

The U.P. Board of Revenue Subordinate Audit Service Rules, 1978

UTTAR PRADESH

India

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Rule

THE-U-P-BOARD-OF-REVENUE-SUBORDINATE-AUDIT-SERVICE-RUL of 1978

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The U.P. Board of Revenue Subordinate Audit Service Rules, 1978Published vide Notification No. 119/3/66 (U.P. 187)-Revenue-6, dated August 1, 1978, published in U.P. Gazette, Part 1-Ka, dated 2nd September, 1978In 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, and the conditions of service of persons appointed to, the various posts in the Uttar Pradesh Board of Revenue Subordinate Audit Service:

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Board of Revenue Subordinate Audit Service Rules, 1978.(2)They shall come into force at once.

2. Status.

- The Uttar Pradesh Board of Revenue Subordinate Audit Service is a ministerial service comprising of Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, - (a) "Board" means the Board of Revenue, Uttar Pradesh; (b) "Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution; (c) "Constitution" means the Constitution of India; (d) "Commission" means the Uttar Pradesh Public Service Commission; (e) "Government" means the Government of Uttar Pradesh; (f) "Governor" means the Governor of Uttar Pradesh; (g) "Member of the Service" means a person appointed in a substantive capacity under the provisions of these rules or of the rules or orders in force prior to the commencement of those rules, to a post in the cadre of the Service; (h) "Secretary" means the Secretary, Board of Revenue, Uttar Pradesh; (i) "Service" means the Uttar Pradesh Board of Revenue Subordinate Audit Service.

Part II – Cadre

4. Strength of the Service.

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

	Permanent	Temporary
1. Chief Accountant	35	9
2. Accountant	116	20
3. Senior Accounts Clerk	33	1
4. Typist	10	...

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

Part III – Recruitment

5. Sources of recruitment.

- Recruitment to the various categories of posts in the Service shall be made from the following sources:

- Typist ... By direct recruitment.
- Senior Accounts Clerk ... 75 per cent by direct recruitment.
25 per cent by promotion from amongst permanent Typists.
- Accountant ... 75 per cent by direct recruitment.

25 per cent by promotion from amongst confirmed SeniorAccounts Clerks.

4. Chief Accountant By promotion from amongst confirmed Accountants.

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

- Reservation for Scheduled Castes, Scheduled Tribes and other categories, if any, shall be made in accordance with the orders issued by the Government from time to time. Note. - Copies of the Government orders in force at the time of commencement of these rules are given in Appendix 'A'.

Part IV – Qualifications

7.

A. candidate for direct recruitment to a post in the Service must be-(a)a citizen of India; or(b)a Tibetan refugee who came over to India before the 1st January, 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 must be a person in whose favour a certificate of eligibility has been issued by the State Government:Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility 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 the retention of such candidate in service beyond a period of one year shall be subject to his acquiring 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 and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

8. Age.

- A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of 27 years on July 1 of the year in which recruitment is to be made in the case of Typist and in the case of other posts on the first day of January if the posts are advertised between January 1 and June 30 and on the first day of July, if the posts are advertised between July 1 and December 31:Provided that the upper age limit shall in the case of candidates of Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the Government from time to time be greater by such number of years as may be specified. Note. - Copies of the orders of the Government regarding relaxation of age are given in Appendix 'B'.

9. Marital status.

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

10. Character.

- The character of a candidate for direct recruitment must be such as to render him suitable in all respects for employment in the Service. It shall be the duty of the appointing authority to satisfy himself on this point. Note. - Persons dismissed by the Union Government or by a State Government or by a body or a Corporation owned or controlled by the Union Government or a State Government or by a Local Authority shall not be deemed eligible. A person who has been convicted by a Court of Law for offences involving moral turpitude shall also be deemed ineligible.

11. Physical fitness.

- No candidate shall be directly appointed to 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 duties. Before a candidate, not already in the permanent service of Government, is finally approved for appointment by direct recruitment he shall be required to produce a certificate of fitness in accordance with the rules framed under Fundamental Rule 10 and contained in Chapter III of the Financial Hand Book, Volume II, Parts II to IV.

12. Educational qualifications.

- A candidate for direct recruitment to-(a)the post of Typist must have passed the Intermediate examination of the Board of High School and Intermediate Education, Uttar Pradesh, or an examination recognised by the Government as equivalent thereto, and must also possess a speed of 25 words per minute in Hindi typing;(b)the post of Senior Accounts Clerk must have passed the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto;(c)the post of Accountant must hold a degree of a recognised University.

13. Preferential qualifications.

- A candidate shall, other things being equal, be given preference over other candidates in the matter of direct recruitment, if he-(a)has served in the Territorial Army for a minimum period of two years; or(b)has obtained a 'B' Certificate of the National Cadet Corps.

Part V – Procedure for Recruitment

14. Direct recruitment to the posts of Senior Accounts Clerk.

(1) For the purpose of direct recruitment to the post of Senior Accounts Clerk, there shall be constituted a Selection Committee comprising—(i) Secretary or his nominee, who shall not be below the rank of Deputy Land Reforms Commissioner; and (ii) two other officers of the Board to be nominated by the Secretary. (2) The Secretary shall determine and notify to the Employment Exchange the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6. Note. - The Procedure prescribed by the Government for inviting applications at the time of the commencement of these rules is given in Appendix 'C'. (3) The Secretary shall scrutinise the applications received and require the eligible candidates to appear in a competitive written test to be arranged for the purpose. (4) The syllabus relating to the competitive test for this post shall be such as may be prescribed by the Government from time to time. Note. - The syllabus for the competitive test for the post of Senior Accounts Clerk as prescribed at the time of the commencement of these rules is specified in Appendix 'D'. (5) Candidates, who on the result of the written examination, have come up to the standard fixed by the Committee in this respect shall be called for interview by the Selection Committee. (6) The aggregate marks obtained by the candidate in the written examination and interviews shall determine their position and the merit list shall be prepared accordingly. If two or more candidates secure equal marks, the candidate who secures higher marks in the written examination will be placed higher in the list. (7) The number of names in the merit list shall be larger (but not larger by more than 25 per cent) than the number of vacancies for which selection is made and the list so prepared shall hold good till the next selection. (8) Candidates for direct recruitment to the posts of Senior Accounts Clerk shall pay such fee to the Board as may from time to time be prescribed by the Government. No claim for refund of the fee will ordinarily be entertained. Note. - The fee prescribed at the time of the commencement of these rules is Rs. 5.

15. Direct recruitment to the post of Typist.

- Recruitment to the post of Typist shall be made in accordance with the provisions of the Subordinate Office Ministerial Staff (Direct Recruitment) Rules, 1975.

16. Recruitment by promotion.

(1) Recruitment by promotion to the post of Chief Accountant and Senior Accounts Clerk shall be made on the basis of seniority subject to the rejection of the unfit through a Selection Committee constituted as follows: For the post of Chief Accountant :

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| (i) Secretary | Chairman. |
| (ii) Deputy Land Reforms Commissioner (Accounts) | Member. |
| (iii) Another officer of the Board nominated by the Chairman of the Board. | |

For the post of Senior Accounts Clerk : (i) Secretary or his nominee, not below the rank of Deputy Land Reforms Commissioner. (ii) Two other officer of the Board to be nominated by the Secretary. (2) The eligibility list together with the gradation list of the persons within the field of eligibility and the character rolls and the other relevant records pertaining to the candidates shall be placed before the Selection Committee. (3) The Selection Committee shall consider the cases of all the candidates eligible for promotion with reference to their character rolls and other relevant records. If the Committee considers it necessary it may interview all or any of the candidates. (4) The Selection Committee shall prepare the list of the candidates selected for promotion and shall arrange their names in order of their seniority in the cadre from which the promotion is made. The number of the names in the list so prepared shall be a little larger (but not larger by more than 25 per cent) than the number of vacancies for which the selection is made. The list shall hold good till the next selection. (5) The Departmental Promotion Committee shall hold its meeting once in a year provided there are vacancies.

17. Direct recruitment to the post of Accountant.

- Whenever vacancies into the posts of Accountant are required to be filled up by direct recruitment, the Secretary shall determine and intimate to the Commission the number of vacancies to be filled. He shall also intimate the number of vacancies, if any, to be reserved for candidates belonging to Scheduled Castes and other categories under Rule 6. (2) The Commission shall invite applications from suitable candidates in the prescribed form obtainable from the Secretary to the Commission against payment. The Commission shall scrutinize the applications for admission to the competitive examination and admit to the examination such candidates as on scrutiny of the applications are found eligible for recruitment to the post. (3) The candidates who qualify in the written examination according to the standard fixed by the Commission will be called for interviews. (4) The merit list shall be prepared on the basis of the aggregate marks obtained in the written examination and the interview. If two candidates obtain equal marks, the candidate who gets higher marks in the written examination will be placed higher. The list shall hold good for one year or until the next selection whichever is earlier. (5) The syllabus and rules relating to the competitive examination shall be such as are prescribed from time to time by the Commission with the approval of the Government. Note. - The syllabus and rules in force at the commencement of these rules are given in Appendix 'E'. (6) The candidates for direct recruitment to the post of Accountant shall pay such fee to the Commission as may from time to time be prescribed by the Government. No claim for the refund of the fee shall ordinarily be entertained. Note. - The fee prescribed at the time of the commencement of these rules is given in Appendix 'F'.

18. Procedure for recruitment by promotion to the post of Accountant.

- Whenever vacancies in the post of Accountant are required to be filled by promotion, the Secretary shall determine and intimate to the Commission the number of vacancies to be so filled as also the number of the vacancies, if any, to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6. The selection shall be made by promotion of eligible candidates on the basis of seniority subject to the rejection of the unfit in accordance with the rules made by the Government in this behalf from time to time. Note. - The procedure prescribed

for recruitment through promotion in consultation with the Commission at the time of the commencement of these rules is given in Appendix 'G'.

19. Combined list.

- If appointment has to be made both by direct recruitment and by promotion a combined list shall be prepared by taking the names of candidates alternately from the list of promotees and direct recruits, the first name being from the promotees list.

Part VI – Appointment, Probation, Confirmation and Seniority

20. Appointing authority.

- The Deputy Land Reforms Commissioner (Accounts) shall be the appointing authority in respect of the posts of Typist and Senior Accounts Clerk. For other posts in the Service, the Secretary, Board of Revenue, shall be the appointing authority.

21. Appointment.

(1) On the occurrence of the substantive vacancies, the appointing authority shall make appointments by taking the candidates in the order in which they stand in the lists prepared under Rule 14, 15, 16, 17, 18 or 19 as the case may be. (2) The appointing authority may make appointment in temporary or officiating vacancies also from the list referred to in sub-rule (1).

22. Probation.

(1) All persons on appointment to the service in or against substantive vacancies 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 of the Service or in an equivalent or higher post to be taken into account for the purpose of computing the period of probation. (3) The appointing authority 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 not circumstances, beyond the limit of two years. (4) 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, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction by his performance on the post, he may be reverted to his substantive post, if any, or if he does not hold a lien on any post, his services may be dispensed with. (5) A probationer whose services are dispensed with during or at the end of the period of probation or extended period of probation shall not be entitled to any compensations.

23. Departmental examination.

- Persons appointed to the post of Senior Accounts Clerks and Accountants will be required, during the period of probation, to pass a departmental examination. The subjects and syllabus of the departmental examination are given in Appendix 'H'.

24. Confirmation.

- A probationer shall be confirmed in his appointment at the end of his period of probation or extended period of probation as the case may be, if-(a)he has passed the departmental examination;(b)his work and conduct during the probationary period have been found to be satisfactory; and(c)his integrity is certified.

25. Seniority.

- Seniority in each category of posts in the Service shall be determined by the date of the appointment in a substantive capacity in that category and where more than one persons are appointed together by the order in which the names are arranged in the order of appointment:Provided that-(i)the inter se seniority of persons directly recruited to the Service shall be the same as determined at the time of selection;(ii)the inter se seniority of persons recruited by promotion shall be the same as it was in the substantive post held by them at the time of promotion.Note. - If any direct recruit takes unusually long time in joining without any reasonable cause, the appointing authority may place him below others in the gradation list after obtaining period approval of the Commission.The approval will be necessary only in the case of those posts which are within the purview of the Commission.

Part VII – Pay

26. Scales of pay.

(1)The scales of pay admissible to persons appointed to the various categories of posts in the Service, whether in a substantive or officiating capacity or as a temporary measure shall be such as may be determined by the Government from time to time.(2)The scales of pay in force at the time of the commencement of these rules are give below:(1)Typist-Rs. 200-5-25-E.B.-6-280-E.B.-8-320.(2)Senior Accounts Clerk-Rs. 230-6-290-E.B.-9-355-E.B.-10-385.(3)Accountant-Rs. 280-8-296-9-350-E.B.-10-400-E.B.-12- 460.(4)Chief Accountant-Rs. 300-8-340-E.B.-10-440-E.B.-12-500.

27. Pay during probation.

(1)Notwithstanding any provisions in the Fundamental Rules to the contrary, a person on probation if he is not already in permanent Government service, shall draw during the period of probation increments as they accrue on the condition that his work is reported to be satisfactory: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 appointing authority directs otherwise.(2)The pay during probation of a person already in the permanent service of the Government shall be regulated by the relevant rules referred to in Rule 30.(A)Typist

28. Criteria for crossing efficiency bars.

- No Typist shall be allowed to cross-(i)the first efficiency bar unless his work and conduct have been satisfactory, he possesses a minimum speed of 25 words per minute in Hindi;(ii)the second efficiency bar unless he has continued to acquaint himself to the satisfaction of his superiors, has maintained the efficiency and unless his integrity is certified.(B)Senior Accounts ClerkNo Senior Accounts Clerk shall be allowed to cross-(i)the first efficiency bar unless he has acquired good knowledge of financial and departmental rules, his work and conduct have been satisfactory and his integrity is certified;(ii)the second efficiency bar unless he continued performing his duties efficiently and with ability and his integrity is certified.(C)AccountantNo Accountant shall be allowed to cross-(i)the efficiency bar unless his work and conduct have been satisfactory, he has good knowledge of financial and departmental rules and unless his integrity is certified;(ii)the second efficiency bar unless he has worked with diligence, has maintained his efficiency and unless his integrity is certified.(D)Chief AccountantNo Chief Accountant shall be allowed to cross-(i)the first efficiency bar unless his work and conduct have been satisfactory, he has sound knowledge of financial and departmental rules, is capable of maintaining discipline and control over his subordinates, he is able to properly inspect office and record, the inspection notes and unless his integrity is certified.(ii)the second efficiency bar unless he has worked with diligence and efficiency, is considered capable of holding the charge of his office effectively and his integrity is certified.

Part VIII – Other Provisions

29. Canvassing.

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

30. Regulation of other matters.

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

31. Relaxation from the conditions of service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of Service of persons appointed to the Service cause 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 extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner: Provided that where a rule was framed in consultation with the Commission that body shall be consulted before the requirements of the rule are relaxed or dispensed with.