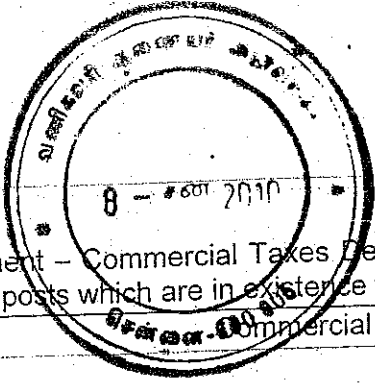




VI/15518/2009
27.12.2010



ABSTRACT

Establishment – Commercial Taxes Department – Temporary establishment – Permanent retention of the temporary posts which are in existence for more than three years – orders - issued.

Commercial Taxes and Registration (A2) Department

G.O.Ms.No.1

Dated: 4.1.2010
Margazhi 20,
Thiruvalluvar Aandu 2040

Read:

1. G.O.Ms.No.51, Commercial Taxes and Religious Endowments Department, Dated: 24.1.1980.
2. G.O.Ms.No.501, Commercial Taxes and Religious Endowments Department, Dated: 5.6.1980.
3. G.O.Ms.No.152, Commercial Taxes and Religious Endowments Department, Dated: 6.2.82.
4. G.O.Ms.No.914, Commercial Taxes and Religious Endowments Department, Dated: 5.8.1982.
5. G.O.Ms.No.630, Commercial Taxes and Religious Endowments Department, Dated: 7.6.1983.
6. G.O.Ms.No.703, Commercial Taxes and Religious Endowments Department, Dated: 16.7.1986.
7. G.O.Ms.No.808, Commercial Taxes and Religious Endowments Department, Dated: 16.7.1987.
8. G.O.Ms.No.904, Commercial Taxes and Religious Endowments Department, Dated: 7.8.1987.
9. G.O.Ms.No.1077, Commercial Taxes and Religious Endowments Department, Dated: 28.9.1987.
10. G.O.Ms.No.782, Commercial Taxes and Religious Endowments Department, Dated: 26.5.1988.
11. G.O.Ms.No.38, Commercial Taxes and Religious Endowments Department, Dated: 21.1.1991.
12. G.O.Ms.No.470, Commercial Taxes and Religious Endowments Department, Dated: 22.11.1991.
13. ~~G.O.Ms.No.472, Commercial Taxes and Religious Endowments Department, Dated: 22.11.1991.~~
14. G.O.Ms.No.384, Commercial Taxes and Religious Endowments Department, Dated: 12.11.1993.
15. G.O.Ms.No.99, Commercial Taxes and Religious Endowments Department, Dated: 10.4.1995.
16. G.O.Ms.No.175, Commercial Taxes and Religious Endowments Department, Dated: 23.6.1995.
17. G.O.Ms.No.13 Commercial Taxes Department dated 14.2.2003.
18. G.O. Ms. No. 32 Commercial Taxes & Registration Department dated 17.3.2009.

Read also:

19. Commissioner of Commercial Taxes Letter No.V1/66439/2002 dated 30.4.2003.
20. Orders of the High Court of Madras in WP No.6934/2009 dated 7.8.2009.
21. Principal Secretary and Commissioner of Commercial Taxes letter No. V1/15518/2009 dated 17.9.2009.

ORDER:

In W.P.No.6934/2009 filed by Tvl. N. Govindan, High Court of Madras in its order reference 20th read above directed to pass orders on the proposal of Commissioner of Commercial Taxes sent in letter No. V1/66439/03, dated 30.4.2003 within the period of twelve weeks from the date of receipt of copy of the order.

2. The Principal Secretary and Commissioner of Commercial Taxes has sent the copy of the proposal of the Commissioner of Commercial Taxes wherein it has been requested to pass orders for the

permanent retention of the 2217 temporary posts which were created and continued in the Government Orders 1 to 18 read above.

3. The Government have examined the proposal of the Principal Secretary and Commissioner of Commercial Taxes based on the direction of the High Court of Madras in the reference 20th read above and decided to accept it. The conditions stipulated for permanent retention of temporary post in G.O.Ms.No.1368 Finance (E II) Department dated 4.11.1963 and G.O.Ms.No.397/Finance (salary) Department dated 4.6.1991 are satisfied in this case.

4. The Government have, therefore, direct that the posts mentioned in the Annexure to this order originally sanctioned in the Government orders first to seventeenth read above and last continued upto 31.12.2009 in the G.O. Eighteenth read above, be retained permanently from the date of issue of this order.

5. The incumbents of the posts sanctioned in para 3 & 4 above are eligible to draw pay, dearness allowance, house rent allowance, city compensatory allowances and other allowances under the orders in force.

6. This order issues with the concurrence of the Finance Department vide its G.O.No.572/Secy/(exp)/2009 dated 29.12.2009.

(BY ORDER OF THE GOVERNOR)

T. JACOB
PRINCIPAL SECRETARY TO GOVERNMENT

The Principal Secretary/Commissioner of Commercial Taxes, Chennai - 5.
The Accountant General, Chennai - 18.
The Pay and Accounts Officers concerned.
The Treasury Officers concerned.

Copy to

Finance Department, Chennai - 9.
Commercial Taxes and Registration (E) Department, Chennai - 9
Stock file / Spare copy.

//FORWARDED/BY ORDER//

(E. SIVAGURUNATHAN) 6/1/2010

UNDER SECRETARY TO GOVERNMENT

6/1/10

ANNEXURE

(Based on the G.O.Ms.No.1368, Finance (E.II) Department, dated the 4th November 1963)

| Sl. No. | Designation | No. of Post/ Posts | G.O. in which the post/posts was/were originally sanctioned. | G.O. in which the post/posts was/were last continued | The date on which the post/posts was/were actually filled up | Whether the post/posts was/were utilised continuously from the date on which it/they was/were filled up. | Whether it/they is/are required indefinitely for normal working of the department. | Whether the post/posts was/were originally created for the normal increase of work and the purpose for which it/they was/were created still exists/exist. | whether it they has/ have undergone any change in its/their nomenclature and if so, whether it/they could reasonably be expected to continue | whether service rules/ adhoc rules available | Remarks |
|---------|---|--------------------|--|---|--|--|--|---|--|--|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) |
| 1 | Joint Commissioner * (Audit) | 1 | G.O.Ms.No.808/CT&RE dated 16.7.1987 | G.O.Ms.No.32 Commercial Taxes and Registration Department dated 17.3. 2009. | | Yes. | Yes. Indefinitely required for normal working | the posts were created for normal increase of workload. The purpose for which if/they was/were created still exists/exist | No. | Adhoc rules. | As the post is necessary for the normal functioning of the department this post may be made permanent |
| 2 | Joint Commissioner* (Revision Petition) | 1 | G.O.Ms.No.904/CT&RE dated 7.8.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 3 | Joint Commissioner (Public Relations) | 1 | G.O.Ms.No.782 /CT&RE dated 26.5.1988 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 4 | Deputy Commissioner# (General Service) | 1 | G.O.Ms.No.472/CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 5. | Director, (DC Cadre) | 1 | G.O.Ms.No.152/CT&RE dated 6.2.1982 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 6 | Deputy Commissioner# (Legal) | 1 | G.O.Ms.No.904/CT&RE dated 7.8.1987. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 7 | Deputy Commissioner# (Enf) ISIC | 1 | G.O.Ms.No.904/CT&RE dated 7.8.1987. | -do- | | Yes | -do- | -do- | No | -do- | -do- |

* Now upgraded as Additional Commissioner vide G.O.Ms.No.71, CT & R Department dated 30.7.2008.

Now upgraded as Joint Commissioner vide G.O.Ms.No.71, CT & R Department dated 30.7.2008.

| Sl. No. | Designation | Count | G.O. Ms. No. / CT & RE dated | Remarks | Yes | -do- | -do- | No | -do- | -do- |
|---------|--|-------|---|---------|-----|------|------|----|------|------|
| 9 | Representative (DC cadre) Assistant Commissioner@ (CT) | 5 | G.O. Ms. No. 904/CT&RE dated 7.8.1987. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 10 | Assistant* Commissioner@ (CT) | 1 | G.O. Ms. No. 914 /CT&RE dated 5.8.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 11 | Assistant Commissioner@ (Lecturer) | 2 | G.O. Ms. No. 470 /CT&RE dated 22.11.1991. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 12 | Commercial Tax Officer * | 41 | G.O. Ms. No. 152 /CT&RE dated 6.2.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 13 | Commercial Tax Officer* | 6 | G.O. Ms. No. 914 /CT&RE dated 5.8.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 14 | Commercial Tax Officer * (Lecturer) | 1 | G.O. Ms. No. 703 /CT&RE dated 16.7.1987 | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 15 | Commercial Tax Officer * (ASR) | 1 | G.O. Ms. No. 152 /CT&RE dated 6.2.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 16 | Commercial Tax Officer * | 21 | G.O. Ms. No. 904/CT&RE dated 7.8.1987. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 17 | Commercial Tax Officer* | 1 | G.O. Ms. No. 38/CT&RE dated 21.1.1991. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 18 | Commercial Tax Officer * / Computer Centre | 1 | G.O. Ms. No. 470 /CT&RE dated 22.11.1991. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 19 | Programmer | 2 | G.O. Ms. No. 1077 /CT&RE dated 28.9.1987 | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 20 | Deputy Commercial Tax Officer \$ | 108 | G.O. Ms. No. 1077 /CT&RE dated 28.9.1987 | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 21 | Deputy Commercial Tax Officer \$ | 4 | G.O. Ms. No. 914 /CT&RE dated 5.8.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| 22 | Deputy Commercial Tax Officer \$ | 2 | G.O. Ms. No. 703 /CT&RE dated 16.7.1987 | -do- | Yes | -do- | -do- | No | -do- | -do- |
| | Assistant Commercial Tax Officer | 103 | G.O. Ms. No. 470 /CT&RE dated 22.11.1991. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| | Assistant Commercial Tax Officer | 9 | G.O. Ms. No. 914 /CT&RE dated 5.8.1982. | -do- | Yes | -do- | -do- | No | -do- | -do- |
| | | | G.O. Ms. No. 703 /CT&RE dated 16.7.1987. | -do- | Yes | -do- | -do- | No | -do- | -do- |

@ Now upgraded as Deputy Commissioner vide G.O. Ms. No. 71 CT & R Department dated 30.7.2008.
 Department dated 30.7.2008.

\$ Now upgraded as Commercial Tax Officer vide G.O. Ms. No. 71 CT & R Department dated 30.7.2008.

* Now upgraded as Assistant Commissioner vide G.O. Ms. No. 71 CT & R Department dated 30.7.2008.

10
A-1
CT
Assistant
Commissioner
(DC cadre)
Representative
9

| | | | | | | | | | | | |
|----|--|-------|--|------|--|-----|------|------|----|---|------|
| 25 | Assistant Commercial Tax Officer | 4 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | |
| 26 | Assistant Commercial Tax Officer | 1 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 27 | Assistant Commercial Tax Officer /Superintendent | 222 | G.O.Ms.No.501 /CT&RE dated 5.6.1980 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 28 | Assistant Commercial Tax Officer /Superintendent | 10 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 29 | Superintendent /Tamil Nadu Ministerial Service | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | Comes under Tamil Nadu Sub-ordinate Service Rules | -do- |
| 30 | Assistant | 259 * | G.O.Ms.No.51 CT & RE Dated 24.1.1980 | -do- | | Yes | -do- | -do- | No | Tamil Nadu Ministerial Service Rules | -do- |
| 31 | Assistant | 1 | G.O.Ms.No.175 CT & RE Dated 23.6.1995 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 32 | Assistant | 106 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 33 | Assistant | 20 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 34 | Assistant (ST CI) | 48 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 35 | Assistant (ST CI) | 10 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 36 | Assistant | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 37 | Assistant | 3 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 38 | Assistant | 21 | G.O.Ms.No.38 CT&RE dated 21.1.1991 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 39 | Assistant | 6 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |

| | (upgraded from Junior Assistant) | 551 | G.O.Ms.No.384 / CT&RE dated 12.11.1993 | -do- | | Yes | -do- | -do- | Originally sanctioned as JA, and upgraded as Assistant | -do- | -do- |
|----|----------------------------------|-----|--|------|--|-----|------|------|--|------|------|
| 41 | Transcriber | 25 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 42 | Data Entry Operator | 46 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 43 | Junior Assistant | 302 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 44 | Junior Assistant | 37 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 45 | Junior Assistant | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 46 | Junior Assistant | 4 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 47 | Steno Typist Grade III | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 48 | Steno Typist Grade III | 1 | G.O.Ms.No.472/ CT&RE dated 22.11.1991 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 49 | Steno Typist Grade III | 4 | G.O.Ms.No.914 /CT&RE dated 5.8.1982 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 50 | Steno Typist Grade III | 1 | G.O.Ms.No.808/ CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 51 | Steno Typist Grade III | 2 | G.O.Ms.No.904/CT&RE dated 7.8.1987. | -do- | | | | -do- | No | -do- | -do- |
| 52 | Steno Typist Grade III | 1 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 53 | Steno Typist Grade III | 4 | G.O.Ms.99 CT & RE Dated 10.4.1995 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 54 | Typist | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 55 | Typist | 53 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 56 | Typist | 10 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |

41 Trans-
 Assistant (upgraded from Junior Assistant)
 551

| | | | | | | | | | | | | |
|----|------------------|--|----|--|------|--|-----|------|------|----|--|------|
| 57 | Typist | | 2 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 58 | Typist | | 2 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 59 | Record Clerk | | 1 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | Comes under Sub-Ordinate Service Rules | -do- |
| 60 | Record Clerk | | 48 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 61 | Record Clerk | | 10 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 62 | Record Clerk | | 3 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 63 | Record Clerk | | 1 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 64 | Office Assistant | | 4 | G.O.Ms.No.152 /CT&RE dated 6.2.1982. | -do- | | Yes | -do- | -do- | No | Comes under basic Service Rules | -do- |
| 65 | Office Assistant | | 10 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 66 | Office Assistant | | 38 | G.O.Ms.No.703 /CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 67 | Office Assistant | | 2 | G.O.Ms.No.808/ CT&RE dated 16.7.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 68 | Office Assistant | | 4 | G.O.Ms.No.904/CT&RE dated 7.8.1987. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 69 | Office Assistant | | 3 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 70 | Office Assistant | | 6 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 71 | Driver | | 1 | G.O.Ms.No.630/ CT&RE dated 7.6.1983 | -do- | | Yes | -do- | -do- | No | Comes under Sub-Ordinate Service Rules | -do- |

| | | | | | | | | | | | |
|----|-------------------------|---|--|------|--|-----|------|------|----|---|------|
| 72 | Driver | 1 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | Comes under Sub- Ordinate Service Rules | -do- |
| 73 | Driver | 5 | G.O.Ms.No.914 /CT&RE dated 5.8.1982. | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 74 | Driver | 1 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 75 | Electrician | 1 | G.O.Ms.No.1077 /CT&RE dated 28.9.1987 | -do- | | Yes | -do- | -do- | No | -do- | -do- |
| 76 | Watchman cum Sweeper | 1 | G.O.Ms.No.470 /CT&RE dated 22.11.1991. | -do- | | Yes | -do- | -do- | No | -do- | -do- |

* (226 in asst. circles, 7 in Deputy Commissioners' offices and 26 in Assistant Commissioners' Offices)

** Not readily available

T. JACOB
PRINCIPAL SECRETARY TO GOVERNMENT


6/1/10
SECTION OFFICER

//TRUE COPY//

20-4 W.O.F
1 11.0.04