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ALL INDIA ASSOCIATION OF CENTRAL EXCISE GAZETTED EXECUTIVE OFFICERS: CUSTOMS AND CENTRAL EXCISE, GUWAHATI

President: Shri Rajasish Dutta

General Secretary: Shri Kailash Barman.

Address for communication: GST Bhawan, Kedar Road, Guwahati-781001

email: barmankb1160@gmail.com

F.No.AIACEGEO/CUS-CEX/GHY/2019/17

Dated:- 17.10.2019

To

The Assistant Commissioner (CCO),
Central GST, Central Ex and Customs,
N.E. Region, Guwahati Zone,
GST Bhawan, Kedar Road, Machkhowa,
Guwahati-781001

Subject:- Meeting of all Associations in the Zone called for on 15.10.2019-reg
Reference :- Your letter C.No.I(22)5/ET/CCO/SH/2014/3035 dated 16.10.2019

Sir,

With due regards, I would like to mention the following few facts as a reply of your letter dated 16.10.2019 referred hereinabove.

First of all, regarding the meeting called for on 15.10.2019 with all Associations of Guwahati Zone, which the letter issued in accordance with the instruction of CBIC vide letter F.NO.C.30013/06/2012-Ad.IV-A.Vol II dated 16.5.2017, I am to inform you that no such letter/copy of letter, called for such meeting on 15.10.2019 with our Association, has been received by me or by our office bearers. In this situation, the question of non attendance of representative in the meeting on 15.10.2019 from our Association does not arise and it is also not look fair to draw inference that we do not have any issue on welfare and grievances relating to our members.

Secondly, the A.O.(Estt) of CCO has not communicated to me, however, Sh. Rajasish Dutta, President of our Association has informed the matter to me. It is pertinent to mention here that earlier the Central Committee of AIACEGEO, Shillong Zone was functioning from Hqrs. Shillong and all the documents including Constitution of the Association were with the General Secretary, Shillong Zone and they are yet to hand over the same to this Association. However, copy of the Constitution of AIACEGEO will be forwarded to CCO in due course.

It is also mentioned that an Extended Executive Committee Meeting of AIACEGEO, Guwahati was held on 26.7.2019 in GST Bhawan, Guwahati with due permission with the agenda point for formation of Central Committee in Guwahati Zone at Guwahati along with other agenda points. In that meeting by a resolution, an Ad-hoc Central Committee consisting myself as General secretary, Sh. Rajasish Dutta as President along with other 14 (Fourteen) Office Bearers/ Executive Members was formed by the respected members present in the meeting. All total 09 (Nine) Resolutions were adopted in the meeting unanimously.

I feel happy to inform you that the copy of proceedings and resolution of the meeting held on 26.7.2019 was handed over to the respected Chief Commissioner, Guwahati Zone, Guwahati on 02.8.2019 through his PA which he has duly acknowledged. However, a copy of the same is sending herewith for your necessary action.

Thanking you.

Enclo:- As above (Five sheets)

*No enclosure
along with
letter*

Yours faithfully,

Barman
17/10/19

(Kailash Barman)
General Secretary,
AIACEGEO, Guwahati

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EXECUTIVE OFFICERS: CUSTOMS AND CENTRAL EXCISE
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An Extended Executive Committee Meeting of AIACEGEO, Guwahati was held on 26.07.2019 at 18.00 hrs in GST Bhawan at Room No.117 with the following Agenda Points-

1. *Discussion on formation of AIACEGEO Central Committee of Guwahati Zone at Guwahati*
2. *Discussion and formation of Ad-hoc AIACEGEO Central Committee of Guwahati Zone at Guwahati*
3. *Discussion on implementation of M. Subramaniam Case on NFGP/MACP*
4. *Any other important issues on the permission of the Chair.*

At the outset, the General Secretary of AIACEGEO, Guwahati, Sri Kailash Barman, welcomed all members to the extended executive committee meeting and requested the President of the association, Sri Rajasish Dutta, to preside over the meeting. He also explained the agenda of the meeting.

The General Secretary explained the need of formation of a Central Committee at Guwahati started with asking all members whether they agree with the move to form the Central Committee at Guwahati as per the constitution of the association that says that the Central Committee of the Association would be located at the place where the Chief Commissioner office has been functioning. Since the Chief Commissioner's office, which was hitherto functioning from Shillong, has been shifted to Guwahati as per the Board's decision consequent upon implementation of GST, it is only natural that the Central Committee of the association would be formed at Guwahati. All the members present consented to the need of forming the Central Committee at Guwahati. Following that, the General Secretary proposed to form an adhoc Central Committee at Guwahati which will overlook the process of formation of the full fledged Central Committee in consultation with all the Commissionerates under Guwahati Zone.

Sri Shubhrendu Nandy expressed reservation about the name and suggested that the committee should be named "Steering Committee" and not "Adhoc Committee". Sri Jagadish Choudhury clarified that as per dictionary meaning, a committee formed temporarily for a specific purpose (formation of the central Committee in this case) is called Adhoc Committee and all the members supported it.

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Sri Jagadish Choudhury then proposed that since it would be an adhoc committee for a short duration, it would be better that the existing Executive Committee of Guwahati might be allowed to continue as the adhoc committee instead of formation of a new one and members present supported the idea. However, following promotion, retire and transfer of some members, of the existing Executive Committee, a few new members were needed to be included in the existing committee. To that end, Sri Shubhrendu Nandy as Joint Secretary, Sri Pijush Kanti Dey as Treasurer, Sri Jayanta Banik, Sri Manas Mukherjee, Sri Dwipen Kumar Das, Sri Pradyot Purkayastha, Sri Bedabrata Roy Choudhury and Sri Arbind Singh as members were unanimously elected by the house. The New Office Bearers of the Adhoc Central Committee of AIACEGEO, Guwahati Zone are as under-

1. **Mr. Rajasish Dutta---President.**
2. **Mr. Kailash Barman---General Secretary.**
3. **Mr. Subrata Choudhury---Vice President.**
4. **Mr. Nabajyoti Mahanta--- Vice President.**
5. **Mr. Shubhrendu Nandy---Joint Secretary.**
6. **Syed Ahmed Shah-----Joint Secretary.**
7. **Mrr. Pijush Kanti Dey----- Tresurer**

Executive Committee Members

1. **Mr. Jayanta Banik.**
2. **Mr. Bedabrata Roy Choudhury.**
3. **Mr. Santanu Mukharjee.**
4. **Mr. Jagadish Choudhury.**
5. **Mr. Rajesh Singh.**
6. **Mr. Manash Mukharjee.**
7. **Mr. Arbind Kr. Singh.**
8. **Mr. Dwipen Kr. Das.**
9. **Mr. Pradyut Purakayashtha.**

Sri Kailash Barman, General Secretary, then discussed in detail about M. Subrahmanium case on MACP. The President also discussed the case alongwith Balakrishnan case and informed that he had discussions with the Chief Commissioner about the same who gave him a patient hearing but did not commit to implement it rather, he told that whoever went to court and obtained favourable verdict would be granted the benefits. The General Secretary asked the house whether all are in favour of filing case with Hon'ble CAT, Guwahati and most favoured the idea.

Sri Jayanta Banik stressed on the need for rotation of posting in Guwahati as quite a few officers are languishing in the same place for more than two years and some even completed three/four years in the same Range/Branch/Unit etc.

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Sri Arbind Singh raised the point of sanctioned strength of Commissioner (Appeals) office, Guwahati. The sanctioned strength of Superintendents in that office is 10 (ten) but only 2 (two) are Superintendents are presently working. He asked whether the sanctioned strength has been reduced and if so, under what authority?

A few members raised the question of departmental canteen. A canteen committee was formed at Guwahati Commissionerate Office and tenders were also floated but no further step was taken in this regard. They said that the officers are to work in the office from 9.30 a.m. to 6 p.m, and since there is no private canteen/hotels nearby, it is very much necessary that the canteen should functions properly. The authority should make necessary arrangement for proper functioning of canteen for the interest of the officers and staff of the GST Bhawan urgently.

Sri Bedabrata Roy Choudhury brought the attention of the house to the unnecessary pressure created on the Superintendents by the authority. It has been pressurized by the authority to complete certain works such as DGARM ,3rd Party Intelligence etc and to be completed immediately within 4/5 days. Not only that, the officers are constantly pressurized to complete different works having different parameters immediately without even providing Inspectors to the field formation/Range. The said reports cannot be completed unless the taxpayers either comply to the norms or file returns or deposit the tax. Officers contacted the assesses through letters/emails and even had telephonic discussions, but it is beyond the control of the officers to complete the works until and unless they comply. Without any mechanism on the part of the department to make the taxpayers compel to comply, how can the officers be pressurized to complete the works? There is also the matter of inadequate man power/Inspector which hampering the works in Ranges.. This fact is in the knowledge of the authority who were reminded in several occasions but, instead of addressing the problem, only pressuring in completion of works.

The question of shifting the Audit Commissionerate from Guwahati to Shillong also came up in the house. Sri Alokesh Dey said that as per the verdict of Shillong High Court, while shifting the Chief Commissioner's office to Guwahati, no person was dislocated. The court in its verdict specifically directed that options should be obtained from the officers working in the Chief Commissioner's office about whether they wish to be posted in Guwahati or continue to work in Shillong and only on the basis of the options exercised should they be posted. Accordingly, while shifting of the Chief Commissioner's office those who opted for Shillong were not dislocated. The Chief Commissioner's office, Guwahati has ordered that the Audit Commissionerate should be shifted to Shillong by 02-08-2019 but the officers working there have not been allowed to exercise any option about their place of posting.

The following resolutions were adopted in the meeting unanimously.

- 1) Resolved that the existing Executive Committee of AIACEGEO, Guwahati be upgraded to an adhoc Central Committee of Guwahati Zone, Guwahati and will take up necessary matters for formation of regular Central Committee in Guwahati and will take all necessary measures in this regard in consultation with the Committees of all Commissionerates in the zone and the process of forming the Central Committee should complete by 31-10-2019;
- 2) Resolved that the matter of uncalled for pressure from higher ups without posting of adequate man power/ Inspector should be taken up with the appropriate forum. It has further resolved that the authority should be communicated to take up the matter with the Board/GST Council to evolve mechanism to make the assesses compel to comply with the requirements like filing of returns or deposit of tax etc or any other matter that may have effect on efficient functioning of the system. It was also resolved to request the authority to prescribe norms of completion of works like DGARM if the assesses do not comply with departmental letters/phone calls etc;
- 3) Regarding the order of the Chief Commissioner's office to shift Audit Commissionerate to Shillong without giving the officers a chance to exercise their option and dislocation of the officers, it was resolved to take up the matter with the authority strongly and also to take it up with the Board and AIACEGEO;
- 4) Resolved to take up the matter of canteen in GST Bhawan with the authority;
- 5) Resolved to take up the matter of sanctioned strength of Commissioner (Appeals) office with the authority. The officers of Audit Commissionerate can also be accommodated there to avoid dislocation;
- 6) Resolved to take up the matter of rotation of Superintendents in Guwahati with the authority who have completed 02 (Two) years in a particular Range/Branch/Unit etc as per existing Transfer and Rotation policy

- 7) Resolved to request members who are in favour of filing Application in CAT on the Subrahmanium case, to deposit required lawyers' fee to Sri Rajashish Dutta and to sign 'vakalatnama';
- 8) Resolved to collect contribution @ Rs. 1000/- Rupees one thousand) only from the members to meet up the expenses of the association and Sri Pijush Kanti Dey, Treasurer, has been authorized to collect the said contribution from all members;
- 9) Resolved that an official 'WHATSAPP' group of the officers of AIACEGEO be created

The meeting ended with vote of thanks to the chair.

Rajashish Dutta
26/07/2019
(RAJASHISH DUTTA)
PRESIDENT

o/c

28/7/2019

Dated: ~~28/7/2019~~

F.No.AIACEGEO/CUS-CEX/GHY/2019/

Copy forwarded for kind information and necessary action to-

1. The Chief Commissioner, CGST & CX and Customs, Guwahati.
2. The Principal Commissioner, Central GST & Cx, Guwahati
3. The Commissioner, Central GST & CX, Shillong/ Dibrugarh/ Itanagar/Aizal/Dimapur/ Kohima.
4. The Commissioner, Customs (Prev), Shillong
5. The Joint Commissioner (P&V), Central GST & CX, Guwahati
6. The General Secretary, AIACEGEO, Shillong/ Dibrugarh/ Itanagar/Aizal/Dimapur/
7. Kohima/Silchar.
8. The Secretary, AIACEGEO, Dhubri Division, Dhubri.
9. Mr. Pijush Kanti Dey, Tresurer. He is requested to collect the contribution @Rs.1000/- from the members as per decision taken in the Meeting held on 26.7.2019.
10. The General Secretary/President, Group-B (Non Gezzetted) Officers Association, Guwahati
11. For uploading in the website www.guwahatiaiacegeo.org
12. Notice Board

Kailash Barmen
28/7/19
(KAILASH BARMAN)
General Secretary.

o/c

P.N to CC.
Kailash
18/11/19