



**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/2022,2023

Date: 01/12/2023

MEMORANDUM

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

In pursuance to the recommendations of Regular Departmental Promotion Committee, the under-mentioned Inspector of Income Tax is approved for promotion to the cadre of Income Tax Officer (Group B, Gazetted) on Regular basis for the vacancy year mentioned against his name in the Level 8 of 7th CPC Pay Matrix [Pre-Revised pay band of Rs.9,300-34,800 [PB-2 with the corresponding grade pay of Rs.4,800/-] and such allowances as may be sanctioned by the Government of India from time to time and allotted to the appointing authority as per the table below:

S. No	NAME OF THE OFFICIAL (S/SRI/SMT)	TO WHOM ALLOTTED O/o.	VACANCY YEAR
(1)	(2)	(3)	(4)
1	SEKHAR R N V C	PR. CCIT, AP & TS, HYDERABAD	2023

The respective Controlling Authority, under whose charge the official is presently posted shall issue the promotion order immediately and endorse a copy thereof to this office. The date of joining of the Officer shall be intimated to this office by respective CCIT/DGIT/PCIT/PDIT/CIT/DIT by 11/12/2023

2. On promotion to the post of Income-Tax Officer, the officer shall be posted as OSD (*in-situ*) at his/her present place of posting till further order.
3. The following conditions should be mentioned in the promotion order to be issued by the appointing authority mentioned at column no.3 above:
 - a) 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.
 - b) His promotion is purely provisional.
 - c) He will be liable for reversion,
 - i) If, after a review of the vacancies, it is found that his promotion is in excess of the vacancies available; or if any candidate is omitted for any reason, becomes eligible for promotion subsequently.
 - ii) If his performance is found to be non-satisfactory in the post of Income Tax Officer.



- d) His 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, 2016 regarding exercising of option for fixation of pay on promotion.
- e) His 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 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) His 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, Hon'ble High Court of Telangana, 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) OA Nos. 1666/2015, 1667/2015,1672/2015,1673/2015, 1674/2015 & 1675/2015 before Hon'ble CAT, Hyderabad.
 - vi) Outcome of Writ Petition (WPSR 57107/2022) pending before the Hon'ble High Court of Telangana.
 - vii) O.A.No.788 of 2022 and OA No. 111 of 2023 pending before Hon'ble CAT, Hyderabad Bench.
 - viii) Decision to be taken by a larger bench of five Hon'ble Supreme Court Judges, as mentioned at Para 35 of judgment dated 14.12.2022 by Hon'ble Supreme Court in the case of Hariharan and others Vs Hardhavardhan Singh Rao (SLP (c) No. 16161 of 2018).
- h) His promotion as Income Tax Officer, Group 'B' (Gazetted) is subject to Outcome of the orders that may be passed by the Hon'ble Supreme Court in Jarnail Singh and ors Vs. LachmilNarain Gupta and Ors. [Civil Appeal No. 629 of 2022 arising out of SLP(C)No. 30621 of 2011] and other connected matters or any other Court case(s) before Hon'ble Court/Tribunal. Further, the order is also subject to outcome of any other court case (s) pending in any court of law, anywhere or any directions/clarifications of DoPT/CBDT in respect of disputed issues and service matters.
- i) His promotion as Income Tax Officer, Group 'B' (Gazetted) is subject to the outcome of the decisions 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.
- j) The promotion of the above officer shall be subject to revision of seniority of Income Tax Inspectors, if any, consequent to the implementation of Hon'ble Supreme Court judgment dt.27.11.2012 in NR Parmar case and other similar cases, including Rajeev Mohan case, on the matter pending, if any, in various courts.
- k) His promotion 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 OM 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-Ess(Res.) dated 24/07/2007, (iv) DOPT's 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 (vi) DOPT OM No.20011 /2/2019-Estt(D) dt 13.08.2021

- l) His promotion is subject to final outcome with regard to Board's letters in F.No. A-35015/26/2018-Ad.VI dated 27.05.2019 & A-35015/26/2018-Ad.VI dated 20.02.2020, 12/02/2021 & 26.10.2021.
- m) The All India seniority will be determined based on the uniform date of promotion to be conveyed by the CBDT, New Delhi.
- 4 This issues with the approval of the Principal Chief Commissioner of Income Tax, Andhra Pradesh & Telangana.

Sd/-

(K.RAVI KIRAN)

Commissioner of Income tax
(ADMN & TPS), Hyderabad.

To:

The appointing authority mentioned in column No. 3.

Copy to :

1. The Director General of Income tax (Inv.), Hyderabad / The Chief Commissioner of Income tax, Hyderabad / Vijayawada / Visakhapatnam.
2. The Vigilance Section/DPC file/ Database file.
3. The General Secretary, ITGOA, AP&TS.
4. The General Secretary, ITEF, AP&TS Circle, Hyderabad
5. The ZAO, CBDT, Hyderabad/Visakhapatnam.
6. The Hindi Section, O/o. Pr. CCIT, AP & TS, Hyderabad



(Handwritten Signature)
(THAMBA MAHENDRA)

Dy. Commissioner of Income Tax (Hqrs)(Admn.),
O/o Pr.CCIT, AP&TS, Hyderabad