**PROCEEDINGS OF COMMISSIONER OF STATE TAX**

**TELANGANA STATE:: HYDERABAD.**

**PRESENT: SRI V. ANIL KUMAR, I.A.S.,**

**CCTs Ref. No. DZ/448/2018 Dated: 06-04-2018.**

Sub:- Public Services – Commercial Taxes Department – Preparation of combined Integrated Seniority list of DCTOs of all zones of Zone-V &VI, for the panel year 2009-10 to 2010-11 –Show Cause Notice issued Proposed the Integration Seniority list of DCTOs of Zone-V & VI –Objections called for from the affected persons – Objection filed by Smt. R. Sharmila, DCTO, O/o the CTO Afzalgunj,- Examined – Final orders passed –Issued -Regarding.

Ref:- 1) CCT’s Ref.No.DZ/1837/2016, dated:14-12-2016, published in T.S.

Extra-ordinary Gazette (Part-II) No. 02, dated: 02-01-2017.

2) CCT’s Ref.No.DZ/745/2016, dated: 13-11-2017, published in T.S.

Extra-ordinary Gazette (Part-II) No. 83, dated: 07-06-2017.

3) CCT’s Ref.No.DZ/1860/2016, dated: 23-01-2017, Published in T.S.

Extra-ordinary Gazette (Part-II) No. 03, dated: 02-01-2017.

4) CCTs Ref. No. DZ/448/2018, Dated: 14 -03-2018.

5) Objection filed by Smt. R. Sharmila, DCTO, O/o the CTO Afzalgunj,

dt. 28-03-2018

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In the reference 1st cited, the Integrated Seniority list of DCTO’s of Zone-V & VI of all zones has been finalized for the panel years 2007-08 to 2008-09, and Published in Telangana State Extra-ordinary Gazette (Part-II) No. 02, dated: 02-01-2017.

In the reference 2nd cited, the Zonal Seniority list of DCTO’s of Zone-V has been finalized for the panel years 2009-10 to 2012-13, and Published in Telangana State Extra-ordinary Gazette (Part-II) No. 83, dated: 07-06-2017.

It is also submitted that in the reference 3rd cited, the zonal Seniority list of DCTO’s of Zone-VI has been finalized for the panel years 2009-10 to 2010-11, and Published in Telangana State Extra-ordinary Gazette (Part-II) No. 03, dated: 02-01-2017.

In the reference 4th cited, a Show Cause Notice was issued proposing integrated Seniority list of DCTOs of all zones of Zone-V &VI, for the panel year 2009-10 to 2010-11, basing on the above Zonal Seniority list of DCTOs of Zone-V & VI, finalized vide reference 2nd and 3rd cited, as per the provisions of Rule 34, read with rule 36 (iii) of TS State Subordinate Service Rules, 1996, and called for the objections, if any from the affected DCTOs included in the above proposed panel years with in (15) days from the date of issue of the Show Cause Notice.

In response to the above Show cause Notice, in the reference 5th cited Smt R. Sharmila, DCTO, O/o the Asst. Commissioner (ST) Afzalgunj Circle, has filed her written objections against the proposed integrated seniority of DCTOs for the panel years 2009-10 to 2010-11, with a request to including her name in the integrated seniority list for the panel years of 2005-06 instead of as proposed as 2010-11 is as under;

**Objections of Smt R. Sharmila, DCTO, O/o CTO. Afzalgunj circle, Hyderabad:**

In the above objections of the individual, she has submitted that, she made a representation before the Government with a request to re-fixation her seniority in the cadre of ACTO w.e.f 24-01-2004 instead of 23-01-2006, on the grounds that she is Direct Recruit ACTO of 2001 batch and allotted to Secunderabad Nodal Division and joined as ACTO on 07-02.2001. She had passed all the Departmental Tests required for the post of ACTO within probation period except Local Fund Audit paper-IV, which test was passed on 23-01-2006, and also submitted that while finalizing integrated seniority list of ACTOs for the periods 2000-01 to 2004-05 of Zone-VI in the CCT’s Ref.No.DX2/473/2008, dt: 09-12-2010, her name was placed at Sl.No.33 against the panel year 2003-04, purported to be relying on rule 16 (h) of the APS&SS Rules 1996 Basing on the above seniority list, she was even appointed as DCTO on adhoc basis on 25-05-2010, which is against the Hon’ble APAT, Hyderabad orders issued in OA No.9200/2010 filed by one Sri J.Subba Reddy and others.

It is also submitted that the Government in G.O Rt. No.341 Rev (CT.I) Dept., dated 31-05-2017, has considered her request and extending the period of probation for (3) years i.e., up to date of passing the departmental Tests and considered for re-fix the commencement of the probation in respect of her under rule 16 (h) of the TS SS Rules 1996.

In this connection it is informed that, the proposed Integrated seniority list of DCTOs is basing on the finalized zonal seniority lists of Zone-V & VI, finalized vide this office reference 2nd and 3rd respectively, which are finalized basing on zone wise integrated seniority list of ACTOs of Zone-V & VI, finalized for the panel years 2000-01 to 2008-09, as well as Zonal seniority list of DCTOs of Zone VI finalized for the panel years from 2007-08 to 2008-09.

It is also submitted that, as per the Govt. orders issued in G.O Rt. No.341 Rev (CT.I) Dept., dated 31-05-2017, the seniority of the individual has to be revised in the cadre of ACTOs in the Zone-VI, and also in the Zonal seniority list of DCTOs of Zone –VI, as per the provisions of Rule 33(b) read with rule 36(i) of A.P. State and Subordinate Service Rules, 1996, but it is under Show Cause Notice level, for finalization of revision seniority of ACTOs of Zone –VI, for the panel year 2003-04, and it is not yet finalized. After finalization of such seniority, the individual name has to be considered in the integrated seniority list of DCTO of all zones of Zone-V & VI for the panel year 2009-10 to 2010-11.

In this circumstances, the question of re-fixation of her name in the integrated seniority list of DCTO of all zones in the panel years in 2005-06 instead of as proposed in 2010-11, raised by the individual does not arise. Hence, her objection is overruled, and rejected.

Accordingly, the integrated seniority list of DCTOs for the panel years 2009-10 to 2010-11 of all Zones of Zone-V and VI, is hereby finalized and confirmed as shown in the Annexure-I which is subject to outcome of SLP’s/W.P’s/O.A’s/C.A’s pending, if any, before the respective Appellate forums.

A Copy of the above order is available on the portal of the Commercial Taxes Department and can be accessed at the address: [www.tgct.go.in](http://www.tgct.go.in)

Encl: Annexure Sd/- V. Anil Kumar

Commissioner of State Tax

To

All the individuals concerned through Deputy Commissioners (CT) Concerned.

All the Deputy Commissioners (CT), in the State.

All the Appellate Deputy Commissioners (CT), in the State.

The Director General, Vigilance & Enforcement Department, Telangana, Hyderabad with a request to send the copy of orders to the Offices of R.V. & E.Os.

Copy to the Commissioner, Printing & Stationery, Chanchalguda, Hyderabad with a request to publish in Telangana Extra ordinary Gazette and furnish (50) copies to this office at an early date.

Copy to the Joint Commissioner (CT) (CCW) O/o the Commissioner (CT) with a request to put up the orders on the Official portal of CT Dept.

Copy to Notice Board of CCT’s office, Hyderabad.

Copy to Stock file/Spare.

//t.c.f.b.o//

Deputy Commissioner (ST) (Vig & Ser)