

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 141 of 2013

THURSDAY, this the 28th day of February, 2013

CORAM:

Hon'ble Mr. Justice P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

1. K.N. Purushothaman, aged 50 years,
 S/o. K.K. Ganapathi Namboothiri,
 Senior Tax Assistant, Office of the Director General
 of Income Tax Investigation, IV Floor, Aryabhangi Pinnacle,
 S.A. Road, Elamkulam, Kadavanthra, Ernakulam, Pin 682 020,
 Residing at Vaiga, Puliyannur Lane, Puthiya Road, Eroor,
 Ernakulam District, Pin : 682 306.
2. C.F. Tonny, aged 50 years, S/o. Late C.K. Francis,
 Senior Tax Assistant, Office of the Additional Commissioner
 of Income Tax, Range-2, Shaktanthampuran Nagar,
 Trichur-1, Residing at : Chiramel House, Mount Zion Road,
 Cheerachi, Ollur, Pin: 680 306. **Applicants**

(By Advocate – Mr. T.C. Govindaswamy)

V e r s u s

1. Union of India, represented by the Secretary to the
 Government of India, Ministry of Finance, Department of Revenue,
 New Delhi – 110 001.
2. The Director General, Central Board of Direct Taxes,
 Department of Revenue, Government of India,
 Government of India, Ministry of Finance, New Delhi – 110 001.
3. The Under Secretary, Ad-VII, Ministry of Finance,
 Department of Revenue, Central Board of Direct Taxes,
 New Delhi – 110 001.
4. The Chief Commissioner of Income Tax,
 Office of the Chief Commissioner of Income Tax, Kochi-17.
5. The Chairperson, Service Litigations & Grievances
 Redressal Committee, Office of the Chief Commissioner of
 Income Tax, Kochi-17. **Respondents**

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This application having been heard on 19.02.2013, the Tribunal on

28-02-13 delivered the following:

ORDER

By Hon'ble Mr. K. George Joseph, Administrative Member-

The applicants are Senior Tax Assistants under the respondents. They are aggrieved with the Recruitment Rules to the post of Inspector, Income Tax resulting in extreme stagnation in the matter of promotion in comparison with those who belong to the stenographic cadre. The various cadres in the Income Tax Department were restructured in the year 2001. The ministerial cadre consisting of Supervisors, Head Clerks, Tax Assistants and UDCs and stenographic cadre consisting of Stenographer Grade-I, Grade-II and Grade-III fall in the feeder cadre for promotion to the post of Income Tax Inspector. The quota of the ministerial cadre and the stenographic cadre is in the ratio of 3:1 for filling up vacancies in the grade of Income Tax Inspector earmarked for promotion. This has resulted in a situation wherein a Stenographer with just three years service gets promoted to the post of Inspector on passing departmental examination as against a Tax Assistant who has to wait for more than 18 years for promotion. The 1st applicant had represented in this matter to the 5th respondent vide his letter dated 14.8.2012 at Annexure A6. He had also represented to the respondent No. 3 vide letter dated 01.11.2012 as at Annexure A7.

2. When this OA was taken up on 19.2.2013 it was felt that it could be disposed of at the admission stage itself without waiting for a reply from the respondents in view of the fact that the representations of the 1st applicant are

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pending with the respondents who have to take a decision in the matter at the first instance. Hence, the respondents are directed to dispose of the representation of the applicant dated 1.11.2012 at Annexure A7 by a speaking order and convey the same to the applicants within a period of four months from the date of receipt of a copy of this order.

3. Accordingly, the Original Application is disposed of.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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