



EXTRAORDINARY  
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EXCISE DEPARTMENT  
NOTIFICATION

The 4th October 2002

No. 6018—III-Ex-24/2002-Ex.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules to regulate the method of recruitment and conditions of service of the Orissa Excise Group-B Service namely:—

PART I  
PRELIMINARY

- Short title and commencement. 1. (1) These rules may be called the Orissa Excise Service (Method of Recruitment and Condition of Service of Group-B Officers), Rules, 2002.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.
- Definitions 2. (1) In these rules, unless the context otherwise requires —
- (a) "Commission" means the Orissa Public Service Commission;
  - (b) "Department" means the Excise Department;
  - (c) "Government" means the Government of Orissa;
  - (d) "Probationer" means a person appointed to the service on probation;
  - (e) "Scheduled Caste and Scheduled Tribe" means such castes and tribes as are notified by the President of India under Articles 341 and 342 of the Constitution of India, respectively;
  - (f) "Selection Board" means the Board constituted under Rule 6 of these rules;
  - (g) "Select list" means the list finally approved by Government containing the names of the incumbents considered suitable for promotion in consultation with the Commission;
  - (h) "Service" means the Orissa Excise Service constituted under Rule 3 of these rules; and
  - (i) "Year" means the calendar year.
- (2) All other words and expression used but not specifically defined in these rules shall have the same meaning as respectively assigned to them in the Orissa Service Code.

PART II  
THE SERVICE

- Composition of the service. 3. The service shall comprise of—  
The Orissa Excise Service Group-B consisting of the posts of Deputy Superintendent Excise.

PART III

- Method of recruitment. 4. Recruitment to the posts of Deputy Superintendent of Excise shall be made by Government by promotion from among the Inspectors of Excise.

Condition  
of eligi-  
bility.

5. No Inspector of Excise shall be eligible for promotion to the post of Deputy Superintendent of Excise unless he has completed 2 years of service on the first day of January of the year in which the Selection Board meets.

Constitu-  
tion of  
Selection  
Board.

6. There shall be constituted a Selection Board for selection of Officers for appointment to the post of Deputy Superintendent of Excise consisting of,—

- |  |    |                  |
|--|----|------------------|
| (a) Commissioner-cum-Secretary to Government,<br>Excise Department.  | .. | Chairman         |
| (b) Excise Commissioner  | .. | Member           |
| (c) Additional Secretary or Joint Secretary or<br>Deputy Secretary of the Department in<br>charge of Excise field establishment. | .. | Member-Secretary |

Meeting

7. The Selection Board shall ordinarily meet once in a year preferably in the month of January and prepare the list of officers found suitable for promotion:

Provided that the Board may meet more than once in a year if the select list relating to any post has been exhausted or for any other good and sufficient reasons to be recorded in writing.

Procedure  
of  
Selection.

8. (1) The Department shall determine the number of existing and anticipated vacancies in the posts pertaining to the year and prepare a list of eligible officers coming within the zone of consideration and place the same before the Selection Board along with their five years available C. C. Rs. and other Service records for consideration.

(2) The process of selection, *inter alia*, shall be governed by the following rules and instructions issued from time to time by the Government:—

- (i) The Orissa Civil Services (Criteria for Promotion) Rules, 1992;
- (ii) The Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988;
- (iii) The Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and Rules made thereunder;
- (iv) The instructions issued by the General Administration Department on "sealed cover" procedure.

(3) The Selection Board shall prepare a list of officers equal to the number of estimated vacancies pertaining to that year, who in the opinion of the Board are found suitable for appointment to the service.

(4) The list of officers considered by the Selection Board shall be sent to the Commission along with the C. C. Rs. and other relevant service records for their recommendation.

Select list

9. (1) The list of officers recommended by the Commission shall be placed before the Government for approval and the list so approved by the Government with modification, if any, shall be treated as select list for appointment to the service.

(2) The names of the Officers in the select list shall be arranged in order of merit. The select list shall not contain the names more than the existing and the anticipated vacancies as determined under sub-rule (1) of Rule 8.

(3) The select list will remain valid for a period of one year from the date of its approval by the Government.

Probation

10. (1) Every person on appointment to the service shall be on probation for a period of one year from the date of his appointment.

(2) The probation period shall not include the following:—

- (a) Extraordinary leave;
- (b) Period of unauthorised absence;
- (c) Any other period for which the person concerned is held not to be on actual duty.

(3) The Government may extend the period of probation or order for reversion of a person so appointed to the Service if during the period of probation, performance and conduct of the person are found to be unsatisfactory.

(4) A person appointed to a post in the service may be confirmed against a substantive vacancy, if available, on successful completion of the probation period and on passing the departmental examination, if any, prescribed by Government.

Gradation  
and  
seniority

11. (1) The appointing authority shall maintain the gradation list for the cadre mentioned in rule 3.

(2) The gradation list shall contain the name, date of birth, academic qualifications, date of joining the cadre and the date of confirmation, if any.

(3) The *inter se* seniority of officers shall be determined as per the position assigned to them in the select list.

Reservation

12. Notwithstanding anything contained in these rules, reservation of vacancies in favour of candidates belonging to Scheduled Castes and Scheduled Tribes for recruitment to the Service, shall be made in accordance with the provisions of the Orissa Reservation of Vacancies in the Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules made thereunder.

Training

13. (1) The officers of the service may be called upon to undergo the course of training as directed by the Government from time to time.

(2) The Government may prescribe the Departmental Examinations for the officers of the service.

Relaxation

14. The Government may if considered necessary or expedient to do so in the public interest, by order, for reasons to be recorded in writing relax any of the provisions of these rules in respect of any class or category of officers of the service in consultation with the Commission.

Repeal and  
savings.

15. All rules and orders in force corresponding to these provisions of these rules immediately before commencement of these rules are hereby repealed:

Provided that save as otherwise specified in these rules, any orders made, or any action taken under the provision of the rules and orders so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

InterPre-  
tation.

16. If any question arises relating to the interpretation of these rules, it shall be referred to the Government in Excise Department for decision.

By order of the Governor

J. P. DASH

Commissioner-cum-Secretary to Government