



मुंबई सीमाशुल्क अंचल - I
Mumbai Customs Zone - I

प्रधान आयुक्त सीमाशुल्क (सामान्य) का कार्यालय
Office of the Principal Commissioner of Customs (General)
नवीन सीमाशुल्क भवन, बेलार्ड इस्टेट, मुंबई
New Custom House, Ballard Estate, Mumbai,
Maharashtra - 400 001
Telephone - 022-22757736 / 7422
E-mail: p.estt-mum-cus-zone1@gov.in



Date: 07.02.2024.

ESTT. OFFICE ORDER NO.: 52 / 2024.

The final judgment was pronounced by the Hon'ble 47th Additional CMM Court, Esplanade Mumbai on 04-05-2023 (copy enclosed) wherein the Hon'ble Court has held that the accused (there were a total of 8 accused including Shri Harihar S. Dhawale had not committed any offence and there was no iota of evidence available to connect the accused with the alleged crime. Therefore, all the accused persons including Shri Harihar S. Dhawale, TA and Shri Prasad B Pillai (UDC) were acquitted and the case against them was thus disposed off. The relevant extract of the final Order passed on 04.05.2023 reads: ***"Accused No.1 Uday Maheshbhai Goradiya, accused No.2 Bipin Harkishandas Goradiya, accused No.4 Rajesh Bhikaji Gurav, accused No.5 Sunilkumar Raghuvveersharan Agarwal, accused No.6 Deepak Suresh Bhoir, accused No.7 Prasad Balkrishna Pille and accused No.8 Harihar Sukhadevaji Dhawale are acquitted of the offences punishable under Sections 465, 469, 471, 403, 406, 420 read with Section 120(b) of the Indian Penal Code vide section 248(1) of the Code of Criminal Procedure"***.

2 . Thus, upon change in vigilance status and opening of the sealed cover kept by the Review DPC held on 24.01.2018, Shri Harihar S. Dhawale, Tax Assistant, is notionally promoted to the post of Senior Tax Assistant on regular basis with a deemed date w.e.f. **24.10.2008**, in the erstwhile Pay band-2(9,300-34800/-) with grade pay of Rs. 4200/- as per 6th CPC and as amended in 7th

5502/2024

CPC in Level-6 in the pay matrix (Rs. 35,400-1,12,400/-). On promotion as Senior Tax Assistant, Shri Harihar Dhawale shall be placed below Shri Deepak L Nandanwar (Seniority Sr.No.126) and above Shri Sunil B Nandanwar (Seniority Sr.No.127) as per Final Seniority list of Senior Tax Assistant as issued vide Circular No. 19/2021 dated 14.06.2021, vide F.No. II/(34)/24/2021-P&E (Estt).

3 . On promotion as Senior Tax Assistant, Shri Harihar Dhawale shall not be entitled for any arrears of pay and allowances, in terms of DOP&T's No.22011/4/91-Estt.(A) dated 14.09.1992, as he has been, exonerated with benefit of doubt, by the Hon'ble 47th Additional CMM Court, Esplanade Mumbai.

4. The pay and other allowances of Shri Harihar Dhawale in the grade of Senior Tax Assistant shall be granted only from the deemed date of promotion i.e. w.e.f. 24.10.2008. The officer concerned may exercise option under FR 22(I) (a)(1) for fixation of his pay in the higher grade within one month from issuance of this order. Such option once exercised shall be treated as final. The Accounts Pay bill Section, Mumbai Customs ZONE-I, II and III where the above mentioned officer is posted, is requested to ensure the proper compliance of the above option and direction.

5. **The above promotion shall be subject to the outcome of any relevant pending case in any Tribunal/High Court/Supreme Court of India and/ or any review measure undertaken by this department in pursuance of any decision of any Tribunal /Court and/ or any direction of the Ministry pursuant to any judicial order.**

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

Signed by Harish
Ramakrishna Rao
Date: 07-02-2024 14:25:25
R(Ramkrishna Rao)

Deputy Commissioner of Customs

II/(3)/APPT/179/2023-P&E-O/o PR COMMR-CUS-GEN-Zone-I-Mumbai

5502/2024

(P&E),
NCH, Mumbai Zone-I.

Copy to:-

1. The Pr. Chief Commissioner of Customs, Mumbai Zone-I(CCA).
2. The Pr. Commissioners/Commissioners of Customs(G), Mumbai Zone I, II & III.
3. The AC/DC-P&E Section, (Appraising and Preventive),Mumbai Zones-I.
4. The AC/DC-Vigilance Mumbai Zones-I, II & III.
5. The DC/EDI for uploading the same on the official website of Mumbai Zone-I.
6. The AO/ Transfer and Posting Table.
7. The AO/CCR & IPR, Mumbai Zones-I.
8. The CAO/Accounts Pay Bill Zone-I, II and III.
9. The SC/ST Cell and Roster Table Mumbai Zone-I.
10. The Concerned Officer.
11. Notice Board.