

F.No. A.32011/03/2015-Ad.III.A
Government of India
Ministry of Finance
Central Board of Excise & Customs

Room No.502, 5th Floor,
Bhikaji Cama Place,
Hudco Vishala Building, New Delhi-110066.
Dated the 20th October, 2015.

Subject:- Relaxation of Recruitment Rules for the post of Inspector (Central Excise), Inspector (Preventive Officer) and Inspector (Examiner) in the Central Board of Excise & Customs, Department of Revenue.

The proposal for one time relaxation in Recruitment Rules for the posts of Inspector (Central Excise), Inspector (Preventive Officer) and Inspector (Examiner) in the Central Board of Excise & Customs is hereby circulated for seeking the comments of all stakeholders.

2. It is requested to offer the comments within a period of 15 days from the date of issue of this communication.

Bharati Sridhar
(Bharati Sridhar)
Deputy Secretary to the Government of India
Tele-Fax: 011-26162693

To

All concerned.

Subject: Relaxation of Recruitment Rules for the post of Inspector (Central Excise), Inspector (Preventive Officer) and Inspector (Examiner) in the Central Board of Excise & Customs, Department of Revenue, Ministry of Finance.

The proposal under consideration relates to relaxation of Recruitment Rules for the post of Inspector (Central Excise), Inspector (Preventive Officer) and Inspector (Examiner) in the Central Board of Excise & Customs, Department of Revenue, Ministry of Finance.

2. Several Associations have been persistently putting forward the grievances regarding non-filling of these posts owing to non-availability of eligible feeder grade officers viz. Senior Tax Assistant, Stenographer Grade-I, Tax Assistant, Stenographer Grade-III, Women Searcher and Draftsman. Cadre Controlling Authorities have also explained similar problems. Therefore, there are several requests for filling up vacancies by relaxation of the Recruitment Rules for these posts.

3. The table indicating details of vacancies etc. as furnished by Cadre Controlling Authorities may be seen at **Flag 'A'**. It is observed from the table that the vacancies in the grade of Inspector are as below:-

Name of Post	Vacancies prior to restructuring in the promotion quota	Vacancies as on date in the promotion quota
Inspector	1210	3434

The vacancies prior to restructuring have remained unfilled since feeder grade officers are not satisfying the eligibility conditions prescribed in the Recruitment Rules of the post of Inspector.

4. From the table at **Flag 'A'**, it is observed that relaxations in the provisions of existing Recruitment Rules of various posts, have been sought in the following areas:-

- (i) Relaxation in the Quantum of qualifying service for promotion from the grades of Senior Tax Assistant, Stenographer Grade-I, erstwhile Stenographer Grade-III and Tax Assistant to the grade of Inspector;
- (ii) Relaxation of Height prescribed for promotion to the grade of Inspector;
- (iii) Relaxation of upper Age limit for passing Departmental Examination for promotion to the grade of Inspector;
- (iv) Relaxation in the condition of passing Departmental Examination for promotion to the grade of Inspector

5. It is mentioned that several representations have been received in the past for **relaxing height requirements** for promotion to the post of Inspector. The matter was considered by the Board in March, 2015 and a conscious decision was taken as below in F.No.A-12018/12/MIP/2009-Ad.III.B:-

“Since DoP&T has not agreed to removal of height criteria for promotee Inspectors in draft amended RRs for the post of Inspector, and earlier FM was not in favour of one time relaxation, it appears no useful purpose would be served in reopening this issue of one time relaxation of height criteria for promoting STAs to Inspector grade”.

However, it is stated that all CCAs have been requested vide letter dated 14.10.2015 to furnish information regarding number of persons who have not been promoted because of not fulfilling the prescribed height criteria laid down in the RRs. The proposal for height relaxation would be submitted after receiving information from the CCAs.

6. **Exemption from passing departmental examination** for promotion may not be agreed to.

7. The request for **relaxation of upper age limit for passing Departmental Examination** for promotion to the grade of Inspector has already been clarified to all Cadre Controlling Authorities that *“once the written examination has been passed within the age limit prescribed under Note 2 under Column 12 of the Schedule of said Recruitment Rules, 2002, there would be no further age limit for granting promotion to the grade of Inspector”*. No further action is called for.

8. DoP&T norms state that (i) Relaxation of rules is to be resorted to on rare occasions and such a relaxation should not be a regular feature. (ii) Before resorting to relaxation of Recruitment Rules, the Ministries/ Departments should explore the feasibility of filling up a post by other methods of recruitment provided in the rules. In the case of ‘deputation’, the vacancies should have been circulated in the Employment News before consideration of relaxation. The proforma to be filled in this regard is as per **Annexure-IV (Flag ‘C’)**. It is further mentioned that in a separate case handled by Ad.II Section, CBEC, DoP&T has advised that relaxation in qualifying service can be granted to the maximum extent of 50%.

9. The provisions of the field of promotion in the existing notified RRs of the post of Inspector are as below:-

Inspector (CX) -
(a) By selection from those candidates working in the following pre-structured cadres;
(i) Tax Assistant with 2 years service as Tax Assistant or 5 years service as Tax Assistant and Upper Division Clerk put together ;
(ii) Upper Division Clerk or Stenographer Grade-III with 5 years service;
(iii) Upper Division Clerk with 13 years of total service as Upper Division Clerk and Lower Division Clerk taken together subject to the

condition that they should have put in a minimum of 2 years service in the grade of Upper Division Clerk;

- (iv) Stenographer Grade II with 2 years service;
- (v) Stenographer Grade II or Stenographer Grade III with 12 years service as Stenographer or Upper Division Clerk and Lower Division Clerk, if any, taken together subject to the condition that they have completed a minimum of 2 years service as Stenographer Grade-III or Upper Division Clerk.
- (vi) Women Searcher with 7 years service in the grade;
- (vii) Draftsman with 7 years service in the grade.

(b) By selection from those candidates working in the following re-structured cadre:

- (i) Senior Tax Assistant with 2 years regular service in the grade;
- (ii) Stenographer Grade II with 2 years regular service in the grade;
- (iii) Women Searcher with 7 years service in the grade
- (iv) Draftsman with 7 years service in the grade.

(c) Failing the method of recruitment specified under Clause (b) above, by selection from those candidates working as Tax Assistant and Stenographer Grade III having not less than 10 years service including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

Note.I: Promotion under Clause (a) above shall be only operative for a period of two years from the date on which the restructured cadres mentioned under Clause (b) above come into existence.

Inspector (Preventive Officer) -

(a) By selection from those candidates working in the following pre-restructured cadres;

- (i) Upper Division Clerk with five years service in the grade;
- (ii) Steno Grade II or Steno Grade III with 5 years regular service as Stenographer.
- (iii) Women Searcher with 7 years' service in the grade;
- (iv) Tax Assistant with 2 years service as Tax Assistant or 5 years service as Tax Assistant and Upper Division Clerk put together.

(b) By selection from those candidates working in the following re-structured cadre:

- (i) Senior Tax Assistant with **2 years** regular service in the grade;
- (ii) Stenographer Grade II with **2 years** regular service in the grade;
- (iii) Women Searcher with **7 years** service in the grade

(c) Failing the method of recruitment specified under Clause (b) above, by selection from Tax Assistant and Stenographer Grade III having not less than **10 years'** service including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

Note.I: Promotion under Clause (a) above shall be only operative for a period of two years from the date on which the restructured cadre mentioned under Clause (b) above come into existence.

Inspector (Examiner) -

(a) By selection from those candidates working in the following pre-restructured cadres;

- (i) Tax Assistant with 2 years service as Tax Assistant or 5 years service as Tax Assistant and Upper Division Clerk put together;
- (ii) Upper Division Clerk with 5 years service in the grade; and
- (iii) Stenographer Grade II and Stenographer Grade III with 5 years regular service as Stenographer;

(b) By selection from those candidates working in the following re-structured cadres:

- (i) Senior Tax Assistant with **2 years** regular service in the grade;
- (ii) Stenographer Grade II with **2 years** regular service in the grade;

(c) Failing the method of recruitment specified under Clause (b) above, by selection from Tax Assistant and Stenographer Grade III having not less than **10 years'** service including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

Note.I: Promotion under Clause (a) above shall be operative only for a period of two years from the date on which the restructured cadre mentioned under Clause (b) above come into existence.

10. It is proposed that the qualifying service for promotion from the grades of Senior Tax Assistant, Stenographer Grade-II (since redesignated as Stenographer Grade I), Women Searcher, Draftsman, Tax Assistant and Stenographer Grade-III (since redesignated as Stenographer Grade II) to the grade of Inspector may be relaxed by 50% .

11. The provisions of the RRs after granting relaxation as above would be as below:-

Inspector (Central Excise)

(a) By selection from those candidates working in the following re-structured cadre:

- (i) Senior Tax Assistant with **one year** of regular service in the grade;
- (ii) Stenographer Grade II (since redesignated as Stenographer Grade-I) with **one year** of regular service in the grade;
- (iii) Women Searcher with 3 years and six months of regular service in the grade;
- (iv) Draftsman with 3 years and six months of regular service in the grade.

- (b) Failing the method of recruitment specified under Clause (a) above, by selection from those candidates working as Tax Assistant and Stenographer Grade III (since redesignated as Stenographer Grade-II) having not less than five years of regular service in the grade including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

Inspector (Preventive Officer)

- (a) By selection from those candidates working in the following re-structured cadre:

- (i) Senior Tax Assistant with one year of regular service in the grade;
- (ii) Stenographer Grade II (since redesignated as Stenographer Grade-I) with one year of regular service in the grade;
- (iii) Women Searcher with three years and six months of regular service in the grade.

- (b) Failing the method of recruitment specified under Clause (a) above, by selection from those candidates working as Tax Assistant and Stenographer Grade III (since redesignated as Stenographer Grade-II) having not less than five years of regular service including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

Inspector (Examiner)

- (a) By selection from those candidates working in the following re-structured cadre:

- (i) Senior Tax Assistant with one year of regular service in the grade;
- (ii) Stenographer Grade II (since redesignated as Stenographer Grade-I) with one year of regular service in the grade;

- (b) Failing the method of recruitment specified under Clause (a) above, by selection from those candidates working as Tax Assistant and Stenographer Grade III (since redesignated as Stenographer Grade-II) having not less than five years of regular service including the service to be included for this purpose under the provisions of the rules regulating the method of recruitment to the post of Tax Assistant.

12. The justification for the above relaxations are as below:-

The existing RRs prescribe a promotion quota of 33 1/3 % while the amended RRs which are presently under consideration of UPSC, prescribe a promotion quota of only 10%. Further, Stenographers who form the feeder grade for promotion to the post of Inspector as per existing RRs, have been removed from the feeder grade in the proposed RRs. Therefore, the relaxations are in tune with the policy of DoP&T. Hence if the above relaxations are granted, the longstanding grievances of Associations and feeder grade officer would be addressed. Further, the organisation would benefit since out of 1210 vacancies in the promotion quota prior to restructuring, almost 300 vacancies could be filled by giving the above relaxations.