

# **The U.P. Co-Operative and Panchayat Audit Service Rules, 1979**

UTTAR PRADESH

India

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### **Rule**

### **THE-U-P-CO-OPERATIVE-AND-PANCHAYAT-AUDIT-SERVICE-RULES- of 1979**

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The U.P. Co-Operative and Panchayat Audit Service Rules, 1979Published vide Notification No. Audit-2154/10-311 (3)-61, dated 16-6-1979In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment to posts in, and the conditions of service of persons appointed to the Uttar Pradesh Co-operative and Panchayat Audit Service.

## **Part I – General**

### **1. Short title and commencement.**

(1)These rules may be called the Uttar Pradesh Co-operative and Panchayat Audit Service Rules, 1979.(2)They shall come into force at once.

### **2. Status of the Service.**

- The Uttar Pradesh Co-operative and Panchayat Audit Service Is a State Service comprising Group A' and 'B' posts.

### **3. Definitions.**

- In these rules, unless the context otherwise requires-(a)"citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution:(b)"Commission" means the

Public Service Commission, Uttar Pradesh;(c)"Constitution" means the Constitution of India;(d)"Government" means the Government of Uttar Pradesh;(e)"Governor" means the Governor of Uttar Pradesh;(f)"member of the Service" means a person appointed in a substantive capacity under the provisions of these rules or of rules and orders in force prior to the commencement of these rules to a post in the cadre of the Service;(g)"Regional Audit Officer" means any person appointed as such by the Governor, and includes the Audit Officer appointed at the office of the Chief Audit Officer, and the Principal, Co-operative and Panchayat Auditors Training Centre, Faizabad;(h)"Registrar" means the Registrar, Co-operative Societies, Uttar Pradesh;(i)"Secretary" means the Secretary to the Government in the Finance Department;(j)"Service" means the Uttar Pradesh Co-operative and Panchayat Audit Service; and(k)"year of recruitment" means the period of twelve months beginning from the first day of July of a calendar year.

## **Part II – Cadre**

### **4. Strength of the Service.**

(1)The strength of the Service and of each category of posts therein shall be such as may be determined by the Governor from time to time.(2)The permanent sanctioned strength of the Service and of each category of posts therein shall, until orders varying the same are passed under sub-rule (1), be as specified below:

1. Chief Audit Officer ... 1
2. Deputy Chief Audit Officers ... 3
3. Regional Audit Officers ... 13

Provided that the Governor may-(i)leave unfilled or hold in abeyance any vacant post without thereby entitling any person to compensation; or(ii)create such additional, permanent or temporary posts from time to time, as may be considered necessary.

## **Part III – Recruitment**

### **5. Sources of recruitment.**

- Recruitment to the various categories of posts in the Service shall be made from the sources specified below:A. Regional Audit Officers. - (a) By direct recruitment through the Combined State Services Examination conducted by the Commission.(b)By promotion from amongst permanent District Audit Officers of the Co-operative and Panchayat Audit Organization who have put in at least three years continuous service as District Audit Officer on the first day of the year of recruitment to which the vacancies relate.B. Deputy Chief Audit Officers. - By promotions from amongst the permanent Regional Audit Officers who have put in at least three years service as Regional Audit Officer on the first day of the year of recruitment to which the vacancies relate.C. Chief Audit Officer. - By promotion from amongst the permanent Deputy Chief Audit Officers, who have put in at least two years service as Deputy Chief Audit Officer on the first day of the year of

recruitment to which the vacancies relate: Provided that-(i) so long as there are no permanent District Audit Officers, the posts of the Regional Audit Officer may be filled by promotion from amongst permanent Senior Auditors, who have put in at least three years' service as such; (ii) recruitment to the post of Regional Audit Officer shall be so arranged that 50 per cent of the posts in the cadre are held by direct recruits and the rest by promotees, and if the number of posts on the basis of the percentage is not a whole number, the number of posts to be filled in by promotion shall be the next higher whole number; (iii) in case of the post of Chief Audit Officer, if suitable candidates are not available for appointment by promotion, the post may be filled by transfer (deputation) of a member of Uttar Pradesh Finance and Accounts Service (in the senior scale).

## **6. Reservation for Scheduled Castes/Scheduled Tribes and other categories of candidates.**

- Reservation for the candidate belonging to the Scheduled Castes/Tribes and other categories shall be in accordance with the orders of the Government for reservation in force at the time of recruitment.

## **7. Nationality.**

- A candidate for direct recruitment to the Service must be-(a) a citizen of India, or (b) a Tibetan refugee who came over to India before January 1, 1962 with the intention of permanently settling in India; or (c) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India: Provided that a candidate belonging to category (b) or (c) above shall be a person in whose favour, a certificate of eligibility has been issued by the Government: Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility to be granted by the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh: Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and such a candidate may be retained in service after a period of one year only if he has acquired Indian citizenship. Note. - A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused may be admitted to an examination or interview conducted by the Commission or other recruiting authority and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

## **Part IV – Qualifications**

### **8. Age.**

- A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 27 years on January 1 of the year in which recruitment is to be made if the posts are advertised during the period January 1 to June 30 and on July 1 if the posts are

advertised during the period July 1 to December 31: Provided that-(i) the upper age-limit shall, in the case of candidates of the Scheduled Castes, Scheduled Tribes, and such other categories as may be notified by the Government from time to time shall be greater by such number of years as may be specified; (ii) if a candidate would have been entitled in respect of his age to appear at the examination in any year in which no such examination was held, he shall be deemed to be entitled in respect of age to appear at the next following examination.

## **9. Academic qualification.**

- A candidate for direct recruitment to the post of Regional Audit Officer must hold a bachelor's degree of a recognised University and possesses working knowledge of Hindi written in Devnagari script.

## **10. Preferential qualification.**

- A candidate- (i) who has served in the Territorial Army for a minimum period of two years; or (ii) who has obtained a 'B' certificate of the National Cadet Corps shall, other things being equal, be given preference in the matter of recruitment to the Service.

## **11. Character.**

- The character of a candidate for direct recruitment must be such as to render him suitable in all respects for appointment to the Service and the appointing authority shall satisfy himself on this point. Note. - Persons dismissed by the Union Government as by a State Government or by a Corporation, body or undertaking owned or controlled by a State Government or the Union Government or by a Local Authority shall be ineligible for appointment to the Service. A person convicted of an offence involving moral turpitude shall also be ineligible.

## **12. Physical fitness.**

- No person shall be appointed as a member of the Service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his official duties. Before a candidate, not already in permanent service of the State, is finally approved for appointment to the Service by direct recruitment, he shall be required to pass an examination by a Medical Board.

## **13. Marital status.**

- A male candidate who has more than one wife living and a female candidate who has married a person having already a wife living, shall not be eligible for recruitment to the Service: Provided that the Governor may, if he is satisfied that there exists special grounds for doing so, exempt any person from the operation of this rule.

## **Part V – Procedure for Recruitment**

### **14. Direct recruitment.**

(1) Whenever vacancies in the posts of Regional Audit Officers are required to be filled by direct recruitment, the Secretary shall intimate to the Commission the number of vacancies to be filled on the result of the State Services Combined Competitive Examination as also the number of vacancies, if any, to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories for which reservation is required to be made under rule 6. (2) The Commission shall announce the vacancies, admit the candidates to the Competitive Examination in accordance with the prescribed procedure and subject to the requirement of reservation for the Scheduled Caste and others under rule 6, recommend for appointment the candidates standing highest in order of merit from amongst those who have given preference for this Service. If two or more candidates obtain equal marks in the aggregate, the Commission shall arrange their names in order of preference on the basis of their general suitability for the Service.

### **15. Syllabus and Rules for the examination.**

- The syllabus and rules relating to the examination shall be prescribed by the Commission with the approval of the Governor.

### **16. Fees.**

(1) A candidate for direct recruitment to the Service must pay such fee as may be prescribed by the Government from time to time in respect of the service. (2) A candidate must also pay such fee as may be prescribed by the government from time to time for medical examination by a Medical Board or other Medical Authority, as the case may be, before the Medical Examination. (3) No claim for refund of these fees shall ordinarily be entertained.

### **17. Recruitment by promotion.**

(1) (i) For the purpose of recruitment by promotion to the post of Chief Audit Officer selection on the basis of merit and for the post of Deputy Chief Audit Officer, selection on the basis of seniority subject to the rejection of the unfit shall be made from amongst the officers eligible for promotion to these posts under rule 5, by a selection committee constituted as follows: (a) For the post of Chief Audit Officer- (1) Chief Secretary to Government who will preside over the Committee, (2) Secretary to Government, Personnel Department, (3) Secretary to Government in Finance Department. (b) For the post of Deputy Chief Audit Officer- (1) Secretary to Government, Finance Department, (2) Secretary to Government, Co-operative Department, (3) Chief Audit Officer. (ii) The Secretary shall in consultation with the members of the Committee, fix a date for selection and place before it the eligibility list, together with the gradation list, the character rolls and other relevant records of all the candidates within the field of eligibility. (iii) In case the Committee considers it necessary that all or any of the candidates should be interviewed by the Committee, the Secretary shall call such person or persons

for interview.(iv)The Committee shall consider the character rolls of the candidates and may also consider such other records and factors as may be relevant in its opinion. The Committee may also interview all or any of the candidates.(v)The Committee shall draw a list of selected candidates and have it arranged in order of preference.(2)Recruitment by promotion to the post of Regional Audit Officer shall be made on the basis of merit in consultation with the Commission in accordance with the procedure laid down by the Government from time to time.Note. - Procedure for promotion in consultation with Commission is given in Appendix 'A'.

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

### **18. Appointment.**

(1)On the occurrence of substantive vacancies the Governor shall make appointments to the various posts in the cadre of the Service by taking candidates from the lists prepared under rule 14 or rule 17, as the case may be, in the order in which their names appear in the list:Provided that when selection for direct recruitment and for promotion in the case of the posts of Regional Audit Officer has been made simultaneously, appointments shall as far as possible, be made by taking the candidates alternately from the lists prepared under rule 14 and rule 17, the first name being taken from the list of the promoted candidates.(2)Appointments in temporary or officiating vacancies may also be made from the list referred to and in the manner provided in sub-rule (1).(3)If no such candidate is available from the list, appointment may be made in such vacancies for a period not exceeding one year from persons who are eligible for promotion under these rules, simultaneously with the making of such an appointment, an intimation shall be sent to the Commission specifying clearly that the appointment has been made under this sub-rule.

### **19. Seniority.**

- Seniority in any category of post in the service shall be determined from the date of order of substantive appointment and where two or more persons are appointed together from the order in which their names are arranged in the appointment order:Provided that-(i)the inter se seniority of persons directly appointed to the service shall be the same as determined by the Commission at the time of selection,(ii)the inter se seniority of persons appointed to the service by promotion shall be the same as it was in the substantive post held by them at the time of promotion.Notes. - (i) Where the appointment order specifies a particular back date with effect from which a person is appointed substantively that date will be deemed to be the date of order of substantive appointment. In other cases it will mean the date of issue of the order.(ii)A candidate recruited directly may lose his seniority if he fails to join without valid reason when vacancy is offered to him, the decision of the appointing authority as to the validity of reasons, will be final.

### **20. Probation.**

(1)A person on appointment to a post in the Service in or against a substantive vacancy, shall be placed on probation for a period of two years.(2)The Governor may, for reasons to be recorded,

extend the period of probation in individual cases specifying the date up to which the extension is granted: Provided that save for exceptional reasons the period of probation shall not be extended for more than one year and in no circumstances beyond the limit of two years. (3) If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with. (4) A probationer who is reverted or whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation. (5) 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.

## **21. Departmental examination.**

- Directly recruited officers shall be required to pass such departmental examination, and to undergo such training as the Governor may from time to time prescribe. Note. - The programme of training and the syllabus and rules for the conduct of the departmental examination prescribed at the commencement of these rules are given in Appendix B'.

## **22. Confirmation.**

- A probationer shall be confirmed in his appointment on the expiry of the period of probation or extended period of probation, as the case may be, if - (a) in the case of a directly recruited candidate he has passed the Departmental Examination and has undergone the prescribed training successfully, (b) his integrity is certified, and (c) the Governor is satisfied that he is otherwise fit for confirmation.

## **Part VII – Scale of Pay**

### **23. Scale of pay.**

(1) The scale of pay admissible to a person appointed to a post in the cadre of the Service, whether in a substantive or officiating capacity or as a temporary measure, shall be such as may be allowed by the Government from time to time. (2) The scales admissible at the time of the commencement of these rules are as follows :

- (a) Regional Audit Officer   Rs. 550-30-700-E.B.-40-900-E.B.-50-1,200.
- (b) Dy. Chief Audit Officer   Rs. 800-50-1,050-E.B.-50-1,350-E.B.-50-1,450.
- (c) Chief Audit Officer       Rs. 1,200-50-1,500-E.B.-60- 1,800.

## **24. Pay during probation.**

(1) Notwithstanding any provisions in the fundamental Rules to the contrary a person on probation, if he is not already in the service of the government, shall, during the period of probation, be allowed to draw his annual increments as. and when they fall due, provided that, if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the Governor directs otherwise. (2) The pay during probation of a person already in permanent service of the Government shall be regulated by the relevant rules referred to in rule 27.

## **25. Criteria for crossing the efficiency bar.**

(1) No Chief Audit Officer shall be allowed to cross the efficiency bar unless—(i) he has worked with drive and initiative and has ensured substantial annual audit of all the Cooperative and Panchayat institutions under his charge and he has made around improvement in the working of the Cooperative and Panchayat Audit Organisation and his performance has been commendable throughout; (ii) he has taken effective steps to realise audit fees due to the Government; (iii) his integrity is certified. (2) No Deputy Chief Audit Officer shall be allowed to cross—(i) the first efficiency bar, unless he has worked steadily to the best of his ability and has successfully performed all the duties assigned to him, and unless his integrity is certified; (ii) the second efficiency bar unless while maintaining his previous good record he has contributed to the all round improvement of the department and his performance has been commendable throughout and unless his integrity is certified. (3) No Regional Audit Officer shall be allowed to cross—(i) the first efficiency bar unless—(a) he has performed his duties with zeal and devotion and has completed audit work within the scheduled time; (b) his control over staff has been effective and he took effective measures to recover all the audit dues in proper time; and (c) his integrity is certified. (ii) The second efficiency bar unless—(a) while maintaining his previous good record, he has endeavoured to enthuse a sense of responsibility and earnestness in the subordinates under him and has given necessary technical guidance; (b) he personally conducted the required number of inspections and checking of accounts; and (c) his integrity is certified.

## **Part VIII – Other Provisions**

### **26. Canvassing.**

- No recommendation, either written or oral, other than those required under these rules, shall be taken into consideration. Any attempt on the part of a candidate to enlist support, directly or indirectly, for his candidature, may disqualify him for appointment.

### **27. Regulation of other matters.**

- In regard to matters not specifically covered by these rules or orders made or issued thereunder or by special orders, persons appointed in the service shall be governed by the rules, regulations and orders applicable generally to the government servants serving in connection with the affairs of



Uttar Pradesh.

## **28. Relaxation from the conditions of service.**

- Where the Governor is satisfied that the operation of any rule regulating the conditions of service of the persons appointed to the service causes undue hardship in any particular case he may notwithstanding anything contained in the rules applicable to the case, by order dispensed with or relax the requirements of that rule, in consultation with the Commission, to such extent and subject to such conditions as he may consider necessary, for dealing with the case in a just and equitable manner: Provided that where a rule has been framed in consultation with the Commission, such body shall be consulted before the requirements of that rule are dispensed with or relaxed.

## **29. Saving.**

- Nothing in these rules shall affect reservations and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.