



Establishment Order No. 35/2018

Dated, Shillong, the th October, 2018.

Subject: Ante-dating of seniority in the grade of Inspector in respect of Shri Majid Alam and Shri Chakreswar Sharma – Order reg.

In terms of Hon'ble Central Administrative Tribunal, Guwahati Bench Order dated 14.11.2017 passed by the in O.A. No. 040/00307/2017, the cases of Shri Chakreswar Sharma and Shri Majid Alam were verified and compared with the 03 applicants of the O.A. No. 182/2011, if they were similarly placed.

On scrutiny / verification it is found that, the 05 (five) applicants of the above 02 (two) O.A.s joined the department at Data Entry Operators, Grade-A in 1994. They were promoted together to Data Entry Operator, Grade-B vide Establishment Order No. 54 dated 03.04.2001. Subsequently, they were promoted to the grade of Inspector (Gr-B Non-Gazetted) vide Establishment Order No. 95/2008 dated 27.12.2008 (by Commissioner of CE, Shillong) and were placed in the **Seniority List of Inspector as on 01.04.2013**, as under after DR & PR ratio. Thus, for all practical purpose, the applicants of O.A. No. 182/2011 and O.A. No. 040/00307/2017 are found to be similarly placed.

Sl. No. in draft Seniority List as on 01.04.2013	Name of the Inspectors (Shri)
451	Dipankar Dutta
453	Hemankar Roy
456	Rajat S. Sengupta
457	Majid Alam
458	Chakreswar Sharma

Consequent to Hon'ble CAT, Guwahati Order dated 24.01.2014 passed in O.A. No. 182/2011, Shri Dipankar Dutta, Hemankar Roy and Rajat Subhra Sengupta were given the benefit of ante-dating of seniority w.e.f 27.10.2003 vide this office Establishment Order No. 190/ 2014 dated 17.11.2014. The Seniority List of Inspector as on 01.04.2013 was subsequently revised by the draft Seniority List of Inspector as on 01.04.2015, where Shri Dipankar Dutta, Shri Hemankar Roy, Shri Rajat Subhra Sengupta were placed as under.

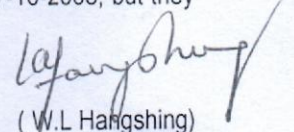
Sl. No. in draft Seniority List as on 01.04.2013	Sl. No. in draft Seniority List as on 01.04.2015	Name of the Inspectors (Shri)
451	154	Dipankar Dutta
453	157	Hemankar Roy
456	160	Rajat S. Sengupta

Since, applicants of O.A. No. 040/00307/2017 (Shri Majid Alam and Shri Chakreswar Sharma) are found to be similarly placed with the applicants of O.A. No. 182/2011 (Dipankar Dutta, Hemankar Roy and Rajat Subhra Sengupta), the former deserve similar benefits of ante-dating seniority as was extended to the later, in terms of the Hon'ble CAT Guwahati Order dated 14.11.2017 (in O.A. No. 040/00307/2017).

As discussed above, Shri Majid Alam and Chakreswar Sharma, Inspectors (PR) merit anti-dating seniority and deserve to be placed above Shri Subrata Sengupta, Inspector (PR) and below Shri K. K. Patel, Inspector (DR), in the draft seniority list of Inspectors as on 01.04.2015. Accordingly, the seniority of Shri Majid Alam and Shri Chakreswar Sharma, are re-fixed, as under.

Sl. No. in draft seniority list of Inspectors as on 01.04.2013	Sl. No. in draft seniority list of Inspectors as on 01.04.2015	Name of the applicant (Shri)
457	163	Majid Alam
458	166	Chakreswar Sharma

The pay etc. of Shri Majid Alam and Shri Chakreswar Sharma shall be fixed notionally w.e.f. 27-10-2003, but they will not be eligible for any arrears of pay as they did not work in the higher capacity w.e.f. that date.


(W.L. Hangshing)
Chief Commissioner

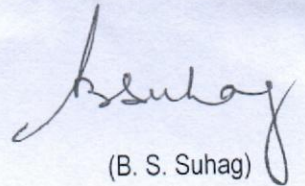
C. No. I(10)10/ET/CCO/SH/2018

8535-54

Dated: 10 OCT 2018

Copy forwarded for information and necessary action to:-

1. The Deputy Registrar, Central Administrative Tribunal, Guwahati Bench, Rajgarh Road, Bhangagarh, Guwahati – 781 005 w.r.t Contempt Petition No. 40/4/2018 in O.A. No. 40/307/2017.
2. The Commissioner, Goods and Services Tax, Shillong/ Dibrugarh/ Guwahati/ Aizawl/ Agartala/ Dimapur/ Imphal/ Itanagar.
3. The Commissioner, Customs (Prev.), N.E.R, Shillong.
4. The Commissioner (Audit/ Appeals), Goods and Services Tax & Customs, Guwahati.
5. The Additional Commissioner (P&V), Goods and Services Tax, Guwahati. *Copy meant for the concerned officer is enclosed herewith for causing delivery.*
6. The Assistant Commissioner (P&V), Goods and Services Tax, Dibrugarh.
7. The Assistant Commissioner, Goods and Services Tax Division, Jorhat. *Copy meant for the concerned officer is enclosed herewith for causing delivery.*
8. The Assistant Commissioner (Law), Goods and Services Tax, Guwahati w.r.t his letter C. No. I(10)05/LAW/GHY/2018/974 dated 14.09.2018.
9. The Assistant Commissioner (Law), CCO, Shillong.
10. The Superintendent (Systems), CCO, Shillong for uploading the departmental website.
11. Shri Majid Alam, Inspector and Shri Chakreswar Sharma, Inspector for information.
12. Guard File.



(B. S. Suhag)

Additional Commissioner