केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवा कर आयुक्त का कार्यालय

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE,

CUSTOMS & SERVICE TAX

केन्द्रीय राजस्व भवन, आई.एस. प्रेस रोड, कोचीन -682018

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C.No II/34/09/2007-Estt I Dated 04.11.15

To

Shri. M.Krishnankutty,
Inspector (Retd)
Vadakkirayerath,
Meledath Madhom,
Lakkidi.P.O.
Palakkad-679301

Subject: Dispute in the seniority list of Inspectors as on 01.01.2007-Representation dated 10.11.2014 filed by Sri M.Krishnan kutty, Inspector of Central Excise (Retd) – reg.

Please refer to your representation dated 10.11.2014 on the subject above

2. Your representation has been examined in detail. Records show that a Departmental Promotion Committee (DPC) was held on 08.11.2002 for considering promotion of Tax Assistants/UDCs/Steno Gr II/Steno Gr. III for the 227 vacancies in the cadre of Inspector of Central Excise. The committee was informed that for promotion to the cadre of Inspector, the candidates will be required to possess physical standards and pass the requisite physical endurance test and qualify in the written test with the prescribed percentage of marks and conform to the age limit as specified in the draft recruitment rule 2002. Note:2, Column 12 of the Central Excise and Land Customs Department Inspector (Group 'C' posts) Recruitment Rules, 2002 provided that the maximum age of eligibility for the departmental candidates shall be

Committee recommended the following panel of officers for promotion to the grade of Inspector of Central Excise against 131 vacancies that remained unfilled as on 7.12.2002.

Select List.

1. K.V.Rajasekharan Nair
2. K.Sudhir kumar
3. Krishnankutty.M.
4. Josephine. M.P.
5. Ponnappan P.J.
6. K.K.Prakashan
7. Dayanandan.T.K.
8. C.N.Mohanan
9. Mohammed.M.C.
10. V.Govindan "

5. Your seniority was re-assigned as per the findings of the Review DPC held on 14.02.2006. The DPC observed that you were not eligible for promotion in accordance with the old Recruitment Rules -1979 as you had crossed 45 years of age as on 1.1.2002 and that you were eligible for promotion in accordance with the Recruitment Rule, 2002 wherein the upper age limit was relaxed upto the age of 50 years. Hence your juniors in Seniority list of TA/UDC as on 01.01.2002 who were eligible for promotion as per the Recruitment Rules,1979 prior to 7.12.2002 were placed above you in the Seniority list of Inspector as on 01.01.2007 communicated vide C.NO. II/39/09/2007-Estt I dated 05.12.2007.

6. In view of the above, your representation does not merit consideration.

Reshma Lakhani

(RESHMA LAKHANI)
COMMISSIONER

Copy submitted to:
The Chief Commissioner of Central Excise, Customs & Service Tax
CR Building, Kochi.

Copy for information to : The Assistant Commissioner (Legal) with reference to letter C.No. II/Misc/26/2015 Legal CHN dated 07.09.15 for necessary action.