

The West Bengal Services (Classification, Control & Appeal) Rules, 1971

WEST BENGAL SERVICES (Classification, Control and Appeal) RULES, 1971

FINANCE DEPARTMENT AUDIT

NOTIFICATION

No. 1440 – F. –20th February, 2008. – In exercise of the power conferred by the proviso to Article 309 of the Constitution of India; the Governor is pleased hereby to make the following amendments to the West Bengal Services (Classification, Control and Appeal) Rules, 1971 as subsequently amended (hereinafter referred to as the said rules):-

No. 2018-F, the 16th April, 1971—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor is pleased hereby to make the following rules, namely:

RULES Part I - GENERAL

1. Short title and commencement -

- (1) These rules may be called the West Bengal Services (Classification, Control and Appeal) Rules, 1971.
- (2) They shall come into force on the 1st May, 1971.

2. Application -

- (1) These rules shall apply to all the Government employees except:
 - (i) persons paid at daily rates
 - (ii) persons against whom action is taken or proposed to be taken under the West Bengal Civil Services (Safeguarding of National Security) Rules, 1949, reproduced in Appendix-I in respect of matters covered by the provisions of those rules ;
 - (iii) members of All India Services
 - (iv) inspectors of Police and members of the Subordinate Police Force and
 - (v) members of the West Bengal Higher Judicial Service and the West Bengal Civil Service (Judicial) and they shall also apply to persons for whose appointment and other matters covered by these rules, special provision is made:
 - (i) by or under any law for the time-being in force, or
 - (ii) by an agreement made with them, in respect of matters not covered by the provisions of such law or agreement.
- (2) Notwithstanding anything contained in sub-rule (1), the Governor may, by order, exclude from the operation of all or any of the provisions of these rules any Government employee or class or classes of the Government employees.

(3) If any doubt arises as to (a) whether these rules or any of them apply to a Government employee, or (b) whether any person to whom these rules apply belongs to a particular service, the matter shall be referred to Governor whose decision thereon shall be final.

3. Definitions-In these rules, unless the context otherwise requires:

- (I) "appendix" means an appendix appended to these rules;
- (II) "appointing authority" in relation to a Government employee means—
- (i) the authority empowered to make appointments to the services of which the Government employee is for the time-being a member or to the grade of the service in which the Government employee is for the time-being included, or
 - (ii) the authority empowered to make appointments to the post which the Government employee for the time-being holds, or
 - (iii) the authority which appointed the Government employee to such service, grade or post as the case may be, or
 - (iv) where the Government employee having been a permanent member of any other service or having substantively held any other permanent post, has been in continuous employment of the Government, the authority which appointed him to that service or to any grade in that service or to that post, whichever authority is the highest authority;
- (III) "Commission" means the Public Service Commission, West Bengal;
- (IV) "disciplinary authority" in relation to the imposition of a penalty on a Government employee means the authority competent under these rules to impose on him that penalty;
- (V) "Government" means the Government of the State of West Bengal;
- (VI) "Government employee" means a person who is a member of any of the services specified in Rule 4 and includes any such person on foreign service or whose services are temporarily placed at the disposal of the Government of India or any other State Government or a local or other authority and also any person in service of the Government of India or any other State Government or a local or other authority whose services are temporarily placed at the disposal of the Government of West Bengal;
- (VII) "Schedule" means a Schedule appended to those rules; and
- (VIII) "Service or post" means any service or post in connection with the affairs of the State of West Bengal.

Under Notification. 1440 – F. –20th February, 2008.

(i)

4. Classification of Services-(1) All the services and posts under the Government shall be classified as follows :

- (i) West Bengal State Service, Group A;
- (ii) West Bengal State Service, Group B;
- (iii) West Bengal State Service, Group C;
- (iv) West Bengal State Service, Group D;

(2) If a service consists of more than one grade, different grades of such service may be included in different groups.

Under Notification. 1440 – F. –20th February, 2008.

(ii)

5. Constitution of State Services and Classification thereof or posts held by Government employees; -

The West Bengal State Services, Group a, Group B, Group C and Group D shall consist of the services or grades or posts carrying a pay or a scale of pay as detailed in the Table below:-

The Table

