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CO-OPERATION DEPARTMENT

NOTIFICATION

The 12th January, 2012

No.360-II-FE-IS-223/2011/Co-op.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Orissa Co-operative Sub-ordinate Service Rules, 1992; except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Sub-ordinate Co-operative Audit Service namely:—

1. Short title and Commencement :

(1) These rules may be called the Odisha Sub-ordinate Co-operative Audit Service (Recruitment and Conditions of Service) Rules, 2011.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions :

(1) In these rules, unless the context otherwise requires:—

- (a) “Appointing authority” means the Auditor General of Co-operative Societies, Odisha;
- (b) “Commission” means the Staff Selection Commission;
- (c) “Committee” means the Departmental Promotion Committee constituted under rule 6;
- (d) “Co-operative Institutions” means the Co-operative societies registered or deemed to be registered under Orissa Co-operative Societies Act, 1962 and are under the administrative control of the Registrar;
- (e) “Government” means the Government of Odisha;
- (f) “Auditor General” means the Auditor General of Co-operative Societies, Odisha;

- (g) "Select list" means the list prepared under rule 8 and rule 11;
- (h) "Service" means the Odisha Sub-ordinate Co-operative Audit service;
- (j) "Ex-servicemen" means persons as defined in the Orissa Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (j) "Persons with Disabilities" means persons who have been granted with disability certificates by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Orissa Rules, 2003 ;
- (k) "Scheduled Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Article 341 and 342 of the Constitution of India, respectively and as amended from time to time ;
- (l) "SEBC" means the Socially and Educationally Backward Classes of citizens as defined in clause (a) of Section 2 of the Orissa State Commission for Backward Classes Act, 1993;
- (m) "Sportsmen" means persons who have been issued with identity card as sportsmen by the Director, Sports as per Resolution No.24808/Gen. dated the 18th November, 1985 of General Administration Department ; and
- (n) "Year" means the Calendar year.

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

3. Composition of service:—

(1) The service shall comprise of the following posts, each consisting a separate cadre, namely :—

- (a) Sub-Assistant Auditor General of Co-operative Societies; and
- (b) Auditor of Co-operative Societies.

4. Method of Recruitment to the service:—

(1) Recruitment to the posts shall be in the following manner:—

- (a) The posts of Sub-Assistant Auditor General of Co-operative Societies shall be filled up by promotion from amongst the Auditors of Co-operative Societies in accordance with the provisions of rule 6 ; and
- (b) Fifty per cent of the posts of Auditor of Co-operative Societies shall be filled up by direct recruitment in accordance with the provisions of rule 8 and the remaining fifty per cent by selection in accordance with provision contained in rule 10.

5. Eligibility for promotion:—

In order to be eligible for promotion an Auditor of Cooperative Societies must have rendered at least five years of continuous service as such on the first day of January of the year in which the Committee meets, and Passed such departmental examinations as may be specified by the Auditor General of Co-operative Societies from time to time.

6. Constitution of Departmental Promotion Committee:—

(1) There shall be constituted a Departmental Promotion Committee to consider the cases of eligible Auditors of Co-operative Societies for promotion to the posts of Sub-Assistant Auditor General of Co-operative Societies, with the following members, namely:—

- (i) Auditor General of Co-operative Societies, Odisha ... Chairman.
- (ii) Additional Auditor General of Co-operative Societies /
Joint Auditor General of Co-operative Societies/
Deputy Auditor General Co-operative Societies, Odisha ... Member
- (iii) Representative of Co-operation Department not
below the rank of Deputy Secretary ... Member
- (iv) Establishment Officer of Directorate of Audit ... Convener

Provided that in case of vacancy in the post of Establishment Officer, the Section Officer (Establishment) shall be the convener.

(2) The recommendation of the Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

7. Procedure for selection by the Committee:—

(1) The Committee shall meet at least once in a year ordinarily during the month of January to consider the eligible officers and prepare list of suitable officers for promotion to the posts of Sub-Assistant Auditor General.

(2) The Committee while considering the promotion cases of eligible employees and preparation of the list shall follow the provisions of,-

(a) the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder,

(b) the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988,

(c) the Orissa Civil Services (Criteria for Promotion) Rules, 1992, and

(d) the Orissa Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

(3) The list prepared by the Committee shall be placed before the Auditor General of Co-operative Societies for approval.

(4) Appointment orders shall be issued by the Auditor General of Co-operative Societies from the list finalized.

8. Procedure for direct recruitment :—

(1) The number of vacancies in the post of Auditor required to be filled up through direct recruitment shall be calculated in October of each year and vacancies shall be reported to the Commission for conducting the recruitment Examination.

(2) The Commission shall conduct the competitive examination in the manner as may be decided by them in consultation with the Government as per Rule 13 of the Orissa Staff Selection Commission Rules, 1993.

(3) The Commission shall forward a list of successful candidates in order of merit to Auditor General Co-operative Societies for appointment

(4) Appointment orders shall be issued by Auditor General of Co-operative Societies out of the list received by him in pursuance of sub-rule(3), in the order in which the names appear in the list.

9. Eligibility criteria for Direct Recruitment:— In order to be eligible for direct recruitment a candidate shall have to satisfy the following conditions.

(1) Nationality : A candidate must be a citizen of India.

(2) Age Limits: A candidate must have attained the age of 21 years and must not be above the age of 32 years:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 12 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories.

(3) Knowledge in Odia : He must be able to read, write and speak Odia ; and have—

(a) passed Middle School examination with Odia as a language subject ; or

(b) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject ; or

(c) passed in Odia as language subject in the final examination of Class VII from a School or Educational Institution recognized by the Government of Odisha or the Central Government ; or

(d) passed a test in Odia in Middle English School Standard conducted by the School & Mass Education Department.

(4) Marital Status: A candidate if married must not have more than one spouse living:

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule.

(5) Minimum Educational Qualification : The candidate must have possessed a Bachelor's degree from any recognized University in Arts, Science, Commerce or Law or possesses such other qualifications equivalent to such degree and duly recognized by Government.

(6) Physical Fitness: A candidate must be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his duties in the service. A candidate, who after such medical examination as the government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.

10. Recruitment by selection:—

(1) All Group 'C' employees serving in Co-operation Department and in the Offices of the Auditor General Co-operative Societies and its circle offices and the Co-operative Institutions shall be eligible for appointment to the post of Auditor of Co-operative Societies by way of selection.

(2) No person shall be considered for appointment to the posts of Auditor of Cooperative Societies by selection unless he;—

(a) holds a Bachelor's Degree from any recognized University in Arts, Science, Commerce or Law or possess such other Educational qualification equivalent to such degree and recognized by a University.

(b) has satisfactory record of performances and conduct ; and

(c) is less than 45 years of age on the first day of the year in which the selection is made.

(d) has completed at least 5 years of service in the feeder grade.

11. Procedure for filling up the post of Auditor by selection:—

(1) The Committee shall conduct a written examination comprising of subjects such as General English, Arithmetic and various working affairs / problems of Co-operative Institutions for all the employees who are eligible under rule 10 for recruitment by selection and prepare a select list of successful candidates in order of merits for their appointment to the post of Auditor:

Provided that the Appointing Authority may at any time after selection and before appointment for grave lapses in the conduct or deterioration in the standard or performances or duties on the part of any person included in the list, remove the name of such person from the said list subject to the approval of the said Committee.

(2) Appointment to the post in the service shall be made in the order of ranking assigned to the candidates in the merit list prepared under sub-rule (1).

12. Reservations:—

Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for:

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under ; and

(b) SEBC, women, sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such rules, orders or instructions issued in this behalf by the Government from time to time.

13. Inter se Seniority:—

The seniority of persons appointed to a particular post in the service in any particular year shall be regulated in the following manner, namely:—

- (a) Persons appointed to the posts of Sub-Assistant Auditor General shall be ranked *inter se* in the order in which their names appear in the list prepared under rule 7.
- (b) Persons appointed to the post of Auditor by selection shall rank *inter se* in the order in which their names appear in the list prepared under rule 11 and shall *en bloc* be senior to the persons appointed by direct recruitment in that particular recruitment year.
- (c) Persons appointed to the grade of Auditor of the service by direct recruitment shall rank, *inter se*, in the order in which their names appear in the list.

14. Probation and confirmation:—

(1) Every person appointed to any post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend the period of probation :

Provided further such period of probation shall not include –

- (a) extraordinary leave ;
- (b) period of unauthorized absence ; or
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his/her former post, if he/she is a promotee.

(3) During the period of probation a probationer shall have to pass the training and departmental examination as prescribed under rule 15.

(4) A probationer after successful completion of the period of probation shall be eligible for confirmation subject to the availability of substantive vacancy.

15. Training and Departmental Examination:—

(1) Every person shall on appointment be required to undergo such training as may be decided by the Auditor General of Cooperative Societies from time to time.

(2) Every person appointed to the service shall be required to pass departmental examination, if any, prescribed by the Auditor-General of Co-operative Societies.

(3) If a person appointed to the service fails to pass the training or departmental examination in four successive chances, he shall be liable for reversion to the previous post if he is a person other than a direct recruit or shall be discharged from the service if he is direct recruit:

Provided that:

- (a) The Auditor-General of Co-operative Societies may after taking into consideration the special circumstances of a case to be recorded in writing, allow a candidate one more chance to pass the departmental examination.
- (b) The State Government may, if satisfied that there are sufficient reasons for doing so grant one more chance to a person to pass the departmental examination.

16. Relaxation:—

The Government may, if considered necessary or expedient so to do in the public interest by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of employees.

17. Interpretation:—

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

By order of the Governor

Dr. MONA SHARMA

Commissioner-*cum*-Secretary to Government