

दूरभाष /Telephone : 044-28335001 फैक्स /Fax : 044-28331015	 भारत सरकार /GOVERNMENT OF INDIA वित्त मंत्रालय /MINISTRY OF FINANCE राजस्व विभाग /DEPARTMENT OF REVENUE
केन्द्रीय उत्पाद शुल्क के मुख्य आयुक्त का कार्यालय, चेन्नै अंचल OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF CENTRAL EXCISE, CHENNAI ZONE 26/1, महात्मा गांधी मार्ग, नुंगम्बाक्कम, चेन्नै-600 034 26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034	

सी.सं.C.No.II/03/28/2015-सं./स्था-प्रा.नि.CCA.Estt.

दिनांक/Date : 27 .10.2016

To
The Chief Commissioner of Central Excise
Service Tax / Coimbatore/Trichy(CC(P)) Zone

The Principal Commissioner /Commissioner of Central Excise,
Chennai I/II/III/IV

The Commissioner ,
LTU/LTU Audit, Chennai

Sir/Madam,

Sub: Promotion in the grade of Inspector consequent to implementation
of the Hon'ble Andhra Pradesh High Court order dated 02.03.2005
and Hon'ble Mumbai High Court Order dated 17.10.2003-Reg.

Kind reference is invited to this Office letters dated 28.04.2015 ,
07.01.2016 and Corrigendum dated 17.02.2016 on the above subject.

2. This Office has been in receipt of several letters requesting for clarifications on the letters mentioned above , but no clarifications could be provided owing to the matter being subjudice on account of the revised seniority list as on 01.01.2013 drawn after the review DPC held on 23, 24 and 27.04.2015 being challenged in OA No. 310/00999/2015 and OA No. 310/1764/2015 filed by Shri. S. Manikandan and others in the Honourable CAT, Chennai.

3. The Hon'ble CAT vide its order dated 22nd July 2016 on the above mentioned OA's had directed that opportunity could be give to the applicants to air their grievances by submitting additional representations within a specified period of 10 days, and the respondent to consider and pass a detailed speaking order within a period of 2 months.

4. Accordingly , this Office is now in receipt of Speaking Order issued in File C.No: II/39/280/2015 CF-CCA Pf.1 dated 13.10.2016 wherein the Respondent, The Principal Chief Commissioner , Chennai has after careful consideration of the detailed findings has ordered that “ **The year wise panels drawn by the review DPC in terms of DOP & T’s OM dated 10.04.1989 as amended on 27.03.1997 for the years 2001-02 to 2010-11 consequent upon implementation of AP and Mumbai High Court orders dated 07.03.2005 and 17.10.2003 is sustainable in law and therefore does not merit review**”

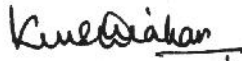
5. As such, the notional promotions ordered vide this Office letter of even number 28.04.2015 holds good. Further as stated in the said letter the following are reiterated:

- (i) No arrears will be admissible nor recovery of pay and allowances will be made for the notionally promoted period.
- (ii) The pay may be worked out as per existing instructions and will be effective from date of issue of the order ie. **28.04 2015**.
- (iii) All the promotions so ordered are regular in nature with effect from the date mentioned against each.

6. All pending issues related to this subject may be settled in the light of the above.

7. This letter is issued with the approval of the cadre Control Authority for Chennai and Puducherry.

Yours faithfully



(K.V.V.G DIWAKAR)
ADDITIONAL COMMISSIONER(CCA)

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