



ABSTRACT

Public Services – Tamil Nadu Commercial Taxes Service – Drawal of temporary list of Commercial Tax Officers for appointment as Assistant Commissioners (Commercial Taxes) in the Commercial Taxes Department for the year 2016-2017 by recruitment by transfer – Orders – Issued.

Acas
6/7/17

COMMERCIAL TAXES AND REGISTRATION (E 1) DEPARTMENT

G.O. (Ms.) No.79

Dated 06.07.2017.
ஹேவிளம்பி, ஆனி, 22,
திருவள்ளூர் ஆண்டு, 2048.
Read:



- G.O (Ms) No.17, Commercial Taxes and Registration (E1) Department, dated 28.2.2017.
2. From the Additional Chief Secretary / Commissioner of Commercial Taxes Ref.No.CP2/2159/2016, dated 27.12.2016 and 27.01.2017.

ORDER:

In the Government Order first read above, the Government have ordered that the estimate of vacancies for the post of Assistant Commissioner (Commercial Taxes) to be filled up by recruitment by transfer for the year 2016-2017 be fixed as 40 (Forty).

2. The qualifications prescribed in the Special Rules for the Tamil Nadu Commercial Taxes Services for appointment to the post of Assistant Commissioner (Commercial Taxes) are as follows:-

- Must have passed the Accounts Test for Executive Officers, departmental tests in Commercial Taxes Acts Part I, II & III and Book-Keeping.
- Must not have completed 57 years of age on the 1st day of July of the year in which the report to the Commission about his fitness for inclusion in the list becomes due.
- Must have not less than two years of service in all as Commercial Tax Officers engaged in assessment work.

3. The Additional Chief Secretary/Commissioner of Commercial Taxes has sent proposal for the drawal of temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2016-2017. The last candidate promoted in the temporary list of Assistant Commissioners (Commercial Taxes) drawn for the year 2015-2016 is Tmt.A.Tamil Selvi (Commercial Tax Officer Rank No.114/2011). Based on the estimate of

vacancy fixed by the Government, he has recommended the names of Commercial Tax Officers, who were still in the temporary list of Commercial Tax Officers (feeder category to the post of Assistant Commissioner) for inclusion in the temporary list of Assistant Commissioners (Commercial Taxes) for the year 2016 by relaxing rule 4(a) read with Annexure-I-A-(ii) relating to age and Annexure-I-A (iii) relating to assessment service of Special Rules for Tamil Nadu Commercial Taxes Services.

4. The Government have examined the proposal of the Additional Chief Secretary / Commissioner of Commercial Taxes in greater detail. Taking into account that statutory functions are enshrined upon the Assistant Commissioners (Commercial Taxes) under the various Acts administered by the department to assess and collect the tax revenue to the exchequer and that the large vacancies in this cadre would prove an impediment to the department, the Government have decided to draw a temporary list of Commercial Tax Officers for appointment as Assistant Commissioners (Commercial Taxes) for the year 2016-2017.

5. The provisions of the Special Rules for Tamil Nadu Commercial Taxes Services mandating the completion of two years of service as Commercial Tax Officer engaged in assessment work for promotion as Assistant Commissioner (Commercial Taxes) is inter-twined in the meaning that two years of service in the category of Commercial Tax Officer is required in addition to possession of assessment service for an equal number of period. For instance, if an individual is appointed and posted as Commercial Tax Officer in assessment wing, he straightaway completes his two years service both as Commercial Tax Officer and in assessment. However, due to dearth of hands many are posted in other wings of the department and as such they happen to put in service as Commercial Tax Officer but not in assessment. Considering this as an administrative exigency, the Government relaxed the above rule provision in favour of all the individuals who were included in the temporary list of Assistant Commissioners (Commercial Taxes) for the year 2013 drawn in Government Order (Ms.) No.20, Commercial Taxes and Registration Department, dated 19.2.2014, based on the order of the High Court of Madras dated 20.1.2014, which guided that a rule cannot be arbitrarily relaxed to one set of people and if it is proposed to relax the rules, then the relaxation has to be in general.

6. By adopting the same principle followed while drawing the temporary list of Assistant Commissioners (Commercial Taxes) for the year 2015 and based on the seniority list of Commercial Tax Officers drawn by the Commissioner of Commercial Taxes, the Government hereby direct that the names of the following 29 persons be included in the temporary list of Assistant Commissioners (Commercial Taxes) by recruitment by transfer in the Tamil Nadu Commercial Taxes Service for the year 2016-2017 in the order of their seniority / communal rotation in relaxation of rule 4(a) read with Annexure I-A (ii) & (iii) of the Special Rules for Tamil Nadu Commercial Taxes Services relating to shortage in service in all as Commercial Tax Officer engaged in assessment work and age respectively in their favour and order accordingly:-

Cycle	Turn	Whether SC/ST, MBC/DNC, BC, OC	Sl. No.	Name Thiru./Tmt./Selvi	Rules relaxed	
(1)	(2)	(3)	(4)	(5)	Service in assessment work	Age
Unfilled vacancies for SC/ST	2015 - 2016 ***	SC/ST	----	Nil		
I Cycle**	36	SC	1.	A.Saroja(SC)	✓	x
	37	MBC*	2.	Daniel Jothiraj (BC)	✓	x
	38	BC(OBCM)	3.	K.Jeyakumari (BC)	✓	x
	39	GT	4.	M.Rajammal (SC)	✓	x
	40	BCM#	5.	N.Anusuya (SC)	✓	x
	41	GT	6.	K.Vadivelu (BC)	✓	x
	42	SC	7.	K.Sundararajan (SC)	✓	x
	43	MBC#	8.	R.Parthiban (SC)	✓	x
	44	BC(OBCM)#	9.	P.Karthikeyan (SC)	✓	
	45	GT	10.	R.Shanmugam (BC)	✓	x
	46	MBC#	11.	A.Sathiakumar (SC)	✓	x
	47	BC(OBCM)#	12.	M.Ponmudi (SC)	✓	X
	48	GT	13.	P.Vasantha (SC)	✓	x
	49	BC(OBCM)	14.	N.Desing(BC)	✓	x
	50	ST#	15.	S.Shanmugathai (SC)	✓	x
	51	GT	16.	R.Sankaran (BC)	✓	x
	52	SC	17.	S.Vediappan (SC)	✓	X
	53	MBC*	18.	L.Uma maheshwari (BC)	✓	X
	54	BC(OBCM)	19.	S.Arul (BC)	✓	X
	55	GT	20.	M.K.Balambal (BC)	✓	X
	56	SC	21.	R.Pushpanathan (SC)	✓	X
	57	MBC*	22.	R.Selvam (BC)	✓	X
	58	BC(OBCM)#	23.	V.Selvakumar (SC)	✓	X
	59	GT	24.	P.Rajeswari (BC)	✓	X
	60	BC(OBCM)	25.	G.Murugesan (BC)	✓	X
	61	GT	26.	S.C.Shyamaladevi (OC)	✓	X
	62	SC		No Candidate		
	63	MBC*	27.	E.Daname (BC)	✓	X
	64	BC(OBCM)	28.	K.N.Krishna Prasad (OC)	✓	X
	65	GT	29.	S.Chelvakumar (BC)	✓	X

* Rotation is followed only for SC/ST and filled up by seniority with candidates in respect of other communities.

** The Communities mentioned against the candidates in column (5) is for reference only and has no relevance to the communities mentioned in column(3). It is only for the purpose of identifying the vacancies pertaining to SC/ST which may have to be carried forward to the subsequent panels.

*** Carried forward vacancies in respect of the year mentioned.

Filled up by seniority with SC candidates.

7. The temporary list of Assistant Commissioners (Commercial Taxes) as in paragraph 6 above is purely drawn on ad-hoc basis and it does not confer any right on the individuals to claim seniority in future and it is prepared by adopting the rule of reservation in respect of Scheduled Cast/ Scheduled Tribe candidates alone, subject to the outcome of the following cases:-

(i) *Special Leave Petition No.CC 1762 of 2006 filed by the Government of Tamil Nadu in the issue of rule of reservation, which is pending before the Hon'ble Supreme Court of India, New Delhi;*

(ii) *W.P.No.7313 of 2017 filed by Thiru.S.Arunbabu, Commercial Tax Officer,Chennai-6 and four others which is pending before the Hon'ble High Court of Madras;*

(iii) *any other cases pending in this regard.*

8. The Additional Chief Secretary / Commissioner of Commercial Taxes shall communicate the temporary list to all the persons concerned as ordered in G.O Ms. No.707, Personnel and Administrative Reforms Department, dated 3.7.1981. Necessary posting orders will be issued by the Additional Chief Secretary/ Commissioner of Commercial Taxes separately.

(BY ORDER OF THE GOVERNOR)

C.CHANDRAMOULI

ADDITIONAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Individuals concerned

Through: The Additional Chief Secretary/Commissioner of Commercial Taxes, Chennai-5

The Additional Chief Secretary/Commissioner of Commercial Taxes, Chennai -5.

(also for displaying the list in the notice board as per General Rule 4 (a) of the Tamil Nadu Government Servants(Conditions of Services) Act, 2016)

The Secretary, Tamil Nadu Public Service Commission, Chennai-3.

Copy to:

The Personnel and Administrative Reforms (B) Department, Chennai-9.

The Special Personal Assistant to Minister (Commercial Taxes), Chennai-9.

Stock file/Spare copy.

// FORWARDED / BY ORDER //

21.02.2017
SECTION OFFICER
6/7/17

PROCEEDINGS OF THE ADDITIONAL CHIEF SECRETARY /
COMMISSIONER OF COMMERCIAL TAXES, CHEPAUK, CHENNAI-600 005.

PRESENT: Dr.C.CHANDRAMOULI, I.A.S.,

Proc. No.CP2/2159/2016

Dated: 28.7.2017

Sub:-	Public Services-Tamil Nadu Commercial Taxes State Services-Temporary appointment as Assistant Commissioners by recruitment by Transfer for the year 2016-2017-certain Transfer and Posting Orders issued-Regarding.
Ref:-	G.O.(Ms) No. 79, CT&R (E1) Department, Dated 06.07.2017.

ORDER:

In the G.O. cited, Government have issued orders approving the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners by Recruitment by Transfer in the Tamil Nadu Commercial Taxes Services for the year 2016-2017 in the order of seniority as indicated therein. The Temporary list of Assistant Commissioners has been approved by the Government by adopting Rule of Reservation in respect of SC/ST candidates alone.

2) Further, this temporary list is also subject to the outcome of the following cases:

(i) SLP No.CC 1762 of 2006 filed by Government of Tamil Nadu in the issue of Rule of reservation, which is pending before the Hon'ble Supreme Court of India, New Delhi;

(ii) Writ Petition No.7313 of 2017 filed by Thiru.S.Aunbabu, Commercial Tax Officer, Chennai-6 and four others which is pending before the Hon'ble High Court of Madras;

(iv) any other cases pending in this issue before any other legal forum.

3) The Government have ordered in the above G.O. that this list is purely temporary, drawn on adhoc basis and it does not confer any

preferential claim on the individuals to claim seniority in future and it is prepared by adopting the rule of reservation in respect of SC/ST candidates alone, subject to the conditions already stipulated above.

4) Based on the above Government Orders, the Commercial Tax Officers included in the temporary list of Assistant Commissioners list vide G.O. cited are given postings as Assistant Commissioners as mentioned in the Annexure.

5) All the Joint Commissioners (CT) / Enforcement are requested to relieve the Commercial Tax Officers immediately, who are temporarily appointed as Assistant Commissioners by Recruitment by Transfer, by making necessary incharge arrangements, so as to enable them to join the new post early.

6) All the Joint Commissioners are requested to report the date of relief in the old station / date of joining in the new post without delay.

7) No leave applications / representations shall be entertained and the transferees should join the new post forthwith, failing which, it would be presumed that, the candidates are forfeiting their promotion.

8) The Joint Commissioners concerned are requested to ensure that, no punishment has been awarded / 17(b) charges pending / TDP cases pending, before allowing the officials to join in the new post.

Sd/-C.Chandramouli
Additional Chief Secretary /
Commissioner of Commercial Taxes

To

The individuals concerned through the JCs concerned

Copy to:

The Additional Chief secretary to Government(FAC), CT& R Department, Secretariat, Chennai.9.

The Sr. P.A. to Hon'ble Minister for Commercial Taxes, Secretariat, Chennai.9

The Hon'ble Chairman, STAT, Chennai.

All JCs (CT) including Enforcement and ISIC.

(Joint Commissioner (Computer Systems) is requested to publish in the official website of the department)

The SR, STAT, Chennai.104.

The Director, CTSTI, Chennai.6

All Officers in the O/o.ACS/CCT, Chennai.5

'G' Section and "CD" Section, "E' Section, O/o.ACS/CCT,Chennai.5

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/ Forwarded / By order


Assistant Commissioner(GS)

ANNEXURE

C P2/ 2159/2016

Sl.No.	Name of the official	Present Division	Posted as
1	Saroja. A	Enforcement I, Chennai	AC (CT), Kelambakkam
2	Daniel Jothiraj	LTU, Chennai	AC (CT), Thiruverkadu
3	Jeyakumari. K	O/o ACS/CCT	AC (CT), Sriperumpudur
4	Rajammal. M	Enforcement, Coimbatore	AC (CT), R.S. Puram East
5	Anusuya. N	Enforcement, Coimbatore	AC (CT), Gandhipuram
6	Vadivelu. K	Enforcement, Trichy	AC (CT), Woraiyur
7	Sundararajan. K	Coimbatore (CT)	AC (CT), Tiruppur Kongunagar
8	Parthiban. R	Chennai South	AC (CT), Harbour
9	Karthikeyan. P	Coimbatore (CT)	AC (CT), Tiruppur Rural
10	Shanmugam. R	Enforcement, Salem	AC (CT), Sathy Road
11	Sathiakumar. A	Enforcement, Vellore	AC (CT), Vellore Rural
12	Ponmudi. M	Enforcement I, Chennai	AC (CT), Thirumullaivoyal
13	Vasanthi. P	Enforcement, Trichy	AC (CT), Audit, Thanjavur
14	Desing. N	Enforcement, Coimbatore	AC (CT), Peelamedu South
15	Shanmugathai. S	Tirunelveli (CT)	AC (CT), Sivakasi II
16	Sankaran. R	Enforcement II, Chennai	AC (CT), Tondiarpet
17	Vediappan. S	Vellore (CT)	AC (CT), Suramangalam
18	Uma Maheswari. L	Chennai North	AC (CT), Oragadam
19	Arul. S	Enforcement, Trichy	PA to JC (Enft), Trichy
20	Balambal. M.K	Enforcement I, Chennai	AC (CT), Iyyappanthangal
21	Pushpanathan. R	Enforcement, Salem	AC (CT), Brough Road
22	Selvam. R	Enforcement, Trichy	AC (CT), Palakkarai I
23	Selvakumar. V	Enforcement, Salem	AC (CT), Sankagiri
24	Rajeswari. P	Enforcement I, Chennai	AC (CT), Koyambedu
25	Murugesan. G	Enforcement, Tirunelveli	DR (CT), Tirunelveli
26	Shyamaladevi. S.C	Enforcement II, Chennai	PA to JC (CT), Salem
27	Daname. E	Enforcement I, Chennai	AC (CT), Chromepet
28	Krishnaprasad. K.N	Enforcement I, Chennai	AC (CT), Sembiam
29	Chelvakumar. S	Enforcement, Salem	AC (CT), Audit, Dharmapuri

Sd/- C. Chandramouli
Additional Chief Secretary /
Commissioner of Commercial Taxes

/ forwarded / By order /


Assistant Commissioner (GS)