

**ALL INDIA ASSOCIATION OF CENTRAL EXCISE
GAZETTED EXECUTIVE OFFICERS: CHENNAI UNIT**

Recognized by GOI, Ministry of Finance
(Vide F. No B. 12017/10/2006- Ad. IV A dated 21/01/08)
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Assn.Lr.42/10

Dated 08/10/10

To
The Central Vigilance Commission,
Satarkata Bhavan, GPO Complex,
INA,
NEW DELHI- 110023.

Hon'ble Sir,

Sub: VI Central Pay Commission's decisions -
Dishonour by authorities in Chennai Zone -
Accounts wing headed by the Chief Controller of
Accounts , Central Board of Excise & Customs
[CBEC], South Zone -Abuse of office -
Harassment - Intervention - Requested.

The following are brought to the notice of the Hon'ble
Central Vigilance Commission requesting remedial
action.

1. The Govt. of India was kind enough to implement the VI CPC recommendations with effect from 01.09.2008. Among the decisions given by the GOI , the Modified Assured Carrier Progression Scheme (MACPS) was required to be implemented by 30th June 2009.
2. The MACPS formulated that the long stagnating cadre of Superintendents of Central Excise (only one promotion in the entire service) be given the 3rd up gradation on completion of 30 yrs. of service in Pay Band 3 with Rs. 6600/- as Grade Pay and that doubts regarding this formulation were settled by the CBEC through letter F.No. A-26017/76/2009 Ad II A dt. 29.09.2009(point no 7 of the letter).The contents were sanctified by the DOPT vide U No. 67069/CR/09 dt. 01.09.2009.

3. That even after a lapse of one year from the date of clarification officers in Chennai Zone have not been given the 3rd up gradation (PB 3 with Rs. 6600/- GP) causing grave injustice, as similarly placed officers, in all other places like Chennai Customs , Cochin Excise, Delhi Central Excise, Patna Excise have already been given the arrears and are drawing the new pay. The references under which the implementation had taken place are as follows.
 - [i] Chennai Customs – Order 79/2010 dt 17/3/10 [F.No C41/01/2010 –ESTT
 - [ii] Cochin Excise, Customs & Service Tax –Order 36/10 dt 13/4/10[C.No II/39/38/2009 ESTT
 - [iii] Delhi Excise – Estt. Order 36/10[C.No II-34(03) ET.1/2009
 - [iv] Patna Excise - Estt. Order 33/2010 dt 18/3/10[C.No II(3)31-ET/ACP/2009/1078-1375
4. That this is due to the obstinacy of the Chief Controller of Accounts, CBEC, South Zone and the Pay & Accounts Officer who are abusing their office and the powers vested with them to deny officers their legitimate due.
5. Such abuse of office has manifested itself in myriad ways and the latest instance is a letter written to the Chief Commissioner, Central Excise, Chennai Zone[Ref : PAO/CEX/CHE/PRECHECK/2010-2011/6590 DT 20/08/10] ADVISING NOT TO SUBMIT Bills for drawal of Arrears in respect of Superintendents[ACP/MACP] PB 3 with Grade Pay 5400 (for grant of grade pay Rs.6600 in PB 3) till receipt of clarification from the Board[CBEC]
6. That the stand taken by the Chief Controller of Accounts is completely arbitrary and an attempt to harass the Superintendents of Central Excise working in Chennai Zone could be witnessed from the fact that both the CBEC and the DOPT have clarified the matter long back [Letter Ref : F.No. A-26017/76/2009 Ad II A dt. 29.09.2009(Point No 7 of the letter whose contents were sanctified by the DOPT vide U No. 67069/CR/09 dt. 01.09.2009]
7. The DOPT have again clarified the issue through reference OM No 35034/3/2008 –Estt[D] Dt. 9/9/10 and that this in line with the orders issued by authorities mentioned against Serial No 3 of this letter.
8. The latest letter of the CCA mentioned against SI No 5 is an attempt to cover up the delay which was intentional in the first instance when the authorities concerned had correctly fixed the pay in accordance with the decisions of GoI.
9. That the job of a Pay & Accounts officer is essentially to pay & account for the various payments sanctioned by the appropriate authorities and in terms of the instructions contained in the Civil Accounts Manual has been lost sight of by the CCA & the PAO in their eagerness to settle scores with the officers of the Department for reasons best known to them.
10. That this has resulted in the officers, both retiring & retired, being deprived of their various entitlements in tune with the enhanced pay need no elaboration.
11. That witnessing no progress on the issue some of the officers have approached the Central Administrative Tribunal ,citing among others, the CCA & the PAO as respondents[Copy of the petition & Legal Opinion given by Advocate (X) Shri. K. Ravi Anantha Padmanabhan who also doubles up as a Standing Counsel for Customs & Excise is enclosed] The Legal Opinion being a privileged communication may please be kept confidential and given only to highlight the perspective on the issue.
12. That the office of the Chief Controller of Accounts is habitually harassing the officers of the Department could be verified on the basis of an independent inquiry with the victims who have been penalized on different fronts right

(X) With the concurrence of the Petitioner

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..... Continuation Sheet

from LTC Claims, Medical Bill reimbursement, Pay Arrears et al. It is a classic case of abuse of power and if left unchecked will leave the employees completely demoralized.

In view of the above, this association humbly requests the Hon'ble CVC to take appropriate steps as may be deemed fit and ensure justice.

Thanking you,

Yours faithfully


**[R.CHANDRAMOULI]
GENERAL SECRETARY**

Copy to

- 1. The Controller General of Accounts, New Delhi.**
- 2. The Principal Chief controller of Accounts, CBEC.**