**PROCEEDINGS OF COMMISSIONER OF STATE TAXES**

 **TELANGANA STATE :: HYDERABAD.**

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

**CCTs Ref. No. DZ/ 1198 /2018 Dated: 28-08-2018.**

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 2011-12 to 2012-13 –Show Cause Notice issued Proposed the Integration Seniority list of DCTOs of Zone-V & VI –Objections called for from the affected persons – Certain Objection filed – Examined – Final Orders passed – Orders – Issued -Regarding.

Ref:- 1) CCT’s Ref.No.DZ/448/2018, dated:06-04-2018, published in T.S.

 Extra-ordinary Gazette (Part-II) No. 58, dated: 16-04-2018.

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

 Extra-ordinary Gazette (Part-II) No. 158, dated: 21-11-2017.

 3) CCT’s Ref.No.DZ/708/2018, dated: 31-05-2018, Published in T.S.

 Extra-ordinary Gazette (Part-II) No. 90, dated: 05-06-2018.

 4) CCTs Ref. No. DZ/ 1198 /2018, Dated: 23 -07-2018.

 5) Objection of Sri G.Lenin Reddy, DCTO-1 Ranigunj Circle, dt:28.07.2018.

 6) Objection of Sri P.Thirupathi, DCTO Peddaplly dtd:01.08.2018.

 7) Objection of Sri K.Ashok, DCTO-II Mancherial dtd:02.08.2018.

 8) Objection of Sri.Govardhan Patwari, DCTO-Nirmal, dt: 01-08-2018.

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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 2009-10 to 2010-11, and Published in Telangana State Extra-ordinary Gazette (Part-II) No. 58, dated: 16-04-2018.

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. 158, dated: 21-11-2017.

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 2011-12 to 2012-13, and Published in Telangana State Extra-ordinary Gazette (Part-II) No. 90, dated: 05-06-2018.

Basing on the above Zonal Seniority list of DCTOs of Zone-V & VI, the Integrated Seniority for the subsequent panel years from 2011-12 to 2012-13 is now taken up, basing on the Zonal seniority lists of DCTOs of Zoe-V & VI finalized vide reference 2nd and 3rd cited is prepared and proposed as Annexure.

 In exercise of powers conferred under Rule 34, read with rule 36(iii) of Telangana State and Subordinate Service Rules, 1996, vide this office reference 4th cited, a show cause notice was issued to affected persons and called for the objections if any on the proposed integrated seniority list of all zones i.e., zone-V&VI.

 In response to the above show cause notice certain DCTOs have filed their objections as under :

1. Sri G. Lenin Reddy, DCTO-1 Ranigunj Circle
2. Sri P. Thirupathi, DCTO Peddaplly
3. Sri K. Ashok, DCTO-II Mancherial
4. Sri.Govardhan Patwari, DCTO, Nirmal

**Objection of Sri G.Lenin Reddy.**

As seen from the objection of the above individual he has reported that he has no objection on proposed integrated seniority list of DCTO’s of all zones of Zone-V & VI for the panel year 2011-12 to 2012-13.

It is also submitted that he has changed his name as Lenin Gaddam S/o. Pichi Reddy to Gaddam Lenin Reddy vide Telangana Gazette published vide No. 281, dated:22.12.2015. In view of the above reason he has requested to change his name in the above proposed integrated seniority list as Gaddam Lenin Reddy instead of Lenin Gaddam.

**Reply**

As per the objection filed by the individual his objection has been examined in detailed and found genuine. Hence his name was considered in the above seniority list as Gaddam Lenin Reddy instead of Lenin Gaddam.

**Objections of both DCTO’s of Sri P. Thirupath, Sri.K.Ashok are one and same and Sri.Govardhan Patwari, DCTO, Nirmal.**

**Objection-1**

As seen from the objections of Sri P. Thirupath, Sri.K.Ashok DCTOs, they have stated that, Smt.Ayesha Siddiqua, DCTO of Zone-V and Smt.K.S.Tulasi DCTO of State of A.P., were made request to transfers on mutual basis. The same has been considered by the respective States vide G.O.Ms No.37, Rev (CT.I), Dept, dt: 14-02-2017 (Telangana) and vide G.O.Ms.No.100, Rev (CT.I) Dept, dt: 9-03-2017. Both states have examined their requests and issued above orders on mutual basis putting the following specific condition that *“ subject to condition that, they shall take last rank in the respective seniority list in their respective zones”* .

 In view of the above, It is also further submitted that the rule stipulated in the Special Rule 35, that the order of merit or order of preference indicated in a list of selected candidates prepared by the Public Service Commission or other selecting authority, shall not be disturbed inter-se with reference to candidates position in such list or panel while determining the seniority in accordance with this Rule. Smt.Ayesha Siddiqua who was senior to them has got transferred to other State on her request subject to condition that Smt.K.S.Tulasi, DCTO should not claim seniority over them and shall take last rank, and Smt. K.S. Tulasi, DCTO, also came to the Telangana state on same condition, and has joined in Commercial Taxes Department of Telangana State. Accordingly her name should be in the last rank in the seniority list. The name of Smt.K.S.Tulasi, is placed at Sl.No. 19 which is deviation of Govt. orders, stating that when the place of Smt.Ayesha Siddiqua at Sl.No.19 is vacated from this state, it should be filled up by pulling the next candidate to that point and newly coming candidate with the condition duly agreed should be at the last rank.

**Objection-2**

The above individuals along with Sri.Govardhan Patwari, DCTO, Nirmal have objected that, in the zonal seniority as well as integrated seniority list of DCTOs finalized in the panel year 2010-11, the name of Sri.G.Ravi Chandra Kumar, whose name was included in the integrated seniority list at S.No.26 below the name of Sri.G.Amarendar and above the name of Smt.Y.Anjali Kumari was expired while he was working as ACTO and he never been acted as a DCTO, but his name has been shown in the zonal seniority of DCTOs of zone-V and integrated seniority list of DCTOs of all zones i.e., Zone V & VI, and mentioned as retired on 31-01-2013, stating that, he was expired much earlier to 2010.

 In view of the above reasons, they requested to relegate the name of above individual from the above integrated seniority list for the panel year 2010-11.

**Reply on Objection-1**

The issue has been examined while finalizing the zonal seniority list of DCTOs of zone-V for the panel year 2009-10 to 2012-13 was finalized vide CCT’s Ref.No.DZ/745/2016, dt: 13-11-2017 and published in Telangana Gazette No.158, dt:21-11-2017.

 While finalizing the above zonal seniority list, the appropriate authority have given several opportunities to the individuals and after taking lenient views from both side of the individuals the zonal seniority list of DCTOs of zone-V for the panel year 2009-10 to 2012-13 has been finalized.

 Subsequently, basing on the above zonal seniority list of DCTOs of zone-V, the integrated seniority list of DCTOs of all zones i.e., Zone-V & VI for the panel year 2009-10 to 2010-11 has been finalized vide CCT’s Ref.No.DZ/448/2018, dt:06-04-2018.

 In view of the above, it is submitted that, now the integrated seniority list from the panel year 2011-12 to 2012-13 has been taken up and called for the objections from the affected persons but not on zonal seniority list of DCTOs of zone-V.

 Thus, the objections of the individuals are devoid of merits. Hence rejected.

**Reply on Objection-2**

The zonal seniority list of DCTOs of zone-V for the panel year 2009-10 to 2012-13 was finalized vide CCT’s Ref.No.DZ/745/2016, dt: 13-11-2017 and published in Telangana Gazette No.158, dt:21-11-2017. The above zonal seniority list of zone-V was finalized basing on the integrated seniority list of ACTOs of zone-V finalized by the Deputy Commissioner (CT), Warangal division vide Ref.No.A1/94/2012, dt: 29-04-2014.

In such integrated seniority list, it is mentioned that, Sri.G.Ravi Chandra Kumar, ACTO whose name is included in the above seniority list at S.No.(8) and also mentioned that he was retired on 31-01-2013.

 Basing on the above integrated seniority list of ACTOs the zonal seniority as well as integrated seniority list was prepared and issued a show cause notice to all the affected candidates for submission of their written objections if any on the proposed zonal and integrated seniority list of DCTOs.

 Even after issue of such opportunities, nobody have filed any objection before finalizing the zonal seniority list of DCTOs of zone-V for the panel year 2009-10 to 2012-13. If it is correct as the individual was expired much earlier of 2010, the zonal seniority list and integrated seniority list needs to be revised after verifying the facts of the case.

 In view of the above, it is submitted that, now the integrated seniority list from the panel year 2011-12 to 2012-13 has been taken up and called for the objections from the affected persons but not on zonal seniority list of DCTOs of zone-V for the panel year 2009-10 to 2012-13.

 Thus, the objections of the individuals are devoid of merits. Hence rejected.

 Accordingly, the integrated seniority list of DCTOs of zone-V of all zones i.e., zone-V & VI for the panel year 2011-12 to 2012-13 is hereby confirmed and finalized as shown in the annexure-1 which is subject to outcome of SLPs/WPs/OAs/CAs 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.gov.in](http://www.tgct.gov.in)

 Sd/- V. Anil Kumar

 Commissioner of State Tax

To

The Individuals concerned Through Deputy Commissioners (CT) Abids, Begumpet, Charminar, Hyderabad(Rural), Saroornagar, Secunderabad, Punjagutta, Nalgonda, and Nizamabad, Karimnagar, Adilabad, & Warangal divisions.

Copy to the DG (V&E) Hyderabad with a request to serve the show cause notice to the DCTOs working in the Offices of R.V & E.Os

Copy to the all the Appellate DY. Commissioner (CT) in the state, with a request to serve the show cause notice to the DCTOs working in their control.

Copy to the Addl. Commissioner (CT) Enf. Wing., O/o the Commissioner(CT), Hyderabad.

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

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.

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

 Superintendent Grade-I (Gazetted)