

ANDHRA PRADESH EXCISE (DELEGATION OF POWERS) RULES, 1972

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ANDHRA PRADESH EXCISE (DELEGATION OF POWERS) RULES, 1972

In exercise of the powers conferred by Section 8 read with clause (b) of sub-section (2) of Section 72 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act No.17 of 1968) the Governor of Andhra Pradesh hereby makes the following rules, the same having been previously published at pages 234-235 in Rules Supplement to Part II of the Andhra Pradesh Gazette, dated the 10th August 1972, as required by sub-section (1) of Section 72 of the said Act.

1. Short title, extent and commencement :-

- (1) These rules may be called the Andhra Pradesh Excise (Delegation of Powers) Rules, 1972.
- (2) They shall extend to all the areas where the provisions of the Andhra Pradesh Excise Act, 1968 are in force.
- (3) They shall come into force at once.

2. Definitions :-

In these rules unless the context otherwise requires :

- (a) 'Act' means the Andhra Pradesh Excise Act, 1968.
- (b) 'Rule' means any rule framed under the Act.
- (c) 'Commissioner' means the Officer appointed under Section 3 of the Act.

3. Officers to whom powers may be delegated :-

Subject to these rules,-

(i) the Commissioner may delegate any of his powers under the Act or rules to any officer subordinate to him not lower in rank than that of a Excise Superintendent.

(ii) the Collector may delegate any of his powers under the Act or rules to any officer subordinate to him not lower in rank than that of a Revenue Divisional Officer.

(iii) the Excise Superintendent may delegate any of his powers under the Act or rules to any Assistant Excise Superintendent subordinate to him.

4. Restriction on the delegation of powers :-

(i) No officer shall delegate any of the powers vested in him under Section 63 of this Act.

(ii) The Excise Commissioner shall not delegate any of his powers under Rule 3 or withdraw any of the powers so delegated without the prior approval of the Government.

(iii) An Excise Superintendent shall not delegate any of his powers under Rule 3 or withdraw any of the powers so delegated, without prior approval of the Excise Commissioner.

(iv) Whenever delegation of powers of an Excise Superintendent to an Officer lower in rank of an Assistant Excise Superintendent becomes necessary specific previous permission from the Government for such delegation shall be obtained.

(v) There can be no delegation of any power in respect which the Act specifies that the power cannot be exercised by an officer not below a particular rank to an officer below that rank.

(vi) Any officer to whom powers are delegated shall not in turn delegate to any other officer.

5. Publication of delegation of powers in the Gazette :-

Whenever any power is delegated by Excise Commissioner, Collector or Excise Superintendent or whenever a power so delegated is withdrawn it shall be notified in the Andhra Pradesh Gazette.