

**प्रधान आयुक्त कार्यालय**

**OFFICE OF THE PRINCIPAL COMMISSIONER**

**केंद्रीय वस्तु एवं सेवा कर व केंद्रीय उत्पाद शुल्क आयुक्तालय, जयपुर**

**CENTRAL GOODS & SERVICES TAX & CENTRAL EXCISE COMMISSIONERATE, JAIPUR  
NEW CENTRAL REVENUE BUILDING, STATUE CIRCLE, C-SCHEME, JAIPUR-302005**

**EMAIL: ccu-cexjpr@nic.in**

**(केंद्र कंट्रोल यूनिट)**

**Telefax:0141-2385813**

**ESTABLISHMENT ORDER NO.:CCU-15/2022**

**DATE:17.09.2022**

That, the following Inspector had joined in CGST & Central Excise, Jaipur Zone, Jaipur on Inter Commissionerate Transfer from Mumbai Zone-I in terms of Board's letter F.No. A.22015/23/2011-Ad.IIIA dated 27.10.2011:

S. No.	Name of Inspector	Parent Zone	Estt. Order No. in which compliance the ICT was made	Date of joining in CGST & Central Excise, Jaipur Zone, Jaipur	Present place of posting (Commissionerate)
1.	Shri Ajay Kumar	Mumbai Zone-I	7/2017 dated 13.01.2017	06.02.2017	CGST & CE, Jodhpur

2.1 That, in compliance of CBIC, New Delhi's Circular F.No. A-22015/117/2016-Ad.III A dated 20.09.2018, 73 Inspectors (including Shri Ajay Kumar) who had been allowed ICT to Jaipur Zone after 26.12.2016, were treated as working on deemed loan basis in Jaipur Zone till 31.03.2019, vide this office Establishment Order No. 93/2018 dated 03.10.2018.

2.2 Being aggrieved, Shri Ajay Kumar had approached Hon'ble CAT Jaipur Bench, Jaipur by way of filing OA No. 291/000497/2018. The Hon'ble Tribunal vide Order dated 07.01.2019 had disposed of the said OA as having been rendered infructuous in view of the Order dated 15.11.2018 of the Hon'ble CAT, Bangalore Bench in OA No. 170/00101/2018. Subsequently, the department filed Writ Petition No. 6814/2019 in the Hon'ble Rajasthan High Court at Jaipur against the said Order dated 07.01.2019 of Hon'ble CAT Jaipur Bench.

2.3 In the matter, the **Hon'ble Supreme Court's** vide Order dated 10.03.2022 in C.A. No. 1243 of 2022 in the case of **Shri SK Nausad Rahaman & Ors. Vs. Union of India and Ors.** and in other Civil Appeals, held that:

*"while we uphold the judgment of the Division Bench of the Kerala High Court, we leave it open to the respondents to revisit the policy to accommodate posting of spouses, the needs of the disabled and compassionate grounds. Such an exercise has to be left within the domain of the executive, ensuring in the process that constitutional values which underlie Articles 14, 15 and 16 and Article 21 of the Constitution are duly protected. The appeals shall be disposed of in the above terms."*

2.4 The Hon'ble Rajasthan High Court Bench, Jaipur has disposed of the said Writ Petition Number 6814/2019 vide judgement/order dated 18.08.2022 in light of aforesaid judgement of **Hon'ble Supreme Court's** in the case of **Shri SK Nausad Rahaman & Ors.**


3. That, the aforesaid Inspector namely Shri Ajay Kumar has submitted his request dated 05.09.2022 through proper channel for repatriation to his parent zone. The same has been considered and accepted by the Competent Authority. Hence, he is hereby allowed for repatriation to his parent zone (i.e CGST & Central Excise Mumbai Zone-I) on his request. Accordingly, his controlling officer is requested to relieve the aforesaid Inspector by 23.09.2022 positively, to join his parent zone, under intimation to this office.

4. This issues with the approval of the Competent Authority.

  
(Sumit Kumar Yadav)  
Additional Commissioner (CCU)

Copy for information and necessary action to:

1. The Chief Commissioner, CGST & Central Excise, Mumbai Zone-I, New Central Excise Building, 115, Maharshi Karve Road, opp. Churchgate Station, Mumbai-400 020.
2. The Commissioner, CGST & Central Excise Commissionerate, Jodhpur.
3. The Joint Commissioner (Legal), CGST & Central Excise Commissionerate, Jaipur.
4. The Superintendent (Admn./Vig.), CCO, CGST & Central Excise (JZ), Jaipur.
5. The Superintendent (Comp.), CGST & Central Excise Commissionerate, Jaipur to upload on official website.
6. Personal Copy/Concerned Association/Guard File/Notice Board.



17.09.22

(Sumit Kumar Yadav)  
Additional Commissioner (CCU)