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## FINANCE DEPARTMENT

### NOTIFICATION

The 11th January 2008

No. 355—LFA-TP-II-6/2007-F. — 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 for regulating the method of recruitment and the conditions of service of persons appointed as Audit Officers in Local Fund Audit, nemely :—

#### 1. Short title and Commencement :

- (1) These Rules may be called the Orissa Local Fund Audit (Audit Officers) Rules, 2007
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*

#### 2. Definitions :

- (1) In these Rules, unless the context otherwise requires,—
  - (a) “ Commission” means the Orissa Public Service Commission ;
  - (b) “ Government” means the Government of Orissa ;
  - (c) “ Department” means Finance Department of the Government ;
  - (d) “ Secretary” means the Secretary of the Department ;
  - (e) “ Service” means the Orissa Local Fund Audit (Audit Officers) Group B, Service ;
  - (f) “ Scheduled Castes” and “ Scheduled Tribes” shall mean such castes and tribes as may be notified from time to time by the President of India under Article 341 and Article 342 respectively of the Constitution of India ;
  - (g) “ Selection Board” means the Board constituted under Rule 5; and
  - (h) “ Year” means the calendar year.

(2) All other words and expressions used but not defined in these Rules unless the context otherwise requires shall have the same meaning as respectively assigned to them in the Orissa Service Code.

#### 3. Composition of the Service :

The service shall consist of such number of permanent and temporary posts of Audit Officers as the Government may direct from time to time by Resolution.

#### 4. Recruitment to the Service :

(1) Recruitment to the service shall be made by way of promotion from the cadre of Audit Superintendents of Local Fund Audit Organisation in accordance with Rules 7 to 11.

(2) No person shall be eligible for promotion to the service unless, he has completed 20 years of service in the cadre of Audit Superintendent (Local Fund Audit) and Auditor (Local Fund Audit) taken together out of which a person shall have minimum of 5 years of experience in the grade of Audit Superintendent (Local Fund Audit) on the 1st day of January of the year in which the Selection Board meets.

**5. Constitution of Selection Board :**

There shall be constituted a Selection Board consisting of the following members to prepare the select list of Officers for promotion to the service, namely :—

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|--|----|-------------------|
| (i) Secretary, Finance Department  | .. | Chairman          |
| (ii) Examiner of Local Accounts- <i>cum</i> -Additional Secretary, Finance Department.           | .. | Member            |
| (iii) Deputy Examiner of Local Accounts- <i>cum</i> -Deputy Secretary incharge of Establishment. | .. | Member-Secretary. |

**6. Meeting of the Selection Board :**

The Selection Board constituted under Rule 5 shall ordinarily meet once in a year

**7. Preparation of Select List :**

(1) The Selection Board shall prepare the list of Audit Superintendents (Local Fund Audit) to be considered fit for promotion to the Service.

(2) The Selection Board while preparing the select list shall follow the provision laid down in the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988, the Orissa Civil Services (Criteria for Promotion) Rules, 1992 and the Orissa Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

**8. Filling up of Reserved Vacancies :**

Notwithstanding anything contained in these Rules, reservation of vacancies to be filled up by persons belonging to Scheduled Caste and Scheduled Tribe shall be as per the provisions contained in the Orissa Reservation of Vacancies in the Services and Posts (for Scheduled Caste and Scheduled Tribe) Act, 1975 and the Rules framed thereunder.

**9. Consultation with the Commission :**

(1) The list prepared by the Selection Board under Rule 7 for filling up the vacancies to the service shall be referred to the Commission by the Government for concurrence together with the following documents namely :—

- (i) The relevant record of Officers who are included in the list in order of their seniority coming within the zone of consideration.
- (ii) The relevant record of Officers who are not considered by the Selection Board along with the reason in detail regarding their unsuitability.

(2) The Commission shall consider the list along with the documents received under sub-rule (1) and shall furnish its recommendations to the Government.

**10. Final select List :**

(1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of Rule 9 shall be considered by Government and the list approved by Government shall form the final select list.

(2) The list referred to under sub-rule (1) shall ordinarily be in force for a period of one year from the date of its approval by the Government :

Provided that the Government may, in consultation with the Commission, for grave lapse in the conduct or deterioration in the standard of performance of duties on the part of any officer included in the select list, not appoint him to the service.

**11. Appointment :**

Appointment to the service shall be made in the order in which their names appear in the final select list on *ad hoc* basis.

**12. Probation:**

(1) Every Officer appointed on promotion to the service shall be on probation for a period of one year.

(2) Government may, for good and sufficient reasons, extend the period of probation or terminate the period of probation of an Officer.

(3) The period of *ad hoc* appointment made under Rule 11 shall not count towards probation and seniority.

(4) Government may dispense with the service of an Officer appointed on probation or revert him to his substantive appointment, during or at the end of the period of his probation, if the Officer failed to discharge his duty satisfactorily or is found to be otherwise unfit for permanent appointment to the service in consultation with the Commission.

**13. Confirmation in the Service :**

On successful completion of the period of probation, an Officer shall be confirmed against a substantive post.

**14. Seniority:**

The *inter se* seniority of officers appointed to the service shall be in the order in which their names are arranged in the select list approved by Government under Rule 10.

**15. Relaxation :**

Where the State Government are of the opinion that it is necessary or expedient to do so, they may, by order, and for reasons to be recorded in writing, relax any of the provisions of these rules in consultation with the Commission in the interest of public service.

**16. Interpretation:**

If any question arises relating to interpretation of these rules it shall be referred to Government for decision.

**17. Repeal and saving:**

Any rule corresponding to these rules in force immediately before commencement of these rules are hereby repealed :

Provided that save as otherwise provided in these rules, any order or action taken under the said rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

**18. Power to issue instruction:**

The Government may issue instructions from time to time not inconsistent with the provisions of these rules as they may consider necessary in order to regulate the matters not specifically covered by the provisions of these rules.

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ORDER—Ordered that the Notification be published in an extraordinary issue of the *Orissa Gazette*.

By order of the Governor  
R. N. SENAPATI  
Principal Secretary to Government