

**OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER GST & CX : MUMBAI
GST BHAVAN, MAHARISHI KARVE ROAD,
CHURCHGATE : MUMBAI - 400 020**

ESTABLISHMENT ORDER NO. 34 / 2017

Shri Sachin Sudhakar Deshmukh, Superintendent (ad-hoc) was first considered for promotion to the grade of Superintendent, Central Excise Gr. 'B' on regular basis in the DPC held on 24/25.09.2014. The DPC had placed its findings in 'Sealed Cover' as the Customs Prosecution case filed before the CMM Court, Esplanade, Mumbai was pending. The officer was considered in the review DPC held on 10.03.2017 for promotion to the grade of Superintendent in terms of para 5 of DOPT OM dated 14.09.92. He was promoted as ad-hoc Superintendent vide E.O. No. 24/2017 dated 10.03.2017.

2. The Addl. Chief Metropolitan Magistrate, 19th Court, Esplanade, Mumbai vide Order dated 29.05.2017 have allowed the withdrawal of the complaint dated 09.02.2009 filed by Customs(P), M&P Wing, Mumbai before the Hon'ble CMM Court, Mumbai taking into consideration the withdrawal of the Customs Appeal No. 23/2007, 216/2007, 60/2009 & 17/2009 by the Prosecution on 05.12.2016 from the Hon'ble Bombay High Court.

3. The Deputy Commissioner (Vig.), Navi Mumbai CGST & CX, vide letter F.No.II/39-06/Vig/CL/NMCGST & CX/2017-18/293 dated 21.07.2017 has informed that there is no Vigilance / Non Vigilance case pending / contemplated against the Shri Sachin Sudhakar Deshmukh, Superintendent (ad-hoc) during his tenure in erstwhile Service Tax-VII Commissionerate.

4. In terms of para 17.6.1 of DOPT's O.M.No.22011/5/86-Estt(D) dt.10.04.89 read with O.M.No. 22011/4/91-Estt (A) dt.14.09.92, the findings of DPC held on 24/25.09.2014 for promotion to the grade of Superintendent, Central Excise Gr. 'B', in so far as it pertains to Shri Sachin Sudhakar Deshmukh, is hereby given effect and accordingly, Shri Sachin Sudhakar Deshmukh, Superintendent (ad-hoc) is promoted to the grade of Superintendent, Central Excise. Gr.'B' on regular basis in Level 8 of the Pay Matrix (Rs.47600 – 151100) plus allowances on **notional basis** w.e.f. **30.09.2014** i.e. the date on which the next below officer viz. Shri Sanjeev Mehra belonging to the UR category, was promoted on regular basis to the grade of Superintendent vide E.O.No. 262/2014 dated 30.09.2014 (appearing at Sr. No. 138).

5. Shri Sachin Sudhakar Deshmukh is accordingly granted notional seniority and shall be placed along with his senior and junior in the Combined Seniority list as per the Select Panel drawn by the DPC held on 24/25.09.2014 in respect of Superintendent of Central Excise Gr. 'B' under the cadre control of Chief Commissioner of Central Excise, Mumbai Zone-I.

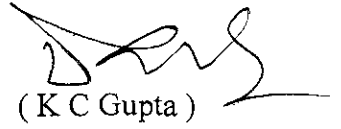
6. Though the officer is promoted w.e.f 30.09.2014 on notional basis, he will be entitled to draw salary in the applicable scale only from the date on which he joins as Superintendent. No pay fixation will accrue to the officer if he has been granted financial upgradation to the pay scale of Superintendent C.Ex. Gr. 'B'.

7. The above order is issued pursuance to the interim relief granted in O.A. No. 588/2014 and it is subject to the final outcome of the decision of the Hon'ble Tribunal in the above case. The above promotion is also subject to the outcome of WPCT No. 261/2008 (Shri Samiran Roy & Ors v/s. Union of India) filed in the Hon'ble Calcutta High Court and final outcome of implementation of DOPTs OM dated 10.08.2010 issued under F. No. 36012/45/2005-Estt (Res).

8. On promotion, Shri Sachin Sudhakar Deshmukh, Superintendent is posted to Mumbai East GST Commissionerate until further orders.

9. The release and joining report should be sent to Joint Commissioner (PCCO), GST & CX, Mumbai and all concerned.

10. This issues with the approval of the Chief Commissioner, GST & CX, Mumbai.



(K C Gupta)

Principal Commissioner
GST & CX : Mumbai Central

F.No. II/39(CON)DPC-07/2014/Pt.II /230
Mumbai, the 17th August, 2017

Copy to :-

- (1) The ADG, DGHRD (HRM), C.B.E.C, New Delhi.
- (2) The Commissioner, GST & CX, Mumbai East.
- (3) Supdt., Computer Cell, for uploading the Order on the official web-site.
- (4) Hindi Anubhag.
- (5) Individual Concerned.