

OFFICE OF THE PRINCIPAL COMMISSIONER OF CUSTOMS (GENERAL),
NEW CUSTOM HOUSE, BALLARD ESTATE, MUMBAI - 400 001

F. No. II/(26)/27/2021- P and E

Date : 11.03.2022

ESTABLISHMENT OFFICE ORDER NO.- 62 /2022

Consequent upon the judgement of Hon'ble CAT, Mumbai in O.A. No. 65/2016, a Review DPC was conducted on 08.03.2022 to review the findings of Review DPC dated 07.09.2018 & Review DPC conducted from 21.02.2019 to 13.03.2019 for vacancy year 2012-13, 2013-14 & 2014-15.

Accordingly, in partial modification in the EOO No. 190/2018 dated 07.09.2018 & EOO No. 323/2019 dated 19.03.2019 (issued as per recommendations of the DPC dated 07.09.2018 & DPC from 21.02.2019 to 13.03.2019 respectively), the following changes are ordered with immediate effect:

Sr. No.	Name of the Officer (Shri/Smt.)	Feeder Grade (EO/PO/OS)	Deemed date of Promotion in the grade of Appraiser
1.	Rajendra Prasad Samariya (SC)	EO	20.07.2012
2.	Dharmendra Kumar Thakur	EO	16.08.2013
3.	Smt. Usha (SC/OM)	EO	30.09.2014

2. The officers concerned need not assume the charge as they are already working in the capacity of Appraiser.

3. The officers concerned may exercise the option for fixation of pay in terms of FR-22(1)(a)(i) as per DoPT OM dated 27.07.2017 issued vide No.13/02/2017-Estt(Pay-I) in the higher grade afresh within one month of issuance of this order. Such option once exercised shall be treated as final.

4. Consequent upon issuance of this order, both the EOO No. 190/2018 dated 07.09.2018 & EOO No. 323/2019 dated 19.03.2019 stand modified to the above extent. Further, the changes in inter-se seniority of Appraisers consequent upon issuance of this order will be reflected in the seniority list separately.

5. The subject promotions being effected under this order is subject to the final outcome of the following CAT / Court Cases:

(a) Writ Petition No. 9921/2018 filed by Sanjay Mhatre & Ors before Hon'ble Bombay High Court challenging the order dt 31.10.2014 of Hon'ble CAT, Mumbai in O.A. No. 38 of 2011.

(b) R.P. No. 27/2018 in O. A. No. 38/2011 with M.A. No. 709/2018 filed by Smt. Chandraprabha K. & Ors v/s Union of India & Ors before Hon'ble CAT, Mumbai Bench.

(c) O.A. No. 571 of 2014 filed by Shri Pradip Kumar and Ors. before Hon'ble CAT, Mumbai bench.

(d) O.A.No.650/2014 filed by All India Appraisers Association before Hon'ble CAT, Mumbai bench.

- (e) O.A. No. 831/2019 filed by Shri Rahul Ahlawat & Shri Rahul Beniwal before CAT, Mumbai Bench.
- (f) The promotions are subject to final outcome of the Writ Petition filed by the department against the judgement of Hon'ble CAT in O.A. No. 65/2016 and any other instructions issued by the board in this regard.
- (g) The promotions are subject to the further orders which may be passed by the Hon'ble Supreme Court as stipulated in DOPT's O.M. No. 36012/11/2016-Estt(Res-I) (Pt-II) dt 15.06.2018.
- (h) Any other case pending before any court of law having any impact on the seniority and promotions in the grade of Appraiser, Inspector (Examiner) and/or Inspector (Preventive Officer) or feeder cadre.
- (i) Any review measures taken by this Department regarding seniority and promotion in pursuance of any decision in any Court/ Tribunal cases.

This issues with the approval of the Competent Authority.



TARIQ MABOOD

Addl. Commissioner of Customs
Personnel & Establishment
Mumbai Zone – I

Copy to:

1. The Pr. Chief/Chief Commissioner of Customs, Mumbai – I, II & III.
2. All Pr. Commissioner/ Commissioner of Customs, Mumbai – I, II & III.
3. The Addl. /Jt. Commissioner of Customs, Appraising (M), Appraising (G), Vigilance & CIU, Mumbai Zone – I.
4. Liaison Officer for SC/ST/OBC/PH.
5. The Deputy Commissioner of Customs, Appraising (M), Appraising (G), Vigilance & CIU, Mumbai Zone – I.
6. The Deputy Commissioner of Customs, EDI – for uploading on the website.
7. CAO/PAO, Mumbai – I, II & III.
8. CCR/IPR Section.
9. DC/CAT Cell, NCH for necessary action.
10. Concerned Officers.
11. Office copy.