

	<h1 style="text-align: center; color: red;">INCOME TAX GAZETTED OFFICERS ASSOCIATION</h1>	
<p style="text-align: center;"><b>President</b> <b>PANKAJ MEHTA</b> 09013853358 <a href="mailto:paankajmehta@gmail.com">paankajmehta@gmail.com</a></p>		<p style="text-align: center;"><b>Secretary General</b> <b>RAVI SHANKAR</b> 09969233322 <a href="mailto:Itgoa.chq.20.22@gmail.com">Itgoa.chq.20.22@gmail.com</a></p>

F.No. ITGOA/CHQ/ITO to ACIT/2021-22/03

Dated: 03.09.2021

To

**The Chairman,  
Central Board of Direct Taxes,  
New Delhi.**

**Respected Sir,**

**Sub:** Inordinate delays in ITO to ACIT Promotions for RYs 2019, 2020 & 2021 Batches – Reg.

**Ref:** Central JCA's letters Dated 26/02/2020, Our letters Dated: 20.08.2020, 31/08/2020, 08/10/2020 & 19.04.2021.

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Kindly refer to the above.

2. In the continuation to our letters under reference, your attention is once again brought to the fact that the **ITO to ACIT promotions for the RYs 2019, 2020 & 2021** have become long over-due. No step has been initiated to fill up these vacancies by promotions to the cadre of ACIT for the aforesaid three Recruitment Years, even though the due date for finalisation of select panel has already got over. The delay in conduct of DPCs as per model calendar of DoP&T has been tabulated as under:-

Recruitment Year	Select panel to be ready by	Delay
2019	01.01.2019	32 months
2020	01.01.2020	20 months
2021	01.01.2021	8 months

2.1. In this connection, it has been learnt that the said proposal has been held-up on account of certain court case and the judicial pronouncements therein. Further, it is learnt that a clarification in this regard has been sought from the Departmental standing counsel.

2.2 In this regard, we would like to highlight certain facts of the case in question, as under:

A. The Hon'ble Gujarat High Court vide para 8 of their order dated 03.12.2019, in the said case had observed as under:

***“..... A question arise whether still respondents could be permitted to proceed with their exercise of making on ad-hoc appointment ignoring the seniority list of 05.02.2018....”***

B. The Hon'ble Gujarat High Court had further held in said order as under:

***“....we are of the view that the petition is required to be disposed of as we are of the view that the respondent shall be restrained from implementing any exercise or undertaking any exercise ignoring the seniority list of 05.02.2018 till the final disposal of the Original Application ..... pending before the Tribunal”***

C. The department has neither filed any review petition nor any Misc. Application or any SLP in the Apex Court, against the aforesaid decision of the Hon'ble Gujarat High Court. Thus, it appears that the department has accepted the said decision of the Hon'ble High Court.

3. Therefore, we demand that the Department should immediately proceed with, at least, ad-hoc promotions from ITO to ACIT for RYs 2019, 2020 & 2021, complying with the directions of the Hon'ble Gujarat High Court (supra).

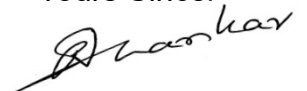
3.1 At this juncture, we would like to re-iterate our stand that our association has always been demanding for the timely promotions to our member officers as well as for speedy and smooth career progression to our member officers.

4. Your good-self would appreciate that there are legitimate reasons (i.e. inordinate delay in ITO to ACIT promotions), for **our members to be depressed and feeling let down**, which needs to be immediately addressed particularly when the Department is undergoing a historic structural change. We, therefore, earnestly request your good-self to **immediately** convene the long over-due **DPC meetings for ITO to ACIT promotions for RYs 2019, 2020 & 2021**, without any further delay, **latest by 15<sup>th</sup> September, 2021**, failing which we would be constrained to resort to path of agitation as per decision taken in our Managing Committee Meeting held at Delhi on 17<sup>th</sup> & 18<sup>th</sup> August, 2021.

5. An early action and reply, in the matter, is solicited.

Thanking You,

Yours Sincerely



**(Ravi Shankar),  
Secretary General,**

Copy forwarded for information & n/a to:

1. The Member ( Administrations ), CBDT, North Block, New Delhi;
2. The Joint Secretary ( Administrations), CBDT, North Block, New Delhi;
3. The Under Secretary, Ad- VI, CBDT, North Block, New Delhi.