



भारत सरकार Government of India

वित्त मंत्रालय, राजस्व विभाग Ministry of Finance, Department of Revenue

मुख्य आयुक्त का कार्यालय Office of the Chief Commissioner

वस्तु एवं सेवाकर एवं सीमा शुल्क, गुवाहाटी जोन Goods and Services Tax & Customs, Guwahati Zone  
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F.No.I(22)5/ET/CCO/SH/2014/3334

Dated: 28.10.2019

To,

The General Secretary,  
All India Central Excise Inspector's Association  
Shillong Circle,  
N.E.R, Shillong.

**Subject:** Meeting with all the Office Bearers of Associations in the Zone on 15.10.2019.

**Reference:** 1. Your Association letter dated 14.10.2019  
2. CCO's letter dated 16.10.2019.  
3. Your Association letter dated 24.10.2019

Please refer to your letter dated 24.10.2019 on the subject mentioned and cited above under reference no. 3. I have been directed to inform you as below in respect of your above said letter.

2. All the points mentioned in the said letter are taken note of and action will be initiated to address the same to the extent possible which are within the purview of this office.

3. As regards the office space allocation for various categories you have not specified the place where such space crunch is there though you have used a generic term "almost all the stations." For example, in GST Bhawan Guwahati it is the view of the Administration that there is no space crunch at all. Therefore, it is better you list out such places and furnish the same to the Pr. Commissioner/Commissioners of those Commissionerates for taking necessary action by them. All the Pr. Commissioner/Commissioners of the Zone have been instructed to give priority to this

issue and hire additional office space wherever necessary as they can hire office space within their financial powers. If it exceeds their powers the matter will be referred to appropriate higher authority for necessary sanction. They have also been instructed to utilize the Swachhta funds, which we have sufficiently, for creating a healthy and hygienic work space. You may ask your branch associations in the Commissionerates to approach the Commissioners for doing the needful in this regard. The Administration fully appreciates the concern expressed by the Associations on the point of shortage of departmental quarters and residential accommodation. Pr. Commissioner and Commissioners have been instructed to send proposals immediately for construction of residential accommodation. In this regard as responsible stakeholders in this issue, the resourceful members of your association may take a lead and render all cooperation and assistance to the Commissioners to expedite the submission of proposals. It is not out of place to mention that when the department is trying to hire office space for Audit Commissionerate in Shillong, not much support is given from your members for expediting the whole process. The exercise of acquiring or hiring office space or residential accommodation is no doubt the responsibility of the Administration but to expedite such tasks it has to be a collective effort and not to be seen as something to be done by the Commissioners alone. Therefore, you are advised to get in touch with Commissioners immediately and take necessary steps in this regard.

The point that most of the officers are incurring expenditure more than the HRA is also fully appreciated and understood. A suitable proposal, if submitted by the association, for enhancement of rate of HRA or for upgradation of the class of the station for HRA entitlement, will be forwarded by the Administration with a positive recommendation to CBIC and appropriate authorities.

4. The point regarding grant of NFG in Grade pay of Rs. 5400/- will be looked into for finding a solution at the earliest. It is understood that there is some litigation pending on this as well but Administration would strive to solve this at the earliest, unless the matter is subjudice.

5. As regards the acute shortage of staff in the grade of Inspector you stated that there are 245 nos. of vacancies out of 661 nos. in the Zone which works out to 37% shortage. It is to inform you that this is an all India phenomenon which is common to

all the Zones across the country. You are advised to go through the DGHRD Brocher on CBIC Website in this regard. Further, in all other grades including Commissioners/ADCs/JCs/DCs/ACS also, there is severe shortage in this Zone. In the grade of ACs/DCs the vacancy position is more than 60 %. Therefore holding additional charges is not unique only to the grade of Inspectors or only to this Zone.

Posting on loan basis outside the Zone has been totally stopped unless in a particular case CBIC specifically orders to do so. However, for the Directorates within the Zone some officers are to be provided on loan basis as per the Board's instructions. While doing so it will be ensured that such loan posting does not exceed the proportionate working strength existing in the Zone.

6. As regards the point relating to AGT order you have requested to hold the same during the month of December. You have further stated that your association is receiving requests from hundreds of Inspectors out of the present working strength of 415 to postpone the AGT. But it is seen from your letter dated 14.10.2019 which is just 10 days back, you have requested not to delay the AGT any longer and issue the same immediately. It is quite surprising that you have taken a diagonally opposite stand on the same issue within a span of 10 days for the reasons not known. When so many hundreds have requested for postponement of AGT, it is not understood as to how you have requested for issue of AGT without any delay. Therefore, it is presumed that all those hundreds of Inspectors might have requested the association in the last 10 days. However, several of your member Inspectors, though not in hundreds, have been requesting the senior officers of CCO and Commissionerates with their representations addressed to CCO as well as during the visits of senior officers to field formations to expedite the process of AGT and also expressing their anguish that the Association is not representing their interests and acting at the behest of a handful of office bearers who are furthering the interests of some vested interests. But, the Administration does not believe their versions and not giving any credence to them as the Association is a duly elected, accepted and unanimously resolved association with full support of all the members and a recognized one. Therefore, while your suggestion is welcome, it is to state that administration has got the authority to issue the transfer orders keeping in view the public interest and necessity of posting of officers at different places in view of the priorities on GST and other important areas of work and also to accommodate the

requests of officers who are your own members who have completed their tenures at "B" & "C" class stations and also in hard postings. Postponement of AGT would hamper their interest because they will be put to further difficulties.

You have mentioned about frequent unprecedented piecemeal transfers during last two years seen by your association. Administration is not aware of such things in the last one year. You are requested to furnish the details of the same. However, it is to assure that no piecemeal transfers would be done in future except where the situation warrants.

7. As regards the conduct of DPC you have stated that it is for administration to take a decision on the same. This point is taken note of and the matter will be consulted with the departmental standing counsel for necessary advice. However, while mentioning this point you have made a factually incorrect statement that when CCO got shifted without waiting for the final judgement of Hon'ble High Court of Meghalaya, why DPC cannot be conducted in the same way. This is completely false and misstatement of facts. Judgement in the case of CCO shifting was delivered by Hon'ble High Court of Meghalaya on 19.07.2019 and CCO's shifting was done on 25.07.2019 which was only after the judgement. Therefore, you are advised to ascertain factual position while making such statements in your letters in future. Coming back to the point of promotion, in the meeting held as far back as 16.05.2019 on this issue, the administration has expressed the desire to hold the DPC based on the 2015 seniority list and the parties to the litigations were advised to come to an understanding and inform the department. However, this does not appear to have been done. In any case, after taking appropriate legal advice, the matter will be further proceeded with.

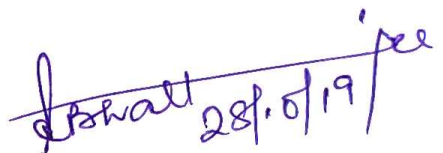
8. Before concluding, it is to remind you to furnish a copy of the Constitution/Bylaws etc. of the Association, which the administration presumes is not confidential, purely for the purpose of record of this office and for nothing else, as the relevant file was misplaced by the previous A.O during the shifting of CCO.

9. While the administration is not interested in engaging in a continuous correspondence with the association but only interested in staff welfare and finding solutions to their genuine grievances, the above points are clarified to set the record

straight and also to seek your cooperation in the welfare measures particularly in hiring of office accommodation, residential quarters and maintaining the Swachhta in the office and all other matters.

10. The letter dated 16.10.2019 sent to your address at Shillong was returned as undelivered with the postal remarks "Addressee left without instructions. Returned to sender". In future as an ecofriendly measure and to avoid undue delays all correspondence will be made to your mail ID only and also will be placed on the Zonal Website under "Departmental officers - Correspondence with associations". This may be taken note of.

With best wishes to the Association.

  
( S. C. Bhattacharjee )  
A.O (CCO)