



सत्यमेव जयते

भारत सरकार /GOVERNMENT OF INDIA

कार्यालय/Office Of The

प्रधान मुख्य आयकर आयुक्त,मुंबई

PRINCIPAL CHIEF COMMISSIONER OF INCOME TAX, MUMBAI

अतिरिक्त आयकर आयुक्त (मुख्या.) कार्मिक

ADDL. COMMISSIONER OF INCOME-TAX (HQ) PERSONNEL

Room No. 340, 3<sup>rd</sup> Floor, Aayakar Bhavan, M. K. Marg, Mumbai - 400020

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No. Addl.CIT(HQ)Pers./Prom./Notice Server/2021

Date: 15 /02/2021

### ORDER

The following officials in the grade of Multi Tasking Staff of Income Tax stand promoted on Ad-hoc basis to the grade of Notice Server against the Vacancy Year 2021(Pay Scale Rs.21,700- Rs.69,100)/Level 3 of 7<sup>th</sup> CPC) :-

Sr. No.	Employee Code	Name	Cat.
1.	171540	Mr. Umesh Puthu Moolya	Gen
2.	171541	Mr. Prashant Mangesh Sawant	Gen
3.	171731	Mr. Rajesh Ramchandra Pawar	Gen
4.	171597	Ms. Saburi Sunil Parab	Gen (PH)
5.	172349	Ms. Vimal Balshiram Sable	ST

2. The official at Sr. No. 5 is promoted against the vacancy reserved for ST.

3. The promotion of the above officials for Vacancy Year 2021 are made purely on Ad-hoc basis and such promotions shall not bestow any right to the officials for regular appointment and the service rendered on ad-hoc basis in the grade concerned also does not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade. The same shall be governed by the instructions of DoP&T as contained in O.M. No. 28036/8/87-Estt(D) dated 30.03.1988 and instructions issued by Government from time to time. As per existing instructions vide O.M. No. 28036/8/87-Estt.(D) dated 30.03.1988 and O.M. No.28036/1/2001-Estt.(D) dated 23.07.2001, the total period for which Ad-hoc promotions are being made is limited to one year only.

4. This Ad-hoc promotion is also subject to any changes that may occur in Ad-hoc promotions that have taken place in feeder cadres and also in cadres for which this cadre is a feeder cadre. All the above mentioned officials are liable to be reverted to their respective previous posts, after review of the vacancy position, if any, in future or for other administrative or judicial reasons, if it is considered necessary to do so.

5. Further, this order is also subject to the outcome of various decisions pending in Hon'ble CAT Mumbai Bench / Bombay High Court/ Supreme Court of India or any other jurisdictional Court of India and/ or directions received from DoP&T and /or CBDT on the issue of reservation in promotion and the inter-se seniority is subject to the clarification sought from CBDT,



regarding the effective date of application of the judgement of Hon'ble Supreme Court in the case of K. Meghachandra Singh & Ors. dated 19.11.2019, in the case of serving officials who are yet to be promoted including among others:-

- a. The Hon'ble Supreme Court of India in SLP (Civil) (CC) No. 19680/2011 in the case of Income Tax SC/ST/OBC Employees Welfare Association, Mumbai Vs. Union of India & Ors.
- b. Review of the Inter-se-seniority consequent to the implementation of the Supreme Court judgment in the case of N. R. Parmar Vs. Union of India & Ors., vide CBDT Communication F.No. A-35015/26/2018-Ad.VI dated 27.05.2019.
- c. Writ Petition No. 7520/2019 filed by Union of India & Ors. V/s. Sanjeev Kumar & Ors. in the Hon'ble High Court of Bombay.
- d. Writ Petition No. 9972/2019 filed by Smt. Vandana Kamble V/s. Union of India & Ors. in the Hon'ble High Court of Bombay.
- e. Writ Petition No. 8393/2019 filed by Smt. Pramila Bharat Chaudhary V/s. Union of India & Ors in the Hon'ble High Court of Bombay.
- f. Writ Petition No. 8056/2019 filed by Naresh Khapre & Anr. V/s. Union of India & Ors. in the Hon'ble High Court of Bombay.
- g. Writ Petition Stamp No. 20938/2019 filed by ITSEWA V/s. Union of India & Ors. in the Hon'ble High Court of Bombay.
- h. Writ Petition Stamp No. 21708/2019 filed by Shri. Hridayanath M. Hirwale V/s. Union of India & Ors. in the Hon'ble High Court of Bombay.
- i. Original Application No.182/2020 filed by Shri Piyush Kumar Singh & Ors. Vs. Union of India & Ors. before the Hon'ble CAT, Mumbai.
- j. Implementation of Interim Orders/directions in Special Leave to Appeal (C) No.30621/2011 arising out of final judgement and order dated 15.07.2011 in CWP No.13218/2009 passed by the Hon'ble High Court of Punjab and Haryana and Special Leave to Appeal (C) No.31288/2017 arising out of Hon'ble Delhi High Court judgement dated 23.08.2017 and other related court cases.

6. The above officials are required to assume charge as Notice Server in pursuance of this order, within a maximum period of 90 days from the date of this order. Failure by any official to assume charge within the stipulated period, except for some valid reasons which shall be intimated to this office in writing, will attract disciplinary action under C.C.S. (C.C.A.) Rules, 1965, against such official. If any official is on any approved leave during the stipulated period, such fact should be reported to this office in writing, within 30 days of this order, by the office where such official is presently posted.

7. It is reiterated that the promotion to the post of Notice Server has been made on Ad-hoc basis. Further, it is to be noted that the said order is completely subject to relevant DoP&T/CBDT/Judicial directions.





8. In view of DOP&T and AR No.36011/16/80-Estt.(SCT) dated 27.02.1981 and F. No. G.I.DOPT, O.M. No.36011/5/88-Estt.(SCT) dated 16.06.1989, the promotion of the officials belonging to SC/ST category are subject to verification of caste status.

9. The Officials promoted, vide this order, are retained in their respective charges where they are presently posted, until further orders.

Sd/-

(राजेश डामोर, भा.रा.से.)

(RAJESH DAMOR, I.R.S)

आयकर आयुक्त (प्रशासन एवं करदाता सेवाएँ), मुंबई  
Commissioner of Income Tax (Admin & TPS)  
Mumbai

Copy forwarded for information and necessary action to :

1. All CCsIT Mumbai and central charges/DGIT(Inv.), Mumbai.
2. All CsIT/DsIT, Mumbai.
3. The Addl.CIT(HQ)Admn., Mumbai.
4. The Addl.CIT(HQ)(Vig.), Mumbai.
5. The Addl./Jt. Cs.I.T. concerned.
6. The D.D.Os. concerned.
7. It is noticed that the promotion orders in the case of many officials do not reach in time resulting in hardship. In the circumstance, the Head of Offices are requested to ensure timely communication of the promotion order to the concerned officials and compliance report may be sent to this office latest by 20.02.2021.
8. The officials concerned.
9. The Secretary, ITEF, Mumbai.
10. The Secretary, ITSEWA, Mumbai.
11. Aayakar Bharati, Mumbai.
12. SC/ST Cell
13. Internal Distribution :
  - a) Establishment Section
  - b) C.R. Section
  - c) Recruitment Section
  - d) Transfer & Posting Section
  - e) Pension Section
  - f) Service Book Cell (Non-Gaz.)
  - g) Field Pay Unit/ZAO
  - h) Notice Board

 15.02.21

(कार्तिक सारेसा, भा.रा.से.)

(KARTIK SARESA, I.R.S.)

आयकर उपायुक्त (मुख्या.) कार्मिक, मुंबई  
Deputy Commissioner of Income Tax (HQ)  
Personnel, Mumbai.