

OFFICE OF THE CHIEF COMMISSIONER
CGST & CENTRAL EXCISE ZONE, JAIPUR
NEW CENTRAL REVENUE BUILDING, STATUE CIRCLE, C-SCHEME, JAIPUR-302005
(CADRE CONTROL UNIT)

F.No. II-3(60)CCU/JZ/2019/1515

Dated 20.09.2021

ESTABLISHMENT ORDER No. 94 / 2021

Whereas **Shri Naresh Kumar Dhayal**, has initially joined as Inspector at Central Excise, Vadodara Zone on 01.01.2013 and later on joined CGST & CE, Jaipur Zone, on Inter-Commissionerate Transfer, on 13.11.2017 on the basis of Estt. Order No. 147/ 2017 dated 07.11.2017 issued by CGST & CE Jaipur Zone. Subsequently, in compliance of CBIC, New Delhi's Circular F.No. A-22015/117/2016-Ad.III A dated 20.09.2018, 73 Inspectors of other Zones who had been allowed ICT to Jaipur Zone after 26.12.2016, had been ordered to be treated as working on deemed loan basis in Jaipur Zone, vide this office Estt. Order No. 93/2018 dated 03.10.2018. Being aggrieved from this, out of aforesaid 73 Inspectors, 71 Inspectors (including **Shri Naresh Kumar Dhayal**) had approached Hon'ble CAT, Jaipur Bench by way of filing OAs. The Hon'ble Tribunal vide orders dated 07.01.2019 had disposed of the said OAs as having been rendered infructuous in view of the order dated 15.11.2018 of the Hon'ble CAT, Bengaluru Bench. Subsequently, the department has filed 8 Writ Petitions in the Hon'ble High Court of Rajasthan at Jaipur against CAT Bench's said orders, which are pending decision. **Shri Naresh Kumar Dhayal**, Inspector is one of the respondents in D.B. CWP No. 6824/2019 filed by the department.

2. Meanwhile **Shri Naresh Kumar Dhayal** has submitted representations dated 17.10.2019 and 22.07.2020 and requested for repatriation to his parent zone i.e. Vadodara Zone. However, as he was one of the litigants before Hon'ble High Court of Rajasthan at Jaipur in said CWP No. 6824/2019, hence his request for repatriation to parent zone was not acceded to. Now, **Shri Dhayal (who is presently working in the Office of the Commissioner, CGST (Appeals), Jodhpur)** vide his representation dated 07.09.2021 has submitted that his name has been deleted from the array of the respondents in the said CWP No. 6824/2019 by the Order dated 04.09.2021 passed by the Hon'ble High Court of Rajasthan at Jaipur and accordingly he has requested for repatriation to Vadodara Zone. A legal opinion in the matter was also obtained earlier in the subject matter from the Govt. Counsel.

3. Accordingly, in light of the Hon'ble High Court of Rajasthan, Jaipur's order dated 04.09.2021 passed on the M.A. 01/2021 filed by **Shri Naresh Kumar Dhayal**, Inspector in D.B. CWP No. 6824/2019 and legal opinion of the Govt. Counsel, the request dated 07.09.2021 of **Shri Naresh Kumar Dhayal**, Inspector has been accepted by the Competent Authority and he is hereby allowed to be repatriated to his parent zone i.e. Customs, CGST & CE Vadodara Zone.

4. This issues with the approval of Chief Commissioner, CGST & CE, Jaipur Zone, Jaipur.

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(Alok Sharma)
Additional Commissioner (CCU)

Copy for information and necessary action to :-

1. The Chief Commissioner, Customs, CGST & CE, Vadodara Zone, 2nd Floor, Central Excise Building, Race Course Circle, Vadodara-390007.
2. The Commissioner, CGST & Central Excise (Appeals), Jodhpur with request that **Shri Naresh Kumar Dhayal**, Inspector may be relieved immediately for his parent Zone i.e. Customs, CGST & CE, Vadodara Zone. A copy of relieving order may be sent to this office at the earliest
3. The Joint Commissioner (Legal), CGST & CE, Jaipur w.r.t. CWP No. 6824/2019.
4. The Superintendent (Admn./Vig.), CCO, CGST & Central Excise (JZ), Jaipur.
5. The Superintendent (Comp.), CGST & CE Commissionerate, Jaipur to upload on official website.
6. Personal Copy/Concerned Association/ Guard File / Notice Board.

Amil
20/09/2021

(Alok Sharma)
Additional Commissioner (CCU)