (PFRDA) is the interim regulatory body for NPS which was established by Government of India on 23rd August 2003. In NPS, a government employee who is covered under NPS contributes 10% of his/her salary towards pension along with matching contribution from the employer. While contributions in NPS are collected from Central Government Employees since 1.1.2004, the pension contributions of Central Government employees have been handed over to Pension fund Managers viz, LIC Pension Fund Limited, SBI Pension Funds Pvt. Limited and UTI Retirement Solutions Limited in a predefined proportion, only from 1st April 2008. Now, the Minister of State for Finance, Shri Namo Narain Meena in written reply to an Un-starred Question in Lok Sabha on 16.12.2011, stated that the institutional architecture for NPS could not be operationalised by the Interim Pension Fund Regulatory and Development Authority (PFRDA), for the period 1.1.2004 to 31.03.2008 and therefore, the contribution for the Government employees under the NPS during this period could not be invested in the market. It will be worth to note that a total amount of Rs. 971.48 crore, collected towards contribution for Government employees, from 2004 to March 2008, under the New Pension System (NPS), was credited to the Public Account of India. The funds credited to Public Account will carry an interest @ 8% p.a.

PFRDA Bill, 2011 which would give official status to PFRDA has already been approved by Cabinet and placed before Parliament. However, the same is yet to be passed in the parliament for enactment thanks to the working classes struggle which restrained the government from enactment of the same.

Visits to Branches/Circles by Office bearers of the AICEIA.

Apart from the visits to New Delhi for meetings with the Board Officials, attend the hearing before the Hon'ble Supreme Court, attending the National Executive Meeting of the Confederation etc, and to Mumbai for the meeting of the C-o-C of Federations/Associations in the Dept of Revenue, Office Bearers of AICEIA have visited Bhubaneshwar, Kolkata, Guntur, Lucknow, Chennai and Coimbatore during the past 6 months.

Within this period of time Lucknow and Nagpur joined their hands with the All India Association. We, heartily welcome these two units for joining the main stream of the working classes struggle.

Proposal for agitation:

Persuasion by AICEIA continues in all matters, at every level, so as to ensure that the bureaucratic delays could be minimized. In an effort towards that direction, the following agitation programmes were conceived:

- Lunch Hour Rally on 2nd February, 2012
- Lunch hour demonstration in every chief Commissioners & in Branch level in front of Commissioners offices on 8th of February, 2012.
- Meeting with all other Associations of CBEC on 9th of February, 2012 for deciding different action programme for proper implementation of CR.

The slogan, as proposed, were to be on the following points:

1. Minimum fixation after correction of Grade pay from Rs. 4200/- to Rs. 4600/- should be implemented forthwith.
2. Implement fixation of pay in the pre revised pay scale of Rs. 7450/- from 01.01.2006.
3. Immediate implementation of Notional fixation of pay from 01.01.1996
4. Inspectors of 2002 batch should be promoted in this restructuring throughout India.
5. In the recent opening of Inter commissionerate Transfer order issued By CBEC the term probationary period should immediately be removed for all purposes.
6. Regional disparities in the grade of Inspector to Superintendent promotion should be wiped off.
7. The recent change of ratio for promotion to Assistant Commissioner from Superintendent should be effected from 1997.
8. Superintendents grade pay should start from 5400/- grade pay.
9. Scrap PFRDA Bill,
10. Merge 50% D.A with pay and install pay-commission.
11. Remove the ceilings on payment and eligibility of Bonus, Provident Fund; Increase the quantum of gratuity.
12. Enhance interest rate on G.P.F immediately.
13. Minimum wage for a Central Government Employee should be Rs. 10,000/-
14. Stop contractorisation and privatization of Revenue department.
15. All India Strike call given by the Steering committee of central and state government Workers on 28th February 2011 and make it a grand success.

Revised Transfer Posting Norms – Draft

CBEC has formulated a revised transfer policy for Group-B (Gazetted and Non-Gazetted) and has circulated the draft transfer policy. Here is a first look on the said policy material:

Revised Transfer/ Placement Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Central Excise & Service Tax formations)

Introduction:

Group 'B' Executive Gazetted and non-Gazetted (i.e. Superintendent and Inspector ranking officers) constitute 48% of the total sanctioned work of the department. Further,

they are the cutting edge level officers and often are the first to interact with Assessors/Clients of the department.

2.0 The transfer and placement of these officers in a fair and transparent manner is very important step to ensure efficiency, recognition of merit and honesty. Further, by rotating these officers to various charges, department builds supervisory capacities at the level of Group 'B' Gazetted.

3.0 The departmental tax collection machinery is organized into 34 Zones (23 Central Excise and 11 Customs). Further, number of Directorates perform advisory as well as executive functions. It is desirable that broad guidelines for Transfer and Rotation of officers at Group 'B' Executive level in various Customs/Central Excise and other charges are made applicable all over India to have uniformity ensuring effective and merit based administration.

4.0 Existing Guidelines of Transfer / Placement for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Central Excise Commissionerates), issued in the year 1994, required reconsideration in view of the complexities arising out of the last cadre restructuring made in the year 2001-02, which led to the creation of smaller and more compact Commissionerates with officers having shorter stay at different postings/charges. Accordingly, the Transfer / Placement Policy Guidelines for posting of Executive Officers in the Customs Formations were issued by DGHRD, with the approval of the Central Board of Excise & Customs in July, 2010. The similar policy guidelines for posting and transfer of the Executive Officers in the Central Excise & Service Tax formations have been drafted in consultation with the Zonal Chief Commissioners. The draft Revised Transfer/ Placement Guidelines are proposed as under:

Proposed Posting and Transfer Guidelines for posting of Group 'B' Executive Gazetted as well as Non-Gazetted officers in Central Excise formations:

A. Aim of the Policy:

The aim of the proposed transfer & posting policy guidelines for Group 'B' Executive Gazetted & Non-gazetted officers is to provide standard norms, transparency, objectivity and increased perception of fair-play and clarity in annual general transfers. Further, due care has been taken to ensure that the proposed guidelines promote integrity,

efficiency, improved performance and at the same time provide necessary flexibility to senior management and empower them to formulate zonal transfer policies taking into account local factors. These Posting and Transfer Guidelines for Group 'B' Gazetted and Non-Gazetted

Executive Grades for Central Excise Formations would supersede all previous guidelines, issued in respect of the posting & transfer of Executive Officers to Central Excise formations. Chief Commissioners may formulate the transfer & posting policy in respect of the Central Excise & Service Tax formations under their charge within the framework of these guidelines. The proposed guidelines are as detailed ahead:

B. Periodicity: General Transfers in Group 'B' Gazetted and Non-gazetted Executive grades, and in particular involving a change of station, should be effected once in a year, at the end of the academic year.

C. Allocation / Posting of Officers

i. In case of the cadre having transfer liability to more than one Zone, Inter-zonal allocation of Group 'B' Gazetted and Non-gazetted officers should be based on an interzonal rotation policy, evolved and circulated amongst the Chief Commissioners of all the Zones sharing common staff cadres.

ii. Allocation to a particular Commissionerate within a Zone will be based on a well defined rotation policy to be circulated by the Chief Commissioner.

iii. Allocation of officers to the office of Commissioner (Appeals) / Commissioner (Adjudication) / Commissioner (TAR) / Large Tax Payers Units will be in consultation with the concerned Commissioner.

iv. Posting of officers within a Commissionerate should be done by the Commissioner incharge of the Commissionerate.

v. Deviation: Commissioner shall take approval of the Zonal Chief Commissioner in cases of deviation from this policy or any other guidelines prescribed by the Zonal Chief Commissioners.

D. Classification of Charges: Different charges in Central Excise and Service Tax Field Formations should be classified as Sensitive or Non-sensitive by the concerned Chief Commissioner. An illustrative list in this regard is provided in Enclosure-A to this Note. Any other section / unit, which in view of the concerned Chief Commissioner should be

treated as Sensitive Charge, but are not listed here, can be added to the lists provided in the Enclosure-A.

E. Rotation between Sensitive and Non-sensitive postings:

(i) There should be strict rotation and adherence to tenure of postings in case of all the posts – sensitive as well as non-sensitive- to ensure all round exposure and efficiency. However, in case where sufficient number of officers are not available due to administrative / vigilance reasons for posting to sensitive charges, officers can be rotated from one sensitive charge to another sensitive charge.

(ii) As far as possible, an officer in the subsequent cycle of postings should not be posted in the same sensitive charge.

(iii) Normally, there should be a gap of minimum two years between one sensitive posting to another.

(iv) On reversion from a sensitive Directorate, as far as possible, officers would be posted to a non-sensitive charge for a minimum period of two years.

(v) Posting to a sensitive charge should normally not exceed two years for each posting.

(vi) First posting on appointment / promotions / reversion from Customs Commissionerate of the officers in the grade of Inspector /Superintendent in a Central Excise / Service Tax Commissionerate, should be, as far as administratively possible, to a non-sensitive charge.

(vii) First posting of the officers coming on an Inter-Commissionerate Transfer, within a zone, should be, as far as administratively possible, to a non-sensitive charge. Officers posted to a charge on loan basis should ordinarily be called back to parent office after completion of one year.

F. Minimum tenure in a charge: Chief Commissioners may fix minimum tenure for each charge, which should not be less than one year normally, except for the tenure in sub-urban /mofussil stations lacking in infrastructure such as schools. Hospitals etc. as identified by the Chief Commissioners.

G. Period of Stay at one Station:

The total period of stay at one station of an officer, belonging to a cadre with liability to serve at more than one station, except difficult areas, should not be for less than two years irrespective of the rank. Further, as far as possible, the officers should not be

shifted from one station to another frequently. Chief Commissioners may prescribe station tenure as per local conditions.

H. Period of Stay in a Commissionerate: Posting tenure of officers in a Commissionerate should be prescribed by the Zonal Chief Commissioners.

I. Rotation between Central Excise, Customs and Service Tax formations: In zones where two or more formations exist, the officers should be rotated from one formation to another, so as to complete the cycle of formations, as far as administratively feasible. Chief Commissioners may prescribe the tenure in each formation as per local conditions.

J. Posting to sub-urban / mofussil Areas: Posting to Central Excise formations located outside Commissionerate / Directorate where no residential accommodation is available should ordinarily be for one year. However, a willing officer may be permitted to work in such charge not exceeding two years at a stretch. As far as possible, all officers should be rotated to such postings on the basis of roster, which should be circulated in advance of transfers every year. K. Last Posting before Superannuation: Officers who are due for superannuation within two years should be, as far as feasible, posted to the station of his/her choice or, to the nearest station.

L. Posting of spouses at same station: If the spouse of an officer is also working in a Central/ State Government Office, he/she should be posted to the station where spouse is working or a nearby station as far as administratively possible, in terms of the DOP&T's extant guidelines in this regard.

M. Inter-cadre Deputation within the Department: Inter-cadre deputation shall be allowed to the willing officers for a period of three years. Extension of the said deputation period can be made up to one year by the concerned Commissioner and for a further period of one year by Chief Commissioners / Directors General concerned on mutually agreed basis, in terms of the provisions contained in the Ministry's letter F. No. A-22015/3/2004 Ad. III A dated 19.02.2004 read with Ministry's another letter F. No. A-22015 /24/2008 Ad. III A dated 21.11.2008.

N. Posting / Deputation to Directorates General / Directorates / LTUs:

a. Tenure of Posting in Directorates / LTUs: Tenure for intra - department deputation /posting to DGRI and DGCEI would be for an initial period of five years – extendable by

two years, one year at a time with the approval of designated authority – as per existing guidelines. For other Directorates, the tenure would be three years – extendable by two years, one year at a time. Further, the Cadre Controlling Authorities would permit intra-department deputations liberally.

b. Cooling-off Period: There should be a two years 'Cooling Off' period between the two of the following sensitive postings:

i. Posting to DGRI

ii. Posting to DG (Central Excise Intelligence)

iii. Posting to Directorate of Vigilance

For posting to other Directorates from a Commissionerate or Directorate, the condition of 'Cooling off Period' shall not be applicable. Further, for computation of station tenure in Customs & Central Excise Zones, the period of posting to a Directorate, including DGRI, DGCEI and DG (Vigilance), would not be counted.

O. Record Management and Transparency Regarding History of Postings:

History of Postings of all Group 'B' Gazetted & Non-Gazetted Executive officers should be maintained by the concerned Cadre Controlling Authority. Further, each cadre control authority should ensure that the same is put up on the website, maintained by it, within a period of one year of the issue of the guidelines to ensure transparency in administration.

P. Training: Concerned Chief Commissioners shall ensure that the officers on reversion from a Customs Charge are provided training of adequate duration in Central Excise work before their first posting in order to acclimatize them with the changes that may have taken place in Central Excise and Service Tax rules and regulations etc. during the period in which they were posted to Customs formations. Further, all the officers posted to Audit section should also be provided training in EA 2000, Financial Accounting and other allied subjects.

Q. Powers to the Chief Commissioners:

i. Chief Commissioners are empowered to issue Zonal Transfer Policies, which are consistent with these guidelines.

ii. Deviation from the guidelines: Chief Commissioners have the discretion to deviate from the transfer guidelines, subject to recording the reasons for deviation in file.

iii. Disposal of Representations: All the representations by the officers in respect of transfers / postings would be disposed by the Chief Commissioner, after obtaining the report from the Commissioner on the representation preferably within 15 days of the receipt of representation.

Enclosure-A

Illustrative List of Sensitive Charges within a Central Excise / Service Tax Commissionerate:

1. Following charges are proposed to be treated as sensitive in a Central Excise / Service Tax Commissionerate

(a) Commissionerate / Divisional Headquarters:

(i) Anti Evasion / Preventive Wing

(ii) Refund / Rebate Cell

(iii) Vigilance Section

(iv) Current Audit

(b) All Ranges / Forward Sectors

2. List of Non-sensitive Charges within a Central Excise / Service Tax Commissionerate:

Following Charges are proposed to be treated as non-sensitive in the formation:

(a) Classification of charges in Chief Commissioner's Office All charges, except Vigilance Section in Chief Commissioner's Office are proposed to be treated as 'Non-sensitive'.

(b) Commissionerate / Divisional Headquarters:

All charges, except those mentioned at 1(a) above are proposed to be treated as 'Nonsensitive'.

3. Posting to the Offices of Commissioner (Appeals)/ Commissioner (Adjudication) / Commissioner (TAR) should be considered as 'Non-sensitive'.

4. Chief Commissioners are proposed to be empowered to declare any other post /charge as 'Sensitive' or 'Non-sensitive' in consultation with the concerned Commissioner.

**Minutes of the 16th Convention of All India Central Excise Inspectors' Association –
held in Bengaluru during 10th to 11th of June 2011.**

10.06.11 Morning Session – OpenSession

The 16th Convention of the AICEIA was convened at Bengaluru from 10th to 11th of June, 2011. The opening session of the convention started at 11.00 a.m. on 10.06.11 at Garden city, Bengaluru.

The Dignitaries who were present on the dais to grace the occasion were Sri Krishna Bayre Gowda, Hon'ble MLA, Karnataka and Chief Guest, Sri D.P. Nagendra Kumar, Commissioner of Central Excise, Bengaluru – I and the Guest of Honour, Sri K.K.N. Kutti, Secretary General, Confederation of Central Govt. Employees' and Workers and the Special Guest, Sri Arun Zakharia, President and Sri Kousik Roy, Secretary General.

The Chief Guest, The Guest of Honour and The Special Guest were facilitated by garlanding and they, jointly with the President and Secretary General, inaugurated the Convention by lighting the ceremonial lamp.

In his inaugural speech, the Hon'ble Chief Guest thanked the Association for the warm welcome. He also mentioned the great role played by the Central Excise Department as the financial backbone of the country and stressed upon the need of the Department to transform from the role of regulator to facilitator in the present fiscal environment. He assured the delegates of his best support in matters of various demands of the Association such as removal of disparity regarding promotion etc. presently witnessed across different parts of the country.

Com. Sri Arun Zacharia delivered his presidential speech and highlighted the problems of stagnation and the need to review the ratio between central excise and customs department in matters of promotion.

The Guest of Honour in his speech recognized the problems of stagnation and disparity between the ratios of the Class I entry level officers among the Gr. B officers in the departments. He stressed the future role of the officers in upcoming GST regime. Sri Bopanna, Gen. Secy. of Karantaka Circle thanked both the Chief Guest and the Guest of Honour for their valuable speeches.

The Special Guest, Sri K.K.N. Kutti, Secretary General, Confederation of Central Govt. Employees' Federation addressed the house and emphasized that to win over the injustice done to the cadre by the department, there is the need to express a strong desire followed by a strong demand, backed by the real spirit to fight. He stressed upon the importance of reviewing the entire gamut of factors concerning cadre restructuring like cadre size, cadre recruitment policy, ratio of vacancy distribution among cadres etc. He also explained the otherwise unnoticed but continuously alarming aspect of erosion of real wage given to the public servants. He assured the support and guidance of the confederation towards the struggle of the association.

Com. Kousik Roy, the Secretary-General in his speech praised the Bangaluru circle for organizing the convention in a short notice. He made reference to the continuous struggle followed by strike in 2009 which resulted in success in securing the G.P. of Rs. 4600/- for the Inspector cadre. He cited importance of joint programmes of Superintendent and Inspector cadres like the dharna programme held in Delhi in May 2011, but also expressed that much was still to be done in this respect. He also referred to the Association's commitment to the unyielding spirit of struggle which can only usher in the removal of injustice meted out to the cadre.

Com. Bopanna, Secretary, Karnataka Circle thanked the dignitaries, office-bearers and the august gathering on behalf of the host unit. Com. Arun Zakharia President AICEIA also thanked the host unit for organizing the event and adjourned the session for lunch.

Afternoon Session – Closed session

The proceeding of the closed session followed thereafter. 32 units represented by 102 delegates' attended the convention. The closed session started at 15 hrs. A condolence message was read out in respect of the departed cadre-members and two minutes silence was observed.

Name of Sri Basudeva, Supdt. was proposed for appointment of Returning Officer for conducting election of the Central Executive Committee of the AICEIA, who being approved by the House, explained the posts that were to be contested and the procedure thereof.

Then, the president tabled the minutes of Daman convention and the house passed the same unanimously. The President also tabled the minutes of CEC meeting held at New Delhi on 05.02.2011 and invited discussion on it.

Com. B.P.K. Reddy, Gen. Secy., Hyderabad objected to his zone being tagged with Vizag Zone and demanded one more Service Tax Comm'te for Hyderabad because of wide assessee-base.

Madurai Zone requested for revision of Special pay / allowance to meritorious sportspersons. Com. Adhip Dutta of Shillong Zone pointed out their large geographical jurisdiction and long border and requested for one Service Tax, one Audit and one Customs Commissionerate. Inclusion of in-situ promotion in the minutes was requested.

A.C. Meena, G.S., Vapi asked for correction of their deposition towards contribution to the federation as the amount should have been Rs.65,000/-.

Secy-Gen. Requested all the circles to submit their DDO certificates.

Kerela and Chennai zone referred to Kolkata H.C. case for review and demanded in-situ promotion as regular exercise of permanent nature.

While presenting the Secretary-General's Report, Com. Kausik Roy congratulated the House for being participated by the highest number of zones so far. In his report he elaborately discussed on the following points –

National situation and PFRDA Bill

Court case No. WPCT 261/2008

Rs. 5,400/- G.P. issue

Outsourcing and filling up of vacant posts

Anomaly in granting ACP

Fixation of revised pay-scale from 01.01.96

Uniform allowance

Restructuring

Achievement of Rs.4,600/- G.P. and its implementation

ICT issue

In-situ promotion and

revision of ratio

Various other organizational and cadre-related issues.

President invited discussion on S.G.'s report.

Shri Baidyanathan of Kerala unit criticized the biased overtone of the Report and questioned S.G.'s presentation on in-situ promotion and cadre restructuring and alleged that the 1992 batch pay-anomaly issue was not given due importance in the report.

Anil Kumar Sundaram of Coimbatore unit opined in favour of 50% weightage in favour of stagnation at the time of restructuring. He also Stressed the need of vigorous persuasion on ratio related issues along with Supdt. Association.

Shillong Zone called for removal of inter-zonal disparity before removal of Customs-Central Excise ratio disparity. They also called for combined association of Supdt. and Inspector cadres.

Karunakaran of Trichy unit wanted to know about the advances regarding 3rd. MACP for those promoted from the grade of UDC / TA, He also requested to pursue vigorously, the issue of lifting of ban on ICT and the issue of notional fixation from 1.1.96 and urged for actions stronger than Dharna.

Shri E. Samy of Madurai zone appreciated the works of the present team, especially, that of the S. G. for his fighting spirit and opposed the new pension scheme and opined that the use of 1% incentive scheme should have been elaborately discussed in the report. Opined that Central Government employees especially Revenue sector employees should respond to the call of the confederation as this is the only organization who are working dedicatedly for the working class.

Shri Venkitakrishnan of Chennai zone asked for a time –bound programme for achieving 01.01.96 issue and also thanked the present team.

Mr. Reddy B.P.K of Hyderabad unit appreciated the works of the present team and stressed the need for filling up of vacant posts and resented the spread of LTUs and alerted the house about the perils of outsourcing in CBEC. He proposed that a joint Committee with Supdt. should be constructed to solve 1.1.86 & 1.1.96 issue. He discussed about Cadre restructuring in anomaly Committee meeting and abolition of Control Room/Protocol duty of Inspectors.

Representative of Vizag Unit congratulated the team AICEIA. He urged for immediate lifting of ICT ban and ratio disparity between CE & Cus.

Com Raghunandan thanked the SG & President and for extending excellent support to their Circle in their crisis period.

Com. Sanjay Srinivasan of Pune Unit opined that leaving 1.1.86 issue we have to concentrate 1.1.96 issue. Next Grade pay of Insprs. Should be Rs.5400/= instead of Rs.4800/=. Also opined in for of doing away with Uniform. Although recommended by 6th CPC, Audit Spl. pay is not being given and not also mentioned in the report, requested the house for lifting of ban on ICT for all purpose. In his view, Pune should get one more Service Tax Comm'te in the coming restructuring.

Com. T. S. Abraham of Nasik unit supported S.G.'s report heartily and termed the criticism as uncalled for.

Representative of Surat Unit compared the association with a vehicle running without many vital parts and praised the present leadership greatly for running such an organization efficiently. He rued the general apathy of the cadre to participate in association activities. He also highlighted the problems of regional disparity and supported the system of wearing uniform and said that the problem is in the mindset only.

Com. Suresh Nayyar of Indore unit thanked the team for its performance and placed more weightage on in-situ promotion to solve the regional disparity.

Com. Dilip Pandya of Rajkote unit who also thanked the President and Secretary General for their efforts for strengthening the Association, stated compassionate appointments require more attention and also urged for immediate removal of ICT ban.

Com. A. K. Yadav of Vapi and Daman unit suggested amendment in recruitment rules.

Com. Shivaji Nayek of Orissa unit congratulated S.G. and President for achieving the goal of Rs. 4,600/- and discussed the issues of 01.01.96, lifting of ICT ban without losing seniority, abolition of control room duty, removal of ratio-disparity between Central Excise and Customs and emphasized the need of joint movement with Supdt. Association.

Com. Samir Sinha of Patna unit opined that the association should stick to main issues like 01.01.86 and 01.01.96.

Com. K. N. Maitra of WB, Sikkim, A&N Circle stated that the present body tried their level best and was also on the threshold of many more achievements but desired a more comprehensive report from the S.G. He stressed on many points including ratio issue, Rs. 5400/- G.P. for Inspectors, in-situ promotion etc.

Com. S. Nandy of Shillong unit deplored lack of mention in the report about stagnation in his zone as the most suffering one and also about elaboration in respect of in-situ scheme.

Com. Srinivas of Mysore unit appreciated the S.G.'s report as well as the performance of his team. He urged for immediate achievement of initial pay of Rs. 17,140/-.

S. Chakraborty, Treasurer presented the audited accounts for the period from 01.01.2009 to 30.04.2011 and after discussion, the house passed the accounts. The Treasurer appealed to the zones to submit DDO's certificate by the next day.

President proposed for creation of new post of Org. Secretary by amending the constitution. G.S, West Bengal questioned the necessity of that post and the President clarified that he may ease the burden of the SG in matters of coordination between Central & State formations. After discussion the proposal was passed by the House.

S.G's Reply :- He thanked all for their support extended to the Federation and accepted all the criticism in right spirit and stated that some mistakes are bound to occur when a vast work is undertaken. He objected to the points raised by Kerala Circle that his report is biased though he promised to be more careful in such matter in future. He appreciated the proposals of Coimbatore. Regarding 1992 issue, he referred to Hyderabad High Court order and asserted that any individual can move the court to get the opportunity of appropriate fixation.

It was decided that immediate measure would be taken to

- Resolve the ratio of promotion to the grade of Assistant Commissioner from Superintendent,
- Resolve the ban on inter-commissionerate transfer issue,
- Resolve seniors drawing less pay than Juniors

House passed the S.G's report, accounts and all amendments of constitution till date by voice vote.

The President proposed new panel of Office Bearers of Federation. The August House approved the new panel of Office Bearers.

The Returning Officer formally announced the new Committee of All India Association:

President: Com.K.P.Manoj, Working President: N. Venkitakrishnan, Vice President (NZ): Malkit Singh, Vice President (SZ): Reddy B P K, Vice President (WZ): R.K.Meena, Vice President (EZ): Sanjay Singh, Vice President (CZ): Samir K. Sinha ,

Secretary General: Kousik Roy , Asst. Secy. General: Ajit K.G. Liaison Secretary: Shibaji Ch. Nayak Organising Secretary: Ajay Kumar Saini ,Jt. Secretary (NZ): Aabhay Singh, Jt. Secretary (SZ): C.G.Prabhu Jt. Secretary (WZ): Sanjay Srinivasan,Jt. Secretary (EZ): Rajashish Dutta, Jt. Secretary (CZ): H.K.Ghoshal.

For the valuable contribution to the Association for last two and half years, Secretary General proposed the name of Com. Arun Zakharia as advisory member of the Central Executive Committee and the proposal was seconded by new President Sri K.P.Manoj.

The outgoing president invited the new committee to the dais and handed over his charge to newly elected President K.P.Manoj.

Newly Elected President addressed the house and declared the session adjourned for this day.

11.06.2011

Pre –Lunch Session

Secretary General addressed the house. In his speech he discussed regarding amendment of constitution, change of voting pattern/right to vote in CEC and convention etc.

Discussion on resolution proposed by different circles:

Pune: Com. Sanjay Srinivasan requested for intervention of all India Body regarding hazardous transfer made by authority in his zone.

He also stated that PAO's are creating problem to sanction even lawfully availed LTC scheme.

Contribution to Group Insurance of Rs.60/- may be increased for the future welfare of the incumbent concern.

LTU; proper policy should be framed to transfer in LTUs other wise it will create problem.

ICT ban should be removed without losing seniority.

He raised the issue of enhancement of Association contribution to Rs.100/- per month.

Rajkot: Com. Dilip Pandya discussed about the new transfer policy framed by the Chief Commissioner of his zone. He requested the house to pass a resolution to pressurize the CC so that the new transfer policy may not come into force and if possible to take the matter to the Board to solve the problem.

SG replied that the issue has already been taken up. He said that the new policy is only concern to customs port . He expected that the CC will not have so courage to issue such orders in respect of Central Excise also.

Shillong(N.E.R) :Com.Rajasish Dutta :

- Removal of acute stagnation and regional disparity especially in the Shillong Zone as the worst sufferer.
- Immediate sanction of posts of superintendent for Guwahati Commissionerate.The Guwahati Central Excise Commissionerate which was created in the year 2008 without any sanctioned strength may be allocated with sanctioned strength before finalization of cadre restructuring.
- Requested for intervention of AICEIA with the appropriate authority regarding Hon'ble Guwahati High Court order vide it's order dated 05.01.2011 passed in W.P.(C)No.5800 of 2002 in respect of disparities in the matter of promotion.

Guntur Branch :

- Abolition of Uniform & Control room duties
- Duties of Inspectors
- Notional pay from 01,01,2006
- Grade pay of Rs. 5400/-

Trichy Branch:

- Pay parity between direct and promotee Inspectors who has joined on or after 01.01.2006

- Not to consider the upgradation from U.D.C to T.A. as promotion.
- Lifting of I.C.T ban
- Grant of Grade Pay of Rs. 5400/- to Inspectors after completion of four years in the Grade Pay of Rs. 4800/-
- Assure timely promotion as in C.B.D.T.

Bhopal Branch:

- Regular & Supplementary D.P.C is to be conducted
- Introduction of in-situ scheme
- Regional disparity in the promotion of Inspector to Superintendent should be removed in this restructuring.

CHENNAI:

- Listed hospital Chennai CGHS should be increased.
- 1% incremental benefit could be extended to the employees by means of medical Insurance.
- Petrol allowance should be given to the Inspectors to discharge their official duty.
- After 'GST' there should be bifurcation of Board, people from Customs should not be posted in GST and in L.T.U.
- Control room duty should be abolished
- Mobile phones should be given to Inspectors like C.B.D.T

Salem Branch:

- Abolition of Control room and uniform,
- Lifting of physical endurance standards for recruitment in GST.
- Time bound promotion from Inspector to A/C
- Allocation of work to Inspectors in ACES
- Inspectors Association should be called for J.C.M
- All India seniority of Inspectors recruited after 2004 should be released
- Other units have proposed their resolution and submitted the copy of the resolution in writing.

Chandigarh

- Requested for intervention of All India body in the case of Ashok Kumar filed before CAT.

Karnataka

- AGT order should be issued in all Commissionerates by 31st March.
- Posting of fresh Direct recruit Inspectors to any sensitive formation should be avoided.
- Honorarium may be paid to the officers posted in LTU
- Uniform posting policy in LTU
- Welfare measure may be taken from 1% incremental stream like CBDT.
- Proper Uniform Code
- Regular & specific time frame for conducting DPC

Odisha

Uniform AGT policy throughout the country.

Intervention of All India body for posting to DRI, DGCEI etc. In case where the concerned CC's are not allowing.

Madurai

Delay in sanctioning the welfare fund: requested for active intervention of All India federation

Bangaluru

Specific time frame to dispose off disciplinary cases.

Tirupati

Abolition of Protocol Duty or some specific guidelines about protocol duty.

S.G. replied that it was discussed several times with different authorities even with the Chairman of the CBEC. He also said that passing of resolution cannot solve this problem and we have to change our mindset to refuse protocol duty.

West Bengal, Sikkim & A& N Circle

Com. K. N. Maitra of WB, Sikkim, A&N Circle discussed on many points including ratio issue, Rs. 5400/- G.P. for Inspectors, in-situ promotion etc.

President asked the august house to discuss the ensuing Cadre Restructuring and in-situ promotion scheme.

At first S.G. expressed his views elaborately and informed the house what efforts federation has already taken to make Cadre restructuring a grand success. He also opined that in-situ promotion issue and restructuring cannot be separated. He also emphasised for the correction of ratio 6:2:1 before restructuring. He stated that if the ratio is not changed it will not help the cadre. He invited suggestions from the circles in the matter.

Comrade Padma Kumar from Kerala : Congratulated the newly elected body first. Then he said that we have to select our vital issues. In-situ promotion should give more priority. In cadre restructuring allocation of post first should be made on the basis of stagnation of a particular zone.

Comrade B.P.K. Reddy, Hyderabad: Requested S.G. and other office bearers to take initiative for creation of new Customs commisionerate at Hyderabad. He also stated that besides agitational programme, the all India association should contact with influential MP's and other High officials to solve our problems. He wanted clarifications regarding the status of officers who may be promoted through in-situ scheme.

Comrade S. Venkateshwaran, Trichy and Comrade Narayanan, Coimbatore expressed that cadre restructuring will not serve any purpose without changing existing ratio for promotion to the grade of Assistant Commissioner.

Comrade Shivaji Naik, Odisha wanted some clarifications in terms of draft restructuring proposal. Seniority of officers promoted to the grade of inspectors may be done in such a manner that senior inspector though promoted later may be placed first in seniority list of Superintendents.

Comrade Sanjay Srinivasan, Pune proposed enhancement of Association contribution to Rs. 100/-.

Comrade Vinod Sharma, Indore emphasized upon agitational programme.

Comrade Rajshekhar, Kerala stated that removal of existing ratio should get first priority. Regional disparity should be removed. ACP/MACP should be extended to promotee officers properly. In-situ proposal should give due importance. ACES work should not be done by inspectors.

Advisor Arun Zakaria expressed his views on the the issue of ratio, cader restructuring and all other issues discussed by the delgates and closed the discussion.

Zonal Resolutions:

Comrad Shivaji Nayak, Odisha : - Uniform Transfer Policy for all over the country.
Holding of regular Zonal meeting and regular JCM.

Trichy :- Duplicate Service Book may be given to all officers.

Chennai :- CGHS facility should be expanded. Medical Insurance scheme may be created from 1% incremental scheme.

Working President Comrade Venkitakrishnan pleaded for fixation according to Rs. 7450/- pre revised scale.

A constitution amendment proposed by Secretary general on selection of Chief Executive in CEC and voting right and pattern of voting in CEC.

House accepted that amendment.

Advisor Arun Zakaria expressed his views on the above discussions. He also stated that most of the matters are in very ripe stage and hoped that we may get positive results shortly.

Then S.G. delivered his closing speech. He requested the circles and branches to extend their whole-hearted cooperation. He assured that AICEIA will try its level best to solve the problems of the cadre. He requested all the units of the country to join this body to strengthen the movement of the Association as well as the welfare of the cadre.

A.S.G. gave vote of thanks to the delegates and especially to the Bengaluru circle for organising the 16th All India convention successfully.

Mementos presented to all delegates by the General Secretary and President of the Bengaluru circle.

Much awaited 'Stepping-up' fixation order

The much awaited controversy regarding senior promotee Inspectors vis-à-vis directly recruited juniors who are recruited on or after 01.01.2006 and whose basic pay is more than that of their seniors appointed on or after 01.01.2006 - now stands resolved by the order dated 5th March, 2012 issued under F.No.A.26017/159/2009-Ad-II(A) by the Under Secretary, Government of India, CBEC. We are indeed happy that the issue has been settled, at long last. The relevant order is given below for your reference:

F.No.A.26017/ 159 /2009-Ad.II(A)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

New Delhi the 5th March, 2012

To

~~All the Chief Commissioner of Customs,~~
~~All the Chief Commissioner of Customs & Central Excise,~~
~~All the Directors General under CBEC.~~

Subject:- Applicability of minimum pay/stepping up of pay -
clarification - reg. -

Sir,

A number of references have been received in this office regarding applicability for departmental promotees, of minimum entry pay prescribed for direct recruits (appointed on or after 1.1.2006), in Section II of Part A of the First Schedule of CCS(RP) Rules 2008. References have also been received regarding stepping up of pay of senior promotee Inspectors / similarly placed officers in the field formations under CBEC with reference to such of their directly recruited juniors who are recruited on or after 1.1.2006 and whose basic pay is more than that of their seniors appointed on or after 01.01.2006.

2. The matter was examined by this Department in consultation with the Department of Expenditure. The proposal relating to stepping up of pay of senior promotee Inspectors / similarly placed officers in the field formations under CBEC with reference to such of their directly recruited juniors appointed on or after 1.1.2006 is agreed to subject to fulfillment of the following conditions:-

- (a) Stepping up of the basic pay of seniors can be claimed only in the case of those cadres which have an element of direct recruitment and in cases where a directly recruited junior is actually drawing more basic pay than the seniors. In such cases, the basic pay of the seniors will be stepped up with reference to the basic pay of the directly recruited junior provided they belong to the same seniority list for all purposes.

(b) Further, Government servants cannot claim stepping up of their revised basic pay with reference to entry pay in the revised pay structure for direct recruits appointed on or after 1.1.2006 as laid down in Section II of Part A of First Schedule to the CCS(RP) Rules, 2008, if their cadre does not have an element of direct recruitment or in cases where no junior is drawing basic pay higher than them.

(c) Stepping up of pay of the seniors shall not be applicable in cases where pay of direct recruits have been granted advance increments at the time of recruitment.

3. Clarification relating to manner of pay fixation of Inspectors / similarly placed officials under CBEC consequent upon grant of revised pay structure of the grade pay of Rs.4600/- in PB-2, drawing reference from DoP&T O.M.No.7/7/2008-C.S.I(A) dated 22.12.2010 and 18.3.2011, will be issued separately in consultation with the Department of Expenditure/Department of Personnel and Training.


4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure U.O.Nos.579/E.III-A/2011 dated 18.10.2011 and 23.01.2012.

Yours faithfully,


(Sarvjit Singh)

Under Secretary to the Government of India
Tel: 011-23095528

Copy to:- The DG(Systems), New Delhi with the request to kindly place this circular on the website of CBEC for its wide circulation.


(Sarvjit Singh)

Under Secretary to the Government of India

SALUTE TO THE CONFEDERATION OF CENTRAL GOVERNMENT EMPLOYEES AND WORKERS

It was, after a long and protracted struggle that we succeeded in achieving two of our long standing demands. In this respect, we salute the Confederation of Central Government employees, for helping in reaching the goal. As a matter of fact, the aforesaid demands were very much part of the agenda for the strike called on 28th February, 2012 and the Confederation played a vital role. It in turn, also showed what the product of combined movement of working classes on 28th February 2012 can ultimately achieve. Long live our movement.

The reason for such cheer was twosome. One, when the Government issued order for grant of one increment in pre-revised pay scale for those who were due for their increments between Feb-2006 to Jun-2006, another long pending demand of the employees; and the other, when the Government issued order for enhancing the interest rate on Provident funds vide their Resolution F.No: 5(1)-B(PD)/2011 dated 19.03.2012, the Ministry of Finance has announced that the following Provident funds in which Central Government Employees subscribe for their retirement benefit will carry interest at the rate of 8.6% with effect from 01.12.2011. However, these provident funds will remain to fetch interest at the rate of 8% from 01.04.2011 to 30.11.2011.

We reproduce the two orders, in verbatim, for better understanding of our readers:

Order No.1

Central Civil Services (Revised Pay) Rules, 2008 — Date of next increment in the revised pay structure under Rule 10 of the CCS(RP) Rules, 2008.

MOST IMMEDIATE

**No.10/02/2011-E.III/A
Government of India
Ministry of Finance
Department of Expenditure**

New Delhi, the 19th March, 2012

OFFICE MEMORANDUM

Subject:— Central Civil Services (Revised Pay) Rules, 2008 — Date of next increment in the revised pay structure under Rule 10 of the CCS(RP) Rules, 2008.

In accordance with the provisions contained in Rule 10 of the CCS (RP) Rules, 2008, there will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised pay structure as on 1st of July will be eligible to be granted the increment. The first increment after fixation of pay on 1.1.2006

in the revised pay structure will be granted on 1.7.2006 for those employees for whom the date of next increment was between 1st July, 2006 to 1st January, 2007.

2. The Staff Side has represented on this issue and has requested that those employees who were due to get their annual increment between February to June during 2006 may be granted one increment on 01.01.2006 in the pre-revised scale.

3. On further consideration and in exercise of the powers available under CCS(RP) Rules, 2008, the President is pleased to decide that in relaxation of stipulation under Rule 10 of these Rules, those central government employees who were due to get their annual increment between February to June during 2006 may be granted one increment on 1.1 .2006 in the pre-revised pay scale as a one time measure and there after will get the next increment in the revised pay structure on 1.7.2006 as per Rule 10 of CCS(RP) Rules, 2008. The pay of the eligible employees may be re-fixed accordingly.

4, In so far as the persons serving in the Indian Audit and Account Department are concerned, these orders are issued in consultation with the Comptroller & Auditor General of India.

sd/-
(Renu Jani)

Order No. 2

(PUBLISHED IN PART I SECTION 1 OF GAZETTE OF INDIA)

F.NO. 5(1)-B(PD)/2011
Government of India
Ministry of Finance
(Department of Economic Affairs)
New Delhi, the 19 th March, 2012

RESOLUTION

It is announced for general information that during the year 2011-2012, accumulations at the credit of subscribers to the General Provident Fund and other similar funds shall carry interest at the rate of 8% (Eight per cent) for the period from 1.4.2011 to 30.11.2011 and 8.6% (eight point six percent) with effect from 1.12.2011. The funds concerned are:—

1. The General Provident Fund (Central Services).
2. The Contributory Provident Fund (India).
3. The All India Services Provident Fund.

4. The State Railway Provident Fund.
5. The General Provident Fund (Defence Services).
6. The Indian Ordnance Department Provident Fund.
7. The Indian Ordnance Factories Workmen's Provident Fund.
8. The Indian Naval Dockyard Workmen's Provident Fund.
9. The Defence Services Officers Provident Fund.
10. The Armed Forces Personnel Provident Fund.
2. Ordered that the Resolution be published in Gazette of India.

(Brajendra Navnit)

Deputy Secretary (Budget)

To,
The Assistant Manager,
(Technical Branch)
Government of India Press,
Faridabad.

F.No.5(1)-B(PD)/2011

Copy forwarded to all Ministries/Departments of Government of India, President's Secretariat, Vice-President's Secretariat, Prime Minister's Office, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat, Union Public Service Commission, Supreme Court, Election Commission and Planning Commission.

Copy also forwarded to :—

1. Comptroller & Auditor General of India and all offices under his control.
2. Chairman, Pension Fund Regulatory and Development Authority.
3. Controller General of Accounts (10 copies).
4. Ministry of Personnel Public Grievances and Pension (Pension Unit/All India Services Division).
5. Financial Advisers of Ministries/Departments (6 copies).
6. Chief Controllers of Accounts/Controllers of Accounts of Ministries/Departments.
7. Controller General of Defence Accounts.
8. Finance Secretaries of all State Governments and Union Territories.
9. Secretaries to Governors/Lt. Governors of all States/Union Territories.
10. Secretary Staff Side, National Council of JCM.
11. All Members, Staff Side, National Council of JCM.

(A.K. Bhatnagar)
Under Secretary (Budget)

Newly Elected Circle Committee Members of AICEIA, WB, Sikkim and Andaman & Nicobar Circle

During 21st and 22nd December, 2011, the 3rd Circle Conference of the All India Central Excise Inspectors' Association, WB, Sikkim and Andaman & Nicobar Circle was held at the Auditorium of Kendriya Utpad Shulk Bhawan, Rajdanga, Kolkata. During the said convention, in the aftermath of the elections held during December, 2011, a new Circle Committee was formed, with Shri Ahindra Bandyopadhyay taking charge as the General Secretary, Shri Nabarun Roy taking charge as the President and Shri Pradip Banerjee taking charge as the Working President. Apart from that, other charges were allocated from amongst the elected committee members which are given below, alongwith their contact numbers. Members are requested to feel free to contact any of the elected members of this committee, should they need any clarification or help.

**Names of the Circle committee members of the AICEIA,
WB Sikkim and Andaman & Nicobar Circle**

Sl. No.	Name of the elected member	Post held	Phone number
1	NABARUN ROY	President	9434251852
2	PRADIP BANERJEE	Working President	9831647206
3	SAMARESH MITRA	Vice-President (Kolkata)	9433253140
4	MANOJ KUMAR	Vice-President (South Bengal)	9832163840
5	BHASKAR DEY	Vice-President (North Bengal)	9434206559
6	AHINDRA BANDYOPADHYAY	General Secretary	9831332137
7	ABHISHEK CHAKRABORTY	Assistant Secretary	9830410199
8	ASHOK MONDAL	Joint Secretary (South)	9434081895
9	SUBIR KUMAR TALUKDAR	Joint Secretary (North)	9800865543
10	ANUPAM NEERAJ	Finance Secretary	9163470093
11	DEBABRATA MONDAL	Organizing Secretary	9831063285
12	ATANU BANDYOPADHYAY	Welfare Secretary	9433920802

13	SUJIT KUMAR	Welfare Secretary (South)	9832291092
14	BHARAT BHUSAN	Welfare Secretary (North)	9883369885
15	VIVEK KUMAR	Literature Secretary	9333115666
16	KOUSIK ROY	Member	9831007827
17	ABHIJIT BANDYOPADHYAY	Member	9163630444
18	ANAND KUMAR MISHRA	Member	9153213560
19	JAYDIP BHATTACHARYA	Member	9830190079
20	PIJUSH KANTI GHOSH	Member	9830360250
21	PRABIR GHATAK	Member	9831126196
22	RANA GHOSAL	Member	9830136219
23	SANJAY KUMAR SANJEEV	Member	9433135888

Finally

As regards this publication, we invite your honest opinions and suggestions. We would be glad to share your views along with all the readers. Further to that, members can send in any article or query to the Secretary or to the Literature Secretary, through any of our Circle Committee Members, and if the Editorial Team finds it fit for sharing with the broader platform, we will make sure that the same is published in the subsequent issues. The inputs from your end can both be in the form of hard or soft. In this connection, you will be happy to note that, shortly we will be launching our exclusive website and the process for its finalization is on. This, we hope, will open the window for keeping you abreast with the latest development, using the electronic media, so far as the West Bengal, Sikkim and Andaman & Nicobar Circle is concerned.

However, having said that, finally, at the end of the day, we know that, whatever little we have achieved is because of you and the strong support and enthusiasm that you have shown to our Association, without fail. We will never ever forget that. At the

same time, we are not satiated, as this in turn, eventually leads to stagnation. We firmly believe that every single day is a new day. For our hands to be strong, we need you by our side, day in and day out. Only then can we reach our goal and see the proverbial rainbow. Instead of resting on our laurels, we pledge to remain awake and alert. We sincerely believe that we have loads of work to do and miles to go before we sleep. And we stand by that, today, tomorrow and day after.

LONG LIVE OUR ASSOCIATION.
