

# U.P. Excise Superintendent Service Rules, 1973

UTTAR PRADESH

India

# U.P. Excise Superintendent Service Rules, 1973

## Rule U-P-EXCISE-SUPERINTENDENT-SERVICE-RULES-1973 of 1973

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U.P. Excise Superintendent Service Rules, 1973 Published Vide Abkari Vibhag's Notification No. 10116-E/13-138-58, dated 11th December, 1973

## Part I – General

### 1. Short title and commencement.

(1) These rules may be called the U.P. Excise Superintendent Service Rules, 1973. (2) They shall come into force at once.

### 2. Status of the Service.

- The Uttar Pradesh Excise Superintendent Service is a Provincial Service, which includes Second Grade posts.

### 3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, - (a) "Citizen of India" means a person who is deemed to be a citizen of India under Part II of the Constitution; (b) "Commission" means Uttar Pradesh Public Service Commission; (c) "Commissioner" means a Commissioner appointed by Government under Section 2 (a) of the United Provinces Excise Act, 1910 (U.P. Act No. 4 of 1910); (d) "Constitution" means the Constitution of India; (e) "Government" means the State Government of Uttar Pradesh; (f) "Governor" means the Governor of Uttar Pradesh. (g) "Member of the Service" means a person substantively appointed under these rules or the rules or orders in force prior to the commencement of these rules, to a post in the cadre of the service; (h) "Sachiv" means a Sachiv of Uttar Pradesh Excise

Department;(i)"Service" means the Uttar Pradesh Excise Superintendent Service; and(j)"Subordinate Excise Service" means Uttar Pradesh Subordinate Excise Service, which includes the posts of Excise Inspectors.

## **Part II – Cadre**

### **4. Number of posts.**

(1)Number of post in the Service shall be such as may be determined by the Governor from time to time.(2)The strength of service shall, until orders varying the same are passed under sub-section (1), be 25 :Provided that the Governor may,-(a)leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation; or(b)create such additional, permanent or temporary posts as he may consider proper.

## **Part II – Recruitment**

### **5. Source of recruitment.**

- Recruitment to the posts in the Subordinate Excise Service shall be made in such manner as is mentioned in Part V of these Rules.

### **6. Reservation for Scheduled Castes, Scheduled Tribes, etc.**

- Reservation for Scheduled Castes, Scheduled Tribes shall be in accordance with the orders made by Government from time to time.Note :-One copy of orders have been give in this Rules at the time of its commencement in Appendix 'A'

## **Part IV – Conditions of Eligibility For Promotion**

### **7.**

[ \* \* \* ] [Deleted vide Notification No. 6827-E/XIII-56-75, dated 24th October, 1975 (w.e.f 19-12-1973).]

### **8. [ Experience. [Substituted by Notification No. 6827-E/XIII-56-75, dated 24th October, 1975 (w.e.f 19-12-1973).]**

- Any member of subordinate excise service shall not be eligible unless he is not confirmed on the post of Excise Inspector and there is no vacancy.Explanation.-"Two years service" means such service, which is commenced from the date of consultation with Commission.]

## **Part V – Procedure of Recruitment**

### **9. Determination of vacancies.**

- Whenever the vacancies are to be filled in Service, the Sachiv shall intimate it to the Commission; He shall also inform whether the vacancies for the Scheduled Castes and Scheduled Tribes to be filled under Rule 6 are to be reserved.

### **10. Selection.**

- Recruitment shall be made from eligible candidates according to their qualifications as according to the Rules made by Government from time to time in which procedure for selection with consultation of the Commission is mentioned. Note.-Such provisions, at the time of commencement of this Rules, in which the procedure for selection have been determined, is given in Appendix 'B'.

## **Part VI – Appointment, Probation and Confirmation**

### **11. Appointment.**

(1) Subject to the provisions of Rule 10 the Governor shall, on occasion of original vacancies in the Service, in the manner prescribed for the procedure of selection, make appointment from the schedule. (2) For the temporary or substantive appointments, selection may be made in the manner mentioned in sub-rule (1). (3) All appointments made under this Rule shall be published in the Government Gazette.

### **12. Seniority.**

- Seniority shall be determined for the any member of the Service from the date of appointment : Provided that if two or more candidates are to be originally appointed on the same date, combined seniority will be determined in such serial order as he was appointed under Rule 11 (1).

### **13. Probation.**

(1) All persons in the Service, for original vacancy, shall be placed on probation for a period of two years. (2) The appointing authority may allow continuous service rendered in an officiating or temporary capacity in a post included in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation. (3) The appointing authority may, for the reasons to be recorded, extend the period of probation in individual cases, specifying the date upto which the extension is granted. Such extended period shall not be for more than one year. (4) If it appears to the appointing authority at any time during or at the end of the period of probation that a probationer has not made sufficient use of his opportunities or his work and conduct is unsatisfactory, he may be reverted back to his substantive post, if any, and if he does

not hold a lien on any post his services may be dispensed with.

#### **14. Departmental examination.**

- It shall be expected from the persons on probation during probationary period that they pass the departmental examination and obtain training to which Government has prescribed from time to time.

#### **15. Confirmation.**

(1) Any probationer, as stated, shall be confirmed in his appointment at the end of period of probation or extended period of probation, if he has-(a) passed departmental examination, if any; (b) obtained departmental training, if any; (c) Government is satisfied that he is fit for confirmation as according to his work; and (d) his integrity is certified. (2) All confirmations under this Rules shall be published in the Official Gazette.

### **Part VII – Pay**

#### **16. Scales of Pay.**

- The scales of pay admissible to the persons appointed, either in regular, substantive or temporary appointment, shall be such as have been determined by the Government from time to time. The scale of pay\* admissible at the commencement of this Rule is as under : Excise Superintendent 450-25-650-EB-30-800-EB-50-950 Rupees.

#### **17. Criterion for crossing efficiency bar.**

(1) No person shall be allowed to cross efficiency bar unless his work and conduct are found satisfactory and his integrity is certified. (2) No person shall be allowed to cross second efficiency bar unless he has not maintained his full efficiency, he has not proved satisfactory in holding his duties and his integrity is not beyond doubt.

### **Part VIII – Other Provisions**

#### **18. Canvassing.**

- No recommendations, either written or oral, other than those required under these Rules, may be allowed. Any attempt on the part of a candidate to enlist support, directly or indirectly for his candidature, will disqualify him for appointment.

## 19. Regulation of other matters.

- In regard to the matters not specifically covered by these Rules or special orders, persons appointed to the Service shall be governed by the Rules, regulations and orders applicable generally to the Government servants serving in connection with the affairs of the State.

## 20. Relaxation from conditions of service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of service of the persons appointed causes undue hardship in any particular case, it may, notwithstanding anything contained in the Rules applicable to the case, by order, dispense with or relax the requirements of that Rule to such an extent and subject to such conditions as it may consider necessary for dealing with the case in just and equitable manner. Appendix 'A' [Sec Rule 6] [Reservation For Post By Promotion To The Scheduled Castes/scheduled Tribes] [Vide G.O. No. 65/(2)-69-Ra-Eki., dated 8th March, 1973.]\* For Latest Pay Scale, please see current G.O. inksUufr }kjk Hkjs tkus okys inksa ij vuqlwfpr tkfr;ksa@vuqlwfpr tu & tkfr;ksa ds fy, vkj{k.k

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