

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1623, CUTTACK, TUESDAY, OCTOBER 10, 2017/ASWINA 18, 1939

FINANCE DEPARTMENT

NOTIFICATION

The 11th March, 2014

No.6681– LFA-II-TP-27/2011/F.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Local Fund Audit (Audit Officers) Rules, 2007, 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 Local Fund Audit (Group A and B) Service, namely:-

1. Short title and commencement:— (1) These rules may be called the Odisha Local Fund Audit (Group A and Group B) Service Rules, 2014.

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

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

- (a) “Board” means the Selection Board constituted under rules;
- (b) “Commission” means the Odisha Public Service Commission;
- (c) “Department” means Finance Department of the Government;
- (d) “Government” means the Government of Odisha;
- (e) “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;
- (f) “Secretary” means the Secretary of the Department;
- (g) “Service” means the Odisha Local Fund Audit (Group A and Group B) Service; and
- (h) “Year” means the calendar year.

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

3. Composition of the Service:— The service shall consist of such number of permanent and temporary posts of Assistant Directors (Group A) and Additional Audit Officers (Group B) as the Government may decide from time to time.

4. Recruitment to the Service:— (1) Recruitment to the posts of Assistant Director shall be made by way of promotion from the posts of Additional Audit Officer.

(2) Recruitment to the posts of Additional Audit Officer shall be made by way of promotion from the posts of Audit Superintendent of Local Fund Audit Organisation.

(3) No person shall be eligible for promotion to the post of Assistant Director unless he has completed two years of continuous service in the post of Additional Audit Officer on the 1st day of January of the year in which the Board meets.

(4) No person shall be eligible for promotion to the post of Additional Audit Officer unless, he has completed twenty years of qualifying service in the cadre of Audit Superintendent (Local Fund Audit) and Auditor (Local Fund Audit) taken together, out of which such person must have minimum five years of experience in the post of Audit Superintendent (Local Fund Audit) on the 1st day of January of the year in which the Board meets.

5. (1) Constitution of Selection Board:— There shall be constituted a Selection Board consisting of the following members for consideration of promotion to the posts Assistant Director and Additional Audit Officer, namely:—

- | | | |
|--|---|------------------|
| i. Secretary to Government, Finance Department; | – | Chairman |
| ii. Director of Local Fund Audit, Odisha, Bhubaneswar; | – | Member |
| iii. Deputy Secretary or Joint Secretary to Government,
in charge of Local Fund Audit Establishment in
Finance Department. | – | Member Secretary |

(2) The recommendation of the Board 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 must have been duly invited to attend the meeting of the Board and majority of the members of the Board must have attended the meeting.

6. Procedure for selection by the Board.— (1) The Board shall meet at least once in a year preferably in the month of January to prepare a list of officers, suitable for promotion to the next higher grade taking into account the existing vacancies of the year.

(2) **Preparation of select list:**— The Board, while preparing the select list, shall follow the provisions laid down in the Odisha Civil Services (Zone of Consideration for promotion) Rules, 1988, the Odisha Civil Services (Criteria for promotion) Rules, 1992 and the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003, and the Odisha Reservation of Vacancies in posts and services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder.

7. Reservations:— Notwithstanding anything contained in these rules, reservation of vacancies or posts, as the case may be, for Scheduled Castes and Scheduled Tribes shall be made in

accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder.

8. Consultation with the Commission:— (1) The list prepared by the Board under rule 6 (1) for filling the vacancies in the service shall be referred to the Commission by the Government for recommendation together with the following documents, namely:—

- (i) The relevant records of officers who are included in the list in order of their seniority coming within the zone of consideration.
- (ii) The relevant records of officer who are not considered by the 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.

9. Select list:— (1) The recommendation of the Commission in respect of reference made to it under sub-rule (1) of rule 8 shall be considered by Government and the list approved by Government shall form the 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 such officer to the service.

10. Appointment:— Appointment to the service shall be made in the order in which the names appear in the select list.

11. Probation and confirmation:— (1) Every person appointed to any post in the service shall be on probation for a period of one year from the date of joining:

Provided that the Appointing Authority may, if thing fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include,—

- (a) extra-ordinary leave;
- (b) period of unauthorized absence; and
- (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 the 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 be deem to be reverted to the former post.

(3) A probationer, after completing the period of probation to the satisfaction of the Government, shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

12. *Inter se*-seniority:— The *inter se*-seniority of the officers appointed to the service shall be in the order in which their names are arranged in the select list.

13. Other conditions of service:— The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the Government.

14. Relaxation:— Where the 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.

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

16. Power to issue instructions:— The Government may also issue instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

17. Repeal and Savings:—All rules, regulations, orders or instructions in force immediately before the commencement of these rules in respect of matters relating to the service and covered by these rules are hereby repealed:

Provided that any order or appointment made, action taken or things done under the rules, regulations, orders or instructions so repealed shall be deemed to have been made, taken or done under the corresponding provisions of these rules.

By Order of the Governor

UPENDRA NATH BEHERA

Additional Chief Secretary to Government