

முதுகவழிச் செயலர்/ஆணையர் (வ.வ.)

- 4 செப் 2014

6 சூழிலகம், சென்னை-600 005



ABSTRACT

Public Services - Commercial Taxes Department - Tamil Nadu Commercial Taxes Service - Temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioner (Commercial Taxes) by recruitment by transfer for the year 2013 - 2014 - Inclusion of the name of Thiru M.Dharmar, Commercial Tax Officer, Paramakudi - Orders - Issued.

COMMERCIAL TAXES AND REGISTRATION (E1) DEPARTMENT

G.O. (Ms.) No.62

Dated: 03.09.2014.

Jaya, Aavani, 18,

Thiruvalluvar Aandu 2045.

Read:

1. G.O. (Ms.) No.20, Commercial Taxes & Registration Department, dated 19.2.2014.
2. Representation from Thiru M.Dharmar, Commercial Tax Officer, Paramakudi, dated 24.2.2014.
3. From the Principal Secretary / Commissioner of Commercial Taxes, letter No.CP2/508/2013, dated 10.6.2014.

ORDER:-

In the Government order first read above, the Government have approved the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners [Commercial Taxes] by recruitment by transfer for the year 2013-2014.

2. In the representation second read above, Thiru M.Dharmar, Commercial Tax Officer, Paramakudi has represented for inclusion of his name in the temporary list of Commercial Tax Officer fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2013-2014 as the disciplinary action initiated against him has been dropped by the Principal Secretary / Commissioner of Commercial Taxes in his Proc. No/E2/28852/2013, dated 31.12.2013.

3. In the letter 3<sup>rd</sup> read above, the Principal Secretary / Commissioner of Commercial Taxes has stated that for certain lapses committed by Thiru M.Dharmar, Commercial Tax Officer, in allowing an outsider to sign the attendance register and for permitting to handle Government / office records, disciplinary action under rule 17 (b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, 1955 was initiated and a charge memo was issued to the said official by the Deputy Commissioner (Commercial Taxes) (Full Additional Charge), Sivagangai in Roc.A1/792/2013, dated 27.3.2013. As per the guidelines issued by the Government letter (Ms.) No.248, Personnel and Administrative Reforms Department, dated 20.10.1997 pendency of charges under rule 17(b) should be held against

the officer for inclusion in the panel. As per the above guidelines, the name of Thiru M.Dharmar, Commercial Tax Officer was not included in the list of Assistant Commissioners for the year 2013-2014. In view of the disciplinary case against him ended in dropping of charges, the Principal Secretary / Commissioner of Commercial Taxes has sent proposals to include the name of Thiru M.Dharmar, Commercial Tax Officer, Paramakudi in the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2013-2014 at the appropriate place of seniority i.e., at Sl. No.8-A in between Sl.No.8 (senior) Thiru V.Muthukumar (MBC) (Rank No.35 in the Commercial Tax Officer permanent list 2011/35) and Sl.No.9 (Junior) Tmt. K.Kalaiselvi (MBC) (Rank No.2011 / 38 in Commercial Tax Officer permanent list) by relaxing the rule 4 relating to assessment service read with Annexure 1-A(iii) of Tamil Nadu Commercial Taxes Service Rules.

4. The proposal of the Principal Secretary / Commissioner of Commercial Taxes has been carefully examined by the Government and in view of the dropping of the charges and the individual is free of any charges as on 1.1.2013, the Government direct that the name of Thiru M.Dharmar, Commercial Tax Officer, Paramakudi be included in the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2013-2014 as approved in the Government Order first read above in relaxation of rule 4(a) read with annexure 1-A(iii) of the Tamil Nadu Commercial Taxes Service Rules relating to shortage in service in all as Commercial Tax Officer engaged in assessment work in his favour, pending drawal of regular list in consultation with the Tamil Nadu Public Service Commission. Consequent to his inclusion in the temporary list of Assistant Commissioner (Commercial Taxes) for the year 2013-2014, Thiru M.Dharmar is placed at Sl.No.8-A, in between below his senior Thiru V.Muthukumar, Assistant Commissioner (Sl.No.8) and above his junior Tmt. K.Kalaiselvi, Assistant Commissioner (Sl.No.9). This order is purely drawn as ad-hoc basis in accordance with the instructions issued in Government letter No.18824/S/2005-2, Personnel and Administrative Reforms (Per.S) Department, dated 7.10.2005 and this will not confer any right on the individual to claim seniority in future and 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) *Writ Appeal No.2280 of 2011, against the orders in W.P.No.11618 of 2009, W.P Nos.18847 to 18853 of 2009 and W.P Nos.21448 to 21455 of 2009 dated 6.4.2011, which is pending before the High Court of Madras;*

(iii) *Writ Appeal Nos.155 to 159 of 2014 and MP Nos.2 of 2014 in W.A Nos.156 to 159 of 2014, against the order of the High Court of Madras dated 20.1.2014 in W.P Nos.18209 of 2012 etc. batch cases, which are pending before the High Court of Madras; and*

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

5. The Principal Secretary / Commissioner of Commercial Taxes is requested to communicate this order to the individual concerned by Registered Post with Acknowledgement Due 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 Principal Secretary / Commissioner of Commercial Taxes separately.

(BY ORDER OF THE GOVERNOR)

S.K.PRABAKAR

PRINCIPAL SECRETARY TO GOVERNMENT

To  
Thiru M.Dharmar, Commercial Tax Officer, Paramakudi

Through: The Principal Secretary / Commissioner of Commercial Taxes, Chennai-600 005.

✓ The Principal Secretary / Commissioner of Commercial Taxes, Chennai-600 005.

The Accountant General (A&E), Chennai-600 018.

The Pay and Accounts Officer / The Treasury Officer, concerned.

Through: The Principal Secretary / Commissioner of Commercial Taxes, Chennai-5.

Copy to:

The Personnel and Administrative Reforms Department, Chennai-9.

Government Order (Ms) No.20, Commercial Taxes & Registration Department, dated 19.2.2014.

SF/SC.

//Forwarded // By Order//

  
SECTION OFFICER  
3/2/14