

**ALL INDIA ASSOCIATION OF
CENTRAL EXCISE GAZETTED EXECUTIVE OFFICERS
KERALA UNIT
CENTRAL REVENUE BUILDING, I S PRESS ROAD, KOCHI-682418
(RECOGNISED BY THE GOVERNMENT OF INDIA ORDER F. No. B 12017/10/2006-Ad IV A DATED 21.01.2008)
(www.cengokerala.org)**

President: C L Joy

General Secretary: Rajan G George

AIACEGEO/012010

Dated 23.11.2010

To

Shri. Ravi Mallick
Secretary General
AIACEGEO

Dear Mallickji,

Subject: Cadre Restructuring and Reorganisation of Field formations under CBEC

Please refer to the Cadre restructuring proposal published by the Directorate General of Human resource Development, CBEC on 11.11.2010 and copy endorsed to the Association.

The Central Executive Committee met on 23.11.2010 and discussed the proposal and decisions are as follows.

The Cadre restructuring proposal published by the Directorate General of Human resource Development, CBEC on 11.11.2010 has agreed in Chapter 16 (Restructuring of Cadres) that the present proposal would lead to major restructuring of all the officers and staff cadres in the department and the major beneficiary cadres are Indian Revenue Service (C&CE), Stenographers Grade and Official Language Posts. To that extent the exercise is a success. Let us now examine how far this has helped the Superintendent of CE cadre to find a solution to alleviate the existing stagnation.

Though the main beneficiary of the exercise is senior Group A, there are 3346 newly created posts of AC/DC to the three feeder cadres of Superintendents of Central Excise, Superintendents of Customs (Preventive) and Appraisers. Hence we are also benefited by the restructuring to some extent by getting additional posts. Now how many posts of DC/AC are going to be given for the cadre of Central Excise Superintendent is to be examined.

They have adopted different methods for creation of additional posts in Central Excise/Service Tax and Customs. Revenue /number of units were considered for Central Excise/Service Tax and for Customs formations the number of documents like SB/BE filed were considered. On this point we need not be worried as these are only criteria for creation of posts and not for allocation of the newly created posts.

In Chapter 1 para (iv) they have accepted the actual fate of the cadre and stated that there is acute stagnation in Group B Gazetted and Non-Gazetted officers of the Department and has sympathized that the direct recruit Inspector is getting only one functional promotion during 35 years of service. It is also mentioned that the stagnation has created a highly demoralized and demotivated work force. At the same time para (xix) states that the proposal seeks to create new posts in Group A STS and JTS to address the long pending demand of Stenographers Association and to alleviate acute stagnation faced by stenographers. Hence the report has given more care to that cadres of Senior Group A and stenographers.

Again in para 3.1 of Chapter 6 (Background to Cadre Restructuring) also the acute stagnation in the cadre is mentioned and observes that direct recruit

Inspectors of Central Excise appointed to the grade in 1976 and Preventive Officers appointed to the grade in 1977 are yet to be promoted to the grade of AC and further observes that in Income Tax department (which is also under the Department of Revenue and engaged in similar function of revenue collection) the direct recruit Inspector normally reach the level of ADC/JC and even some reach to the level of Commissioner. At the same time points out that an IRS(C&CE) officer is not getting promotions/grades at par with the officers in other similar services. Major portion of the proposal deals with the creation of new zones and creation of new senior Group A posts.

This proposal has not considered the inter cadre disparity among Customs/Central Excise/Income Tax. When new Grades and posts were created for existing cadres of Chief Commissioner/Commissioner/Steno there was no new grades in the case of ADC/JC and DC/AC and the number of posts were simply increased in this exercise. New Grades should have been created in the cadre of AC/DC to alleviate the stagnation for Superintendents of CE.

The proposed cadre restructuring is as under.

Sl.No	Existing Strength		Proposed strength		Difference
	Existing Designation	Sanctioned strength	Proposed Grade/Designation	Proposed strength	
1	Chief Commissioner	43	Pr. Chief Commissioner	18	48
			Chief Commissioner	77	
2	Commissioner	295	Commissioner GrI	100	100
			Commissioner GrII	365	70
3	ADC/JC	593	ADC/JC	1026	433
4	DC/AC	1550	DC/AC	4896	3346
	AC(Reserved)	0	AC(Reserved)	250	250
5	Sr PS	47	Sr.PS Gr I	19	48
			Sr.PS Gr II	76	
6	PS	295	PS Gr I	100	170
			PS Gr II	365	
7	Steno Gr I	735	Steno Gr I	1715	980
8	Steno Gr II				
9	Steno Gr III	550	Steno Gr II	2269	1719
10	Superintendent CE/Customs(P)/Appraiser	13948	Superintendent CE/Customs(P)/Appraiser	21585	7637
11	Inspector CE/PO/Examiner	20163	Inspector CE/PO/Examiner	31104	10941

As per para 3.0 of Chapter 16 the present exercise would result in promotion of around 4245 Group B Executive officers to the grade of Assistant Commissioner (JTS) provided all the vacancies arising at AC level due to restructuring of IRS (C&CE) are filled up by promotion. Superintendent of CE promoted to the grade in the year 1997-98 (half of the officers promoted as Supdt CE in 1997 and direct Inspector during 1980-81) would get promoted while some of the Superintendents of Customs (P) promoted to the cadre in 2001 (1986 batch PO) would get promoted. In the case of Appraisers, all the officers who have completed three years qualifying service would get promoted.

But contrary to the above observation, para 5.0 illustrates that 1992-93 Superintendent CE, 1995-96 Supdt Customs (P) and all Appraisers having qualifying service are likely to be promoted by the Cadre Restructuring.

Thus in the case of IRS(C&CE) officers and Stenographers new Grades/posts are created to increase the promotion avenues. In the case of other cadres simply the number of existing posts are increased arithmetically to justify the newly created Grades/posts in Group A. By this restructuring the IRS(C&CE) officers are getting senior scale of HAG+ equivalent to their counterparts in other similar services. In the case of other cadres the posts are marginally increased to substantiate the creation of more senior Group A posts.

Hence this restructuring proposal is to reorganize the field formations by creating senior Group A posts and Stenographers posts and no attempt has been made to reduce the disparity among the feeder cadres. Hence there is no proposal to reduce the disparity in the promotions among Superintendents of CE, Customs (P) and Appraisers as noticed by the committee in the above paras.

Unless and until the newly created posts of DC/AC are distributed based on the cadre strength of the feeder cadres we are not going to get the major share. If not the existing disparity will increase further. Hence the additional posts should be shared based on the existing working strength of each cadre of Superintendent CE/Customs (P) and Appraisers and in future while making posting against retirement the numbers at any point of time should not exceed the ratio.

Under these circumstances the meeting has unanimously resolved that while submitting comments/rejoinder on the cadre restructuring proposal the following may be brought to the notice of the authorities.

- (i) **as this exercise is to alleviate stagnation in the cadre, as a onetime measure all the vacancies arising at Assistant Commissioner level due to restructuring of IRS(C&CE) should be filled up by promotion on the basis of the date of joining as Group B Gazetted Executive Officer irrespective of the feeder cadres viz; Superintendent of CE/Superintendent of Customs (P)/Appraiser.**
- (ii) **the promotion should not be made on the basis of the existing ratio(6:1:2)**
- (iii) **if there is any deviation we will be constrained to take legal recourse at the appropriate forum**
- (iv) **a press conference may be convened to highlight the injustice done to the cadre in this massive exercise**

It is requested that this opportunity may be utilized effectively to remove the huge disparity in promotion among the three feeder cadres once for all.

We assure all support to the leadership for achieving our demands.

Yours fraternally,

(RAJAN G GEORGE)
GENERAL SECRETARY

