

(सर्वग नियंत्रण ईकाई)
माल एवं सेवा कर तथा
केंद्रीय उत्पाद शुल्क, वडोदरा अंचल,
द्वितीय तल, जी.एस.टी. भवन,
रेसकोर्स सर्कल,
वडोदरा - 390 007 (गुजरात)
दूरभाषसं./TEL. NO. 0265-2331002



Office of The Chief Commissioner
(Cadre Control Unit)
Goods & Service Tax and
Central Excise, Vadodara Zone
2nd Floor, GST Bhavan,
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Vadodara - 390 007 (Gujarat)
फैक्सं./FAX NO.: 0265-2339226

फा. सं. F. No. II/39-20/CCO/2019

दिनांक/ Date: 27.01.2020

To,

The CPIO/Assistant Commissioner (CCO),
CGST & Central Excise,
Vadodara Zone.

Sir,

Sub.: Seeking information under the RTI Act, 2005 by Shri A.K. Sharma,
Jaipur.

Please refer to your letter F.No. IV/16-10/CCO/RTI/2020 dated 13.01.2020,
on the above-mentioned subject.

In this context, the Point wise reply is as under:-

- Point 1:- Relevant parts of the Minutes of Meeting showing number of vacancies,
during the financial Year 2016-17 & 2017-18 are enclosed herewith.
- Point 2:- Relevant parts of the Minutes of Meeting showing number of Inspectors
taken into zone of consideration in DPC held, during the financial Year
2016-17 & 2017-18 is enclosed herewith.
- Point 3:- The information sought by the applicant is available in the Promotion
Section on CCO GST & CE, Vadodara Zone website. Link of the same is
given as follows:-

http://ccovadodarazone.gov.in/en_US/cadre-control-unit/promotion/

- Point 4: Minutes of Meeting contain service details of the employees which fall within
the ambit of 'Personal information' under section 8(1)(j) of the Right to
Information (RTI) Act, further in terms of section 8(1)(e) of the RTI Act, the
Department holds such information in fiduciary relationship with its
employees, disclosure of which has no relationship to any public activity or
public interest. Therefore, the information sought by the applicant cannot
be provided in terms of section 8(1)(e) and 8(1)(j) of the RTI Act, 2005.

Yours faithfully,

Encl: as above.

(D.S. Tolia)
Assistant Commissioner (CCO)

4. VACANCY POSITION:

4.1 Vide office note dated 13.07.2016, the Departmental Promotion Committee was informed that in the grade of Superintendent, 60 posts shall be available for General category, 96 for SC category and 06 posts for ST category (Total 162 posts) during the vacancy year 2016-17. The same are to be filled up by promotions.

5. CONSIDERATION ZONE:

5.1 Vide office note dated 13.07.2016, the Committee was informed that out of 162 vacancies, 60 posts will be available for General category, 96 for SC category and 06 posts for ST category.

5.2 As per the DPC procedure contained in Department of Personnel & Training's OM No.22011/2/2002-Estt.(D) dated 06.01.2006, the Consideration Zone would be number of vacancies multiplied by 1.5 plus 3. But in case of SC/ST, the consideration zone would be extended up to 5 times the number of vacancies. Thus, in view of the above, the normal consideration zone for the 162 vacancies is $(162 \times 1.5) + 3 = 243$ and for picking up officers from SC & ST category, the zone is $(162 \times 5) 810$.

5.3 However, the eligible officers in the grade of Inspector, who have completed 8 years continuous service as on 01.01.2014 are 380. Thus, 60 vacancies for General Category only are to be picked up from the normal zone and 96 & 06 posts reserved for SC and ST category officers respectively are to be picked from the remaining officers of respective category in the normal consideration zone.

6. ELIGIBILITY CRITERIA:

4. VACANCY POSITION:

4.1 Vide office note dated 19.06.2017, the Departmental Promotion Committee was informed that in the grade of Superintendent, 153 posts shall be available for General category, 95 for SC category and 06 posts for ST category (Total 254 posts) during the vacancy year 2017-18. The same are to be filled up by promotions.

5. CONSIDERATION ZONE:

5.1 Vide office note dated 19.06.2017, the Committee was informed that out of 254 vacancies, 153 posts will be available for General category, 95 for SC category and 06 posts for ST category.

As per the DPC procedure contained in Department of Personnel & Training's OM No.22011/2/2002-Estt.(D) dated 06.01.2006, the Consideration Zone would be number of vacancies multiplied by 1.5 plus 3. But in case of SC/ST, the consideration zone would be extended up to 5 times the number of vacancies. Thus, in view of the above, the normal consideration zone for the 254 vacancies is $(254 \times 1.5) + 3 = 384$ and for picking up officers from SC & ST category, the zone is $(254 \times 5) = 1270$. As a practice adopted by this Zone, the consideration Zone was prepared on the basis of seniority list. It contained names of officers in order of seniority and also consisted of some ineligible officers in terms of number of years of service prescribed under respective Recruitment Rules. The correctness of this method was questioned, therefore, it was ascertained from other Zones regarding the practice adopted for preparing the Zone of consideration for DPC. It was revealed that divergent practices were followed across the Zones. With a view to fill up the maximum number of vacant posts, it is forthcoming from the seniority list, the eligible officers in the grade of Inspector, who have completed 8 years regular service as on 01.04.2017 are only 222. by excluding the names of those officers whose names are figuring in the seniority list of Inspector as on 01.01.2014, but have not completed the regular service of 08 years as on 01.04.2017.

Further, as per DOPT O.M No.36012/11/2016-Estt (Res.) dated 30/09/2016, no further promotions of reserved category persons to unreserved posts will be made based on the DOPT O.M dated 10.08.2010. By virtue of the aforesaid OM dated 30.09.2016, it specifies that the officers belonging to SC / ST category officers figuring in the normal zone of consideration will be considered for promotion against the respective reservation category viz., SC / ST as the case may be, against which vacancies earmarked. The DPC and further order would be subject to outcome of the Supreme Court order in case of SLP (C) No.4831/2012-Samta Andolan Samiti through its President vs Sanjay Kothari & Ors and subsequent instructions of DOPT.

Thus, 153 vacancies meant for General Category only are to be picked up from the normal zone and 95 and 06 officers of SC and ST category respectively are to be picked from the remaining officers of normal consideration zone and extended zone. However, as mentioned above, the officers belonging to SC and ST category have to be promoted against the vacancies of SC and ST i.e 95 and 06 respectively.