

F.No.A.32018/ 23 /2017-Ad.III(A) Part IV-(3)

Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise & Customs  
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4<sup>th</sup> Floor, Hudco Vishala Building  
Bhikaji Cama Place, R. K. Puram,  
New Delhi, the 11<sup>th</sup> Jan., 2018

To

All Cadre Controlling Authorities/  
Directors General under CBEC.

**Subject:** Letter F.No.A-32011/03/2015-Ad.III.A dated 23.02.2017 addressed to CC, Chennai purportedly issued under the signature of the then US Ad.III A regarding conducting DPC for promotion to the grade of Inspectors –reg.

Sir,

As informed vide my letter of even number dated 04.01.2018, the above referred letter has not been issued with the approval of Competent Authority nor as per the R&D procedure of Government of India. This letter has been circulated in different media and seems to have been taken cognizance of by field formations.

2. Vide the above noted letter CC, Chennai was instructed to conduct DPC to fill up the vacancies of Inspectors(PO/EO) from the feeder cadre based on the Recruitment Rules 2002 for those who are completing regular service of 2 years as STA as on 01.04.2017. Once the issue came in to notice, this has been brought to the notice of higher authorities. The issue is under submission to Board for perusal and taking further necessary action. Till date no decision has been taken.

3. The RRs of Inspectors 2002 have been amended vide notification dated 26.12.2016. The feeder grades of Inspectors as noted in RRs of 2002 have undergone a lot of changes. And new grades have been made in the RRs of 2016. Moreover, qualifying service for promotion from feeder grades to Inspectors(PO/EO) have been modified as per DOPT guidelines. Thus, once new RRs have been notified old RRs cannot be operated upon except certain specific cases. In the present letter, CC, Chennai has been advised to conduct DPC to fill up the vacancies of Inspectors(PO/EO) from the feeder cadre based on the Recruitment Rules 2002 for those who are completing regular service of 2 years as STA as on 01.04.2017. The STA grade does not exist after Cadre Restructuring order dated 18.12.2013. The grades of DOS & STA have been merged to create a new grade of Executive Assistant. Moreover, as per the DOPT guidelines contained O.M No. 22011/6/2013-Estt(D) dated 28.05.2014, **“crucial date for determining eligibility of officers for promotion in case of financial year based vacancy year would fall on April 1 immediately preceding such vacancy year.”** For the sake of illustration, for the vacancy year 2016-17, the crucial date for the purpose of eligibility would be April 1, 2016. Similarly, for promotion for the vacancy year 2017-18, the crucial date of eligibility of the feeder grade officer would be April 1, 2017. In view of above, instruction contained in Board’s letter F.No.A-32011/03/2015-Ad.III.A dated 23.02.2017 of Ad.III.A section) is contrary to DOPT’s guidelines.

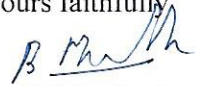
B. *[Handwritten Signature]*  
11/1/18

4. Besides Para 6 of the Cadre Restructuring order F.No.A.11019/08/2013-Ad.IV dated 18.12.2013 reads as **“Pending notification of revised RRs, wherever required, the newly created/re-designated posts will be filled up on the basis of the extant Guidelines for RRs, issued by the DOPT. Concurrence of DOPT would be obtained for the relaxations, wherever required.”**

5. Once posts of two grades, one being the feeder grade of the other, have been merged to create a new grade, the RRs of either of the erstwhile post become infructuous. The new post has to be filled by new RRs, in case RRs are pending, the newly created/re-designated posts will be filled up on the basis of the extant Guidelines for RRs, issued by the DOPT as noted in Para 3 above.

6. The issue is under submission awaiting decision of the Board. Once decision is taken, the same shall be intimated to all CCAs. This is brought to the notice of all concerned.

Yours faithfully,



(B.K. Manthan)

Under Secretary to the Govt. of India

Copy to:-

1. Office of Member (A) and JS (A/EC) for information.
2. Webmaster, CBEC with the request to place this communication in CBEC website at appropriate place.