**GOVERNMENT OF TELANGANA**

**COMMERCIAL TAXES DEPARTMENT**

**Office of the**

**O/o Commissioner (ST),**

**Hyderabad, Telangana.**

**TS CCTs Ref.No. C(DX)/1169/2015 , Dated:13-02-2020.**

**REVISED SHOW CAUSE NOTICE**

Sub: Public Services – Commercial Taxes Department – Seniority list of the Assistant Commercial Tax Officers of Warangal Zone V from the Panel year 2005-2006 to 2016-17 – Certain communal roster Points omitted – Government issued permission - Revised show cause notice issued – Objections called for – Reg.

Ref: 1. CCTs Ref. No. DX2/394/2012-2, Zone V, dtd.03.10.2012.

 2. DC(CT),Wgl Divn., Rc.No.A1/64/2014,Dt: 18.09.2013.

 3. Representation of Smt P.Jyothi, DCTO, Fort Road,Warangal

 Division,Wgl dt: 22.08.2015.

 4. TS CCT’s Ref.No.C(DX)/1169/2015, Dt: 18.09.2015

 5. DC(CT),Wgl Divn., Rc.No.A1/64/2014,Dt: 14.10.2015.

 6. TS CCT’s Ref.No.C(DX)/1169/2015. Dt: 28.11.2015.

 7. DC(CT),Warangal Division Rc.No.A1/64/2014.Dt: 14.12.2016.

 8. TS CCT’s Ref.No.C(DX)/1169/2015, Dt: 08.02.2016.

 9. DC(CT),Warangal Division, Rc.No.A1/64/2014, Dt: 27.02.2016.

 10. TS CCT’s Ref.No.C(DX)/1169/2015, Dt:09.05.2016.

 11. JC(ST),Warangal Division, Rc.No.A1/64/2014, Dt: 24.05.2018.

 12. Representation of Smt P.Jyothi,DCTO, O/o.CTO Fort Road,

 Warangal Division,Dt: --Nil—

 13. Representation of Sri B.Eswar, DSTO,O/o.BCP,Wankidi,

 Dt: 01.05.2018.

 14. Representation of Smt G.Pushpalatha,STO.O/o.AC(ST).

 Ramannapet Circle,Warangal Division, Dt: 01.05.2018.

 15. Representation of Smt Ch.Vasatha, STO,Fort Road Circle,

 Warangal Division, Dt: 04.05.2018.

 16. Representation of TCT SC,ST Empolyees Association,

 Warangal Division,Dt: 17.05.2018.

 17. National Commission for Scheduled Tribes, Bhubaneswar,

 Dt: 21.06.2018.

 18. JC(ST),Warangal Division, Rc.No.A1/64/2014, Dt: 27.06.2018.

 19. TS CCT’s Ref.No.C(DX)/1169/2015, Dt: 27.06.2016.

 20. JC(ST),Warangal Division, Rc.No.A1/64/2014,Dt: 12.07.2018.

 21. Representation of Smt P. Jyothi, DCTO O/o.CTO, Fort Road,

 Warangal Division, Dt: 27.07.2018.

 22. Representation of Smt G.Pushpalatha, DCTO O/o.CTO,

 Ramannapet, Warangal Division, Dt: 27.07.2018.

 23. Representation of Sri B.Eshwar,ACTO. O/o.CTO, Fort Road,

 Warangal Division, Dt: 27.07.2018.

 24. TS CCT’s Ref.No.C(DX)/1169/2015-I, Dt: 27.07.2018.

 25. TS CCT’s Ref.No.C(DX)/1169/2015-II, Dt: 27.07.2018.

 26. JC(ST),Warangal Division, Rc.No.A1/64/2014, Dt: 27.07.2018.

 27. Government Memo No.19745/CT.I/2018-3,Revenue (CT.I)

 Department, dtd. 13-11-2019.

 28. TS CCT’s Ref.No.C(DX)/1169/2015, Dt: 27.11.2019.

 29. Objections received from the individuals.

 30. TS CCT’s Ref.No.C(DX)/1169/2015, Dt: 21.12.2019.

 31. JC(ST),Warangal Division, Rc.No.A1/36/2017, Dt: 27.12.2019 &

 01-01-2020.

 32. TS CCT’s Ref.No.C(DX)/1169/2015-I, Dt: 21.01.2020.

 33. JC(ST) Warangal Division Rc.No. A1/36/2017, dtd. 28-01-2020.

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The Deputy Commissioner (CT), Warangal Division, Warangal vide reference 2nd cited has revised the seniority list of the Assistant Commercial Tax Officers of Warangal Zone V from the panel years 2005-2006 to 2011-12 duly implementing “Rota-quota” guidelines/instructions issued by the Government vide Memo No.263/CT.I(2)/2011, Revenue (CT-I) Department, Dated 29.06.2011.

 Aggrieved of the orders of the DC(CT), Warangal Division, Smt.P.Jyothi, DCTO, O/o Fort Road, Warangal & others have filed representations to the Commissioner(CT), Hyderabad seeking revision of Seniority list of the ACTOs of Warangal V Zone, as certain Communal roster points of R.Ps were omitted while revising the seniority list of ACTOs from the panel years 2005-06 to 2011-12 and requested for revision of said list.

 Further, the JC(ST), Warangal has examined the objections, representations of the individual & others with their office records and furnished remarks in her report vide reference 20th cited, while revising the seniority list of ACTOs of Zone V from the panel year 2005-06 by the DC(CT), Warangal Division, the communal roster point started with 17-OC instead of taking the roster point 98-OC which was relegated from the panel years 2000-01 to 2004-05 during rota-quota orders, by which the (19) Communal roster points i.e., 98-OC to 16-SC were by passed.

 Therefore, to rectify the above omission, the revision of seniority list of ACTOs of Zone-V i.e., Warangal Nodal Division from the panel years 2005-06 to 2016-17 is warranted. Further, the Government vide reference 27th cited given permission to reopen the seniority list of the ACTOs of Warangal Zone V from the Panel years 2005-06 onwards.

 In the reference 28th cited, a show cause notice was issued to the effected persons for revision of seniority list of ACTO’s of Warangal Nodal Division i.e, Zone-V for the period from 2005-06 to 2016-17.

 Aggrieved by the above show cause notice dt. 27-11-2019, various individuals have filed objections stating that certain regular ACTO vacancies were missed in certain panel years in the seniority list of ACTO’s of Zone-V, etc., and requested to correct the same.

The objections and replies as per JC(ST) Warangal Division remarks / available records are as follows;

|  |  |  |  |
| --- | --- | --- | --- |
| Sl. No. | Name of the individuals filed objections | Description | Remarks / Reply |
| 1 | Common objections of Sri M. Jagan Mohan Reddy, ACTO, Smt. M.Vani Sree & Sri L.Sunil Reddy | The retirement vacancy of Sri Thakur Singh, ACTO on 31-08-2006 was not taken  | Examined and considered |
| The vacancy of Sri N. Balamohan Rao, ACTO retired on 28-02-2014 was not taken.  | The vacancy of Sri N.Balamohan Rao, ACTO was taken in the panel year 2013-14. |
| The promotion vacancy of Sri D. Pandu, DCTO on 14-08-2006 was not taken | Examined and considered |
| The promotion vacancy of Sri Md. Khaja Sardar Ahmed, DCTO on 04-02-2013 was not taken | Examined and considered |
| The promotion vacancy of Sri Govardhan Patwari, DCTO on 24-02-2014 was not taken | Examined and considered |
| Sri V. Haricharan, DCTO promoted on 24-02-2014 was not taken | Examined and considered |
| Smt A. Kavitha DCTO promoted on 24-02-2014 was not taken |
| Sri S. Bhaskar DCTO promoted on 24-02-2014 was not taken |
| Sri B. Sadashivudu DCTO promoted on 24-02-2014 was not taken |
| Sri K. Mahender Reddy DCTO promoted on 24-02-2014 was not taken |
| Sri I. Ugender DCTO promoted on 24-02-2014 was not taken |
| Ms. Aruna Sree, ACTO relieved from Department on 4-5-2012 with lien for (3) years, consequent on selection as Gr.I Services. The same was not taken. | Examined and considered |
| Sri P. Karunakar, ACTO relieved from Department on 10-3-2010 with lien for (3) years, consequent on selection as DSP. The same was not taken. | Examined and considered |
| The promotion vacancy of Sri Raza Ali Nawaz, DCTO was not taken in any panel year.The JC has stated that his vacancy was taken in the panel year 2012-13 at Sl. No. 2 as he retired on 31-10-2012. But, he was promoted as DCTO on 14-12-2011 and the same was not taken  | This vacancy is shown in 2011-12 panel year instead of 2012-13 panel year since he was promoted as DCTO on 14-12-2011. |
| 2 | Sri J. Sambi Reddy, ACTO | The JC has requested to take necessary action.  | The show cause notice dtd. 27-11-2019 was issued on the corrected vacancy position taken while finalizing the seniority list of ACTOs for the panel year 2005-06 to 2011-12 finalized vide this office Ref. A1/94/2012, dtd. 18-09-2013. In the said list, 51 and 29 ACTO vacancies for 2005-06 & 2008-09 respectively were taken. Hence, this objection does not have any grounds and rejected. |
| 3 | Sri R. Pradeep Kumar, ACTO | The JC has stated that the retirement of vacancy of Sri B. Naranayan on 31-12-2012 and Sri V. Vodelu, ACTOs on 31-12-2012 were not taken  | This vacancy of Sri B. Narayana, ACTO was already taken 2012-13. The vacancy of Sri V. Vodelu is considered. |
| 4 | Sri P. Sridhar, ACTO | The JC has stated that the demise vacancy of late M. Venkataramana ACTO on 02-01-2016 was not taken  | Examined and considered |
| 5 | Sri P. Suresh, ACTO | The individual has stated that his name was placed in the panel year 2012-13 and as per circular Memo No. 57759/SER-A/2004-1, dtd. 20-05-2004 it is stated that *“no request for revision of seniority for period which is more than 3 years old shall be considered”* which is adverse to the rule 26 of A.P. S & S.S. Rules.The individual has requested to (15) days of time to file objections. | The present exercise of revision mainly based on RP ACTOs roster points only. The seniority of DR ACTOs shall be fixed as per their date of appointment and merit list only. Accordingly, the seniority of the individual was fixed at the respective panel years. (15) days of time already over.The present revision is made based on Government permission in Memo No. 19745/CT.I/ 2018-3, Revenue (CT.I) Department, dtd.13-11-2019 by rectifying certain omissions only. Hence, his objection overruled. |
| 6 | Sri K.L. Narasimha Rao, ACTO | The individual has stated that his name was in first place in the District Selection Committee Khammam selection list, in the year 1987 among the selected candidates of Jr. Assistants/Typists/Jr. Stenos of Khammam District. The individual had stated that, his name was placed at Sl. No. 9 and communal Roaster at Point No. 23 in the panel year 2013-14 instead of Sl. No. 18 and communal roaster point no. 15 in the panel year 2012-13. As a result of this, (7) members were placed above his name and out of which (3) members were already retired.The individual has requested to rectify the same and include his name in the panel year 2012-13 of revised seniority list of ACTO of Zone-V. | The main contention of the individual was inclusion of his name in the panel year 2012-13 instead of 2013-14 as per selection list of Jr. Assistats/Typists/Jr.Stenos of Khammam District. The present revision of seniority list of ACTOs of Zone V for the years 2005-06 to 2016-17 is to be made based on the already finalized seniority list of ACTOs of Zone-V. The contention of the individual belongs to seniority in the cadre of Jr. Assistats/Typists/Jr.Stenos of Khammam District. Hence, he has to file his objections if any in the matter while finalizing the seniority list in the cadre of Jr. Assistant or Sr. Assistant. Therefore, his objection does not have any merits in the present revision and rejected. |
| 7 | Common objections of Sri Ch.Tirupathi and Sri D. Sreenivas, ACTOs  | Their names were placed in the panel year 2012-13. They stated that as per circular Memo No. 57759/SER-A/2004-1, dtd. 20-05-2004, the settled seniority list more than three years not to reopened. Further, they stated that all upgraded posts are taken in the panel years of 2005-06, as per the rules all newly sanctioned posts are permanent after five years existence only as per explanation (i) of Rule 4 (b) of APS & SS Rules and requested to provided roster points from 2004-05 to 2005-06 to file genuine objections.  | The individuals belongs to Direct Recruit ACTO of Zone-V. The present exercise of revision is mainly based on RP ACTOs roster points only. The seniority of DR ACTOs shall be fixed as per their date of appointment and merit list only. Accordingly, the seniority of the individuals were fixed at the respective panel years. Further, the present revision made based on Government permission in Government Memo No. 19745/CT.I/2018-3, Revenue (CT.I) Department, dtd.13-11-2019 by rectifying certain omissions only. With regard to contention of the individuals, for upgraded posts, all the revision was made as per already finalized seniority lists only. Hence, their objections are rejected. |
| 8 | Sri J.Jampaiah & Sri P.Sharath Babu, ACTO’s | The individuals have filed common objections stating that they have transferred from State of A.P. to State of Telangana under mutual basis in the year 2018 and Smt K.S. Tulasi, DCTO of Zone IV, A.P., transferred from State of A.P., under mutual basis with Smt Ayesha Siddiqua, DCTO of Zone V, State of T.S., in the month of 2017. The then CCT has finalized the seniority list of DCTOs of Zone V vide CCTs Ref. No. TS/DZ/745/2016, dtd. 13-11-2017 has placed the name of Smt K.S. Tulasi, DCTO in the seniority list of DCTOs of Zone V in the place of Smt Ayesha Siddiqua, DCTO who transferred to State of A.P., under mutual basis, rejecting the objections raised of Sri K.Ashok, Sri P. Thirupathi and Smt Asia Sultana, DCTOs. The individuals have requested to include their names in respective place of seniority list of ACTOs of Zone V.  | **The detailed reply placed below \*\*** |

 **\*\* Both the two individuals, were transferred from State of A.P. and State of T.S., on mutual basis. The details as follows:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sl. No.  | Name of the ACTO of A.P., transferred to State of T.S.,  | mutual basis with  | A.P. G.O. No.  | T.S. G.O. No.  |
| 1 | Sri J. Jampaiah, ACTO | Sri Ch. Narsinga Rao, ACTO  | G.O. Ms. No. 7, Rev (CT.I) Dept., dtd. 5-1-2018 | G.O. Rt. No. 795, Rev (CT.I) Dept., dtd. 28-12-2017. |
| 2 | Sri P. Sharath Babu, ACTO | Smt Y. Padmaja, ACTO | G.O. Ms. No. 19, Rev (CT.I) Dept., dtd. 10-01-2018. | G.O. Rt. No. 2, Rev (CT.I) Dept., dtd. 05-01-2018. |

 As per the above Government G.Os, both Governments have stated that they shall take last rank next to the last regular candidate in the category of ACTO in the new State and forgo seniority in the existing State as well as lien.

 As per the joining of the above two individuals in State of Telangana, they were allotted to JC(ST), Warangal Nodal Division vide CCTs Ref. No. C/1245/2015-1, dtd. 29-01-2018 and C/ 1245/2015-1, dtd. 1-2-2018 and requested to admit the individuals and issue posting orders subject to conditions laid down in above Government G.Os since, the JC(ST), Warangal Division is appointing/competent authority for the cadre of ACTOs. Accordingly, the individual were joined in Warangal Nodal Division in the month of February, 2018.

 As per the Government orders, their seniority will be fixed by JC(ST), Warangal Division in the cadre of ACTO for the year 2018 accordingly.

The contention of the individuals that placement of Smt K.S. Tulasi, DCTO is belongs to DCTO cadre only finalized by the then CCT who is competent/appointing authority for the cadre DCTO.

 Further, above two individuals may file representations/objections if any while finalizing their seniority in the cadre of ACTOs of Zone-V by JC (ST), Warangal Division. Hence, their objections may not be sustainable and rejected. With regard to objection of Smt. M.Vanisree, ACTO, the adequacy reached under PHC(OH) category as per the previous settled Zone-V ACTO seniority lists for the years from 2012-2013 to 2015-2016 vide DC(CT) Warangal Procg. in Rc.No. A1/36/2017, Dt: 08.08.2017. The JC(ST) Warangal Errata orders were issued by adopting the PHC (HH) category to Sri Inkeshaf Ali Md vide Rc.No. A1/36/2017, Dt: 01.05.2018. Hence the PHC (HH) 1% has been taken during issuing this show cause notice Dt: 27.11.2019 during in the panel year 2013-2014 at Roaster point 31 PHC (HH). As the PHC (HH) 1% has not reached the adequacy, hence his name is considered during the panel year 2013-2014. **Accordingly her objection is not considered and rejected.**

 With regard to objection of Smt. M.Vanisree, ACTO against Sri K. Giridhar, ACTO- ST, on verification of records it is noticed that even though he is junior to Smt. M.Vanisree, ACTO, he was placed at Sl.No. 50 point in the panel year 2013-2014 at the time of finalization of Zone-V ACTOs Seniority list for the panel years 2012-2013 to 2015-2016 vide JC(ST),Warangal Rc.No. A1/36/2017, Dt: 08.08.2017 and her at Sl.No. 68 in the panel year 2015-2016. The individual has not filed any objections while finalizing the seniority list of ACTOs of Zone-V for the years 2012-2013 to 2015-2016. The name of Sri K. Giridhar, ACTO was pushed down from 2013-2014 panel year to 2015-16 panel year at 33-ST Roaster Point in the Show Cause Notice Dt: 27.11.2019 as per fixation, there is no validity in her objection. **Hence objection is not considered and rejected.**

 In the Show Cause Notice Dt: 27.11.2019, Sri M. Narsaiah, retired on 31.10.2013 and the vacancy is shown in the panel year 2013-2014 as per the previous finalized seniority list. But on verification of records Sri M.Narsaiah, was promoted as DCTO vide CCT’s Procgs in Ref.No. DZ(3)/119/2013, Dt: 23.05.2013. Hence, the vacancy was deleted from the panel year 2013-2014 and added to the panel year 2012-2013.

 As per the detail remarks of JC(ST) Warangal Nodal Division, the seniority list of the ACTOs of Warangal Zone-V from the panel years 2005-06 to 2016-17 is proposed to be revised, duly rectifying the above omissions, as per the powers vested under Rule 24(b) & (c) of the T.S.& S.S. Rules, 1996 and other relevant rules governed.

 The vacancies of the ACTOs of Warangal Zone-V arose from the panel years 2005-06 to 2016-17, is as under:-

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Sl.No.** | **PANEL YEAR VACANCIES FROM** | **TOTAL VACANCIES** | **RANK PROMOTEE** | **DIRECT RECRUITEE** | **CITY LIST** |
|   | **B/F VACANCIES** | **52** | **0** | **49** | **3** |
| 1 | 2005-2006 | 53 | 29 | 21 | 3 |
| 2 | 2006-2007 | 9 | 4 | 4 | 1 |
| 3 | 2007-2008 | 7 | 3 | 3 | 1 |
| 4 | 2008-2009 | 31 | 19 | 9 | 3 |
| 5 | 2009-2010 | 18 | 11 | 5 | 2 |
| 6 | 2010-2011 | 22 | 13 | 7 | 2 |
| 7 | 2011-2012 | 21 | 15 | 6 | 0 |
| 8 | 2012-2013 | 23 | 15 | 8 | 0 |
| 9 | 2013-2014 | 19 | 14 | 5 | 0 |
| 10 | 2014-2015 | 9 | 6 | 3 | 0 |
| 11 | 2015-2016 | 30 | 21 | 9 | 0 |
| 12 | 2016-2017 | 12 | 8 | 4 | 0 |
|  | **TOTAL** | **306** | **158** | **133** | **15** |

(15) CITY LIST VACANCIES FILLED IN THE PANEL YEAR 2011-12.

Note: 1. The ratio between RP & DR ACTOs is 60:40 up to the panel year 2007-08 and as per 10 point Cycle.

 2. The ratio between RP & DR ACTOs is 70:30 from the panel year 2008-09 onwards as per G.O.M.s.No.1055, Revenue (CT-I) Department, dt: 23.08.2008 and as per 10 point cycle.

 The Seniority of the D.R.ACTO is placed in the respective panel years as per the merit ranking given by APPSC/TSPSC and also as per the provisions of Rule 33(b), 36(i) of the TS & SS Rules, 1996.

 Hence, the seniority list of the ACTOs of Warangal zone V from the panel years 2005-06 to 2016-17 is proposed to be revised, duly rectifying the above omissions, as per the powers vested under Rule 24(b) & (c) of the T.S.& S.S. Rules, 1996 and other relevant rules governed.

 The proposed revised integrated seniority list of ACTOs of zone-V for panel years 2005-06 to 2016-17 are enclosed in (12) Annexures.

 Thus, the persons, shown in the Annexure to this revised show cause notice, may file their written objections if any within fifteen (15) days from the date of publication in the Departmental website [www.tgct.gov.in](http://www.tgct.gov.in), failing which, it will be construed that they have no objections to file and orders as deemed fit under law would be passed without any further notice in the matter.

 The above proposed seniority list shall be subject to outcome of SLP’s/WP’s/OAs/C.As/Representations, pending if any, before the respective appellate/competent forums.

Encl: (12) Annexures for the panel years from

 2005-06 to 2016-17.

 Sd/- Neetu Prasad

 Commissioner of State Tax

To

All the affected candidates through the Joint Commissioner’s (CT),

 concerned.

Copy to the Joint Commissioners (ST), Warangal, Karimnagar

 and Adilabad Division’s for taking necessary action.

Copy to the Special Commissioner (ST), Enforcement wing, O/o CST, T.S.,

 Hyderabad for taking necessary action.

Copy to the Director General, Vigilance & Enforcement wing, Telangana

 State, Hyderabad for taking necessary action.

Copy to the Additional Commissioner (ST), Central Computer Wing,

 O/o CST, TS, Hyderabad with request to place the above

 show cause notice in the portal of C T Department.

Copy to the Joint Commissioners(ST), Secunderabad and Hyderabad (Rural)

 Nodal divisions for taking necessary action.

Stock file/Spare

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Deputy Commissioner(ST) (Services & Legal)