



**Office of the
Principal Chief Commissioner of Income Tax, Andhra Pradesh & Telangana
10th Floor, Income Tax Towers, AC Guards, Hyderabad – 500004,
Tel. No. 040 – 23425474, Fax : 040-23241427, 23240403**

F.No:Pr.CCIT/2(6)(a)/Estt/2017

Date: 01-01-2018

MEMORANDUM

Sub. : Establishment - I.T. Department, Hyderabad - Promotion to the cadre of Income Tax Officer on Regular basis - Allotment of officers - Regarding.

The names of the under-mentioned Inspectors of Income Tax have been approved by the Departmental Promotion Committee for promotion to the cadre of Income Tax Officer (Group B, Gazetted) on **Regular basis** for the vacancy year **2017-18** in the Level 8 of 7th CPC Pay Matrix [Pre-Revised pay band of Rs.9,300-34,800 [PB-2] with corresponding grade pay of Rs.4,800/-] and such allowances as may be sanctioned by the Government of India from time to time. On promotion, their services are placed at the disposal of the appointing authority mentioned at Col.No.3 below who will issue the Promotion and Posting Orders for being posted in the office mentioned in Col.No.4 :

Sl. No	Name of the Official (S/Sri/Smt)	To whom allotted	Posted as	Remarks
(1)	(2)	(3)	(4)	(5)
1.	MULUKUTLA VENKATA RAMANA, ITI, O/o Addl.CIT, Kakinada Range, Kakinada	PRCIT-7, HYDERABAD	ITO(OSD), O/o PRCIT-7, HYDERABAD	No vacancy at Kakinada. Covered under clause-11 of the Transfer Policy
2	M S KEDARNATH, ITI O/o Addl.CIT, Range-1, Hyderabad	PCIT-1, HYDERABAD	ITO(OSD), O/o PCIT-1, HYDERABAD.	Until further orders.

2. The following conditions should be mentioned in the promotion order to be issued by the appointing authority mentioned at column no.3 above:
- The officials, in whose case, financial upgradation under ACP/MACP scheme to the scale of ITO has already been granted, will not be eligible for pay fixation consequent to this promotion.
 - Their promotion is purely provisional.
 - They will be liable for reversion,
 - If, after a review of the vacancies, it is found that their promotion is in excess of the vacancies available; or if any candidate is omitted for any reason, becomes eligible for promotion subsequently.
 - If their performance is found to be non-satisfactory in the post of Income Tax Officer

Cont...2/-

- d) His/Her attention is invited to MHA's O.M. in F.No.7/1/80-Estt.P.I dated 26.09.1981 read with CCS (Revised) Pay Rules, 2008 regarding exercising of option for fixation of pay on promotion.
- e) His/her promotion / inter se seniority is subject to the outcome of Supplementary/Review DPC, if any, and placement of his position as per the reservation roster.
- f) His / Her seniority will be liable for re-consideration / re-fixation in the event of any claims of seniority that may be filed at any point of time, upon being found, with reference to the records that the claim is correct.
- g) Their promotion to the cadre of Income Tax Officer, Group 'B' (Gazetted) is subject to the outcome of the following cases pending before the Hon'ble High Court of Andhra Pradesh and the Hon'ble CAT, Hyderabad Bench.
- (i) Writ Petition Nos. 25202 of 2009, 25203 of 2009, 22046 of 2009, 22084 of 2009, 22087 of 2009.
 - (ii) W.P. M.P. No. 19159/2011
 - (iii) W.P. No. 2847 of 2004, W.P. No. 49976 of 2014, 41157 of 2014, 21700 of 2004 and 7118 of 2009.
 - (iv) O.A. No. 477/479 of 2015 and O.A. No. 557 of 2014, before Hon'ble CAT, Hyderabad.
 - (v) O.A. Nos. 1667/2015, 1672/2015, 1673/2015, before Hon'ble CAT, Hyderabad.
 - (vi) O.A. Nos. 1666/2015, 1674/2015, 1675/2015, before Hon'ble CAT, Hyderabad.
- (h) Their promotion as Income Tax Officer, Group 'B' (Gazetted) is subject to the outcome of the decision in various applications/petitions pending, if any, before Hon'ble High Court/Hon'ble CAT, Hyderabad and Courts of India other than those mentioned above.
- (i) The promotions of the above Officers shall be subject to revision of seniority of Income Tax Inspectors, if any, consequent to implementation of Hon'ble Supreme Court judgement dated 27/11/2012 in N.R. Parmar case and other similar cases, including Rajeev Mohan case, on the matter pending, if any various courts.
- (j) The promotions will be subject to the directions/clarifications issued by the Board/DOPT, in connection with the following OMs and any other OMs relating to the subject matter (i) DOPT's O.M. No.36012/2/96-Estt(Res.) dated 02/07/1997, (ii) DOPT's OM No. 36028/ 17/ 2001/ Estt(Res) dated 11/07/2002 (iii) Clarification issued by the DOPT vide I.D.No.36028/11/2007-Estt(Res.) dated 24/07/2007 (iv) DOPT OM No. 36012/11/2016-Estt.(Res.) dated 30/09/2016 (v) DOPT OM No. A-13013/22/2016-Ad.VII dated 18/08/2017.
- (k) The promotions to the cadre of ITO given against ad-hoc promotions to the cadre of ACIT for vacancy year 2016-17, is subject to regularization of the promotions of the ACsIT issued by CBDT in F.No.A-32013/5/2016 dated 13/11/2017. The newly promoted ITOs are liable to be reverted back to the cadre of ITI in the event, the CBDT reverts any or all these



ACsIT back to the cadre of ITO/or as per the unrebuttable directions, if any, of any court of law with regard to these promotions. The promotions of ITO by the DPC is purely a functional requirement and none of the candidates shall claim to have any seniority based on this DPC but CBDT shall take a final call on this issue and its decision shall be Final.

(l) The All India seniority will be determined based as per guidelines issued by the CBDT, New Delhi. Hence, no seniority can be claimed by the Officers now promoted, other than as per the seniority as decided by CBDT, New Delhi based on vacancy of year and date of promotion.

3. This issues with the approval of the Principal Chief Commissioner of Income Tax, Andhra Pradesh & Telangana.



(KIRAN KATTA)

Addl. Commissioner of Income tax
(HQrs)(Admn&Vig)), Hyderabad.

Copy to :

1. The Pr.Commissioner of Income tax / Pr. Director of Income tax at column no. 3 above (By name), with a request to issue promotion order endorsing a copy to this office. A copy may also be marked to the ITGOA & ITEF, Group 'C', Hyderabad.
2. The Chief Commissioner of Income tax, Hyderabad / Vijayawada / Visakhapatnam / Director General of Income tax (Inv.), Hyderabad.
3. Confidential Section/DPC file/ Database file.
4. The Gen. Secretary, ITGOA, AP&TS
5. The Gen. Secretary, ITEF, Group 'C' , AP&TS Unit, Hyderabad.