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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 2014 - 2015 - Inclusion of the name of Thiru R.Senrayan, Commercial Tax Officer (Audit), Office of the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division - Orders - Issued.

24370

COMMERCIAL TAXES AND REGISTRATION (E1) DEPARTMENT

G.O. (Ms.) No.71

Dated 03.08.2015.
Manmatha, Aadi, 18,
Thiruvalluvar Aandu 2046.
Read:

1. G.O. (Ms) No.34, Commercial Taxes & Registration Department, dated 27.2.2015.
2. Petition from Thiru R.Senrayan, Commercial Tax Officer (Audit), Office of the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division, dated 30.3.2015.
3. From the Principal Secretary / Commissioner of Commercial Taxes, letter No.CP2/2128/2014, dated 11.5.2015.



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 2014-2015.

2. In the petition second read above, Thiru R.Senrayan, Commercial Tax Officer (Audit), Office of the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division 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 2014-2015 as the disciplinary action initiated against him has been dropped by the Principal Secretary / Commissioner of Commercial Taxes in Proc.No.E2/18986/2014, dated 13.03.2015.

3. In the letter 3rd read above, the Principal Secretary / Commissioner of Commercial Taxes has stated that the Joint Commissioner (Commercial Taxes), Madurai had initiated disciplinary action against Thiru R.Senrayan, Commercial Tax Officer under rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 for violation of rule 7(3) of the Tamil Nadu Government Servant's Conduct Rules in charge memo Ref.No.455/2014/A8, dated 10.2.2014. As per the guidelines issued in Government letter (Ms) No.248, P&AR Dept., dated 20.10.1997, pendency of charges under rule 17(b) of the Tamil Nadu Civil Services [Discipline and Appeal] Rules, should be held against the officer. In view of the above guidelines, the name of Thiru R.Senrayan, Commercial Tax Officer was deferred for inclusion in the

temporary list of Assistant Commissioner (Commercial Taxes) for the year 2014-2015. Subsequently, the above disciplinary proceedings was ordered to be dropped by the Principal Secretary / Commissioner of Commercial Taxes in his Proc.No.E2/18986/2014, dated 13.03.2015, as the charges were not proved. In view of the disciplinary case against him ended in dropping of charges, the Principal Secretary / Commissioner of Commercial Taxes has proposed to include the name of Thiru R.Senrayan, Commercial Tax Officer (Audit), O/o the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division in the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2014-2015 drawn in the Government order first read above at the appropriate place of seniority i.e., at 16-A in between (Senior) Thiru K.Nagarajan (BC) Sl.No.16 (Rank No.108 in the Commercial Tax Officer permanent list 2010) and (Junior) Thiru M.S.Vijayakumar (OC), Sl.No.17 (Rank No.112 in the Commercial Tax Officer permanent list 2010) 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 charges and that the individual is free of any charges as on 1.1.2014, the Government direct that the name of Thiru R.Senrayan, Commercial Tax Officer (Audit), Office of the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division be included in the temporary list of Commercial Tax Officers fit for appointment as Assistant Commissioners (Commercial Taxes) for the year 2014-2015 as approved in the G.O. first read above in relaxation of rule 4(a) 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. Consequent to his inclusion in the temporary list of Assistant Commissioner (Commercial Taxes) for the year 2014-2015, Thiru R.Senrayan is placed at Sl.No.16-A, in between below his senior Thiru.K.Nagarajan, Assistant Commissioner (Sl.No.16) and above his junior Thiru M.S.Vijayakumar, Assistant Commissioner (Sl.No.17). This order is purely drawn on 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 shall 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 to the individual 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 R.Senrayan, Commercial Tax Officer (Audit), Office of the Deputy Commissioner (Commercial Taxes), Virudhunagar, Tirunelveli Division
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.34, Commercial Taxes & Registration Department,
dated 27.2.2015.
Stock file/spare copy.

//Forwarded / By order//


SECTION OFFICER
27/2/15