

Assam Local Fund Audit Service Rules, 1995

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Assam Local Fund Audit Service Rules, 1995

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of all other rules in this behalf, except as respects things done or omitted to be done before such supersession, the Governor of Assam is hereby pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Assam Local Fund Audit Service, namely :-

PART 1

General Provisions

1. Short title and commencement :-

(1) These rules may be called the Assam Local Fund Audit Service Rules, 1995.

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

2. Definitions :-

In these rules, unless there is anything repugnant in the subject or context.

(a) "Appointing Authority" means the Governor of Assam for the Gazetted cadres of Asstt. Director of Audit (Local Fund) and Audit Officer and the Director of Audit (Local Fund) for the non-Gazetted cadre of Asstt. Audit Officer.

(b) "Commission" means the Assam Public Service Commission.

(c) "Constitution" means the Constitution of India.

(d) "Director" means a person appointed as Director of Audit (Local Fund) by the Governor of Assam and includes any person for the time being performing the: duties of the Director of Audit (Local Fund).

(e) "Governor" means the Governor of Assam.

(f) "Government" means the State Government of Assam.

(g) 'Local fund" means the local fund as defined under sub-section (4) of Section 2 of the Assam Local Fund (Accounts and Audit) Act, 1930. (Assam Act, n of 1930).

(h) 'member means a member of the Assam Local Fund Audit Service.

(i) "Scheduled Castes" and "Scheduled Tribes" means communities declared as such under Art. 341 or Article 342 of the Constitution of India, as the case may be.

(j) "Service" means the Assam Local Fund Audit Service,

(k) "University" means a University established by an Act of the Central or State Legislature and includes any other University recognised by the Government subject, to such limitations or conditions as may be deemed necessary.

(l) "Year" means a calendar year.

(m) "Selection Board" means a Board constituted under Rule 14 and sub-rule (1) (i) of Rule 25.

(n) "Select List" means the list prepared by the Commission as per Sub-rule 3 of Rule 17 and sub-rule 2 of Rule 18.

3. Constitution of the service and status :-

(1) The service shall consist of the following cadre :--

(a) Asstt. Director of Audit (Local Fund).

(b) Audit Officer.

(c) Asstt. Audit Officer.

(2)

(a) The members of the Service in the cadre of Asstt. Director of Audit (Local Fund) and Audit Officer shall belong to class-II Government service.

(b) The members of the service in the cadre of Asstt Audit Officer shall belong to class II Government service.

4. Strength of service :-

The strength of each cadre of the service shall be such as may be determined by the Governor from time to time as shown in Schedule-I. Provided that the Appointing Authority may hold in

abeyance any post as and when considered necessary.

5. Method of recruitment :-

Recruitment to the service shall be made in accordance with the rules hereafter.

6. Disqualifications for appointment :-

No person shall be qualified for appointment to the service.

(a) Unless he is a citizen of India.

(b) if he has more than one wife living.

Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of clause (b) ; and

(c) if he attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means.

7. Reservation for candidates belonging to Scheduled Castes and Tribes :-

In all cases of appointments by direct recruitment as well as by promotion, there shall be reservation in case of candidates belonging to Scheduled Castes and Scheduled Tribes as per the provision of Assam Scheduled Caste and Scheduled Tribes (Reservation of vacancies in service and posts) Act, 1978 and the Rules there under. There shall also be reservation for the candidates belonging to Other Backward Classes including More Other Backward Classes as per Government instruction contained in O.M. No. ABP. 338/83/14, dated 04/01/1984 for direct recruitment only. General orders in respect of reservation in favour of other categories of candidates, as may be in force for the time being, shall also be followed .

8. Confirmation :-

(1) Subject to availability of a permanent vacancy in the respective cadre, a member shall be placed, according to seniority, on probation against the permanent vacancy for a period of two years, before he is confirmed against the permanent vacancy.

Provided that the period of [probation may, for good and sufficient reasons, be extended by the Appointing Authority for any specified period not exceeding a period of two years.

(2) A member of the service placed on probation under sub-rule (1) shall be confirmed against the permanent vacancy subject to the following conditions :-

(a) he has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-rule (1).

(b) he has successfully undergone the training and passed the departmental examination if any, prescribed by the Government.

(3) if confirmation of a member is delayed on account of his failure to qualify such confirmation, he shall [lose his position in order of seniority vis-a-vis such of his juniors as might be confirmed earlier than him. His seniority shall, however, be restored on his confirmation sub-sequently.

9. Gradation list :-

There shall be prepared every year a gradation list consisting of the names of all members of the service arranged in order of seniority in respect of each cadre and shall be published.

10. Pay :-

(1) The appointment shall be made in the time scale of pay as may be prescribed by the Governor from time to time according to Schedule -II.

(2) The initial pay of a member shall be fixed as the minimum of the time scale unless under the Assam Fundamental Rules or under any other Rules governing fixation of pay for the time being in force, he is entitled to have his pay fixed at a higher stage in the time scale.

(3) The increments shall be governed by the Assam Fundamental Rules and Subsidiary Rules.

Provided that in cases where a Departmental Examination or Training has been prescribed grant of increments shall be admissible only on passing the Departmental Examination or successful completion of the Training as the case may be.

(4) If any increment is withheld on account of the failure of a member to pass the Departmental Examination or training the same shall be allowed to him from the first day of the month following that in which the Departmental Examination or in which the training was successfully completed, as the case may be, was

held and passed. The withholding of any increment on account of failure to pass the Departmental Examination or Training shall not have cumulative effect.

11. Training :-

(1) All persons directly recruited to the cadre of Auditors and Assistant Auditors may be required to undergo a course of training as may be prescribed from time to time.

(2) A member on training shall be liable to be discharged from the service.

(a) if he fails to make sufficient use of the opportunities given during the training or otherwise, fails to give satisfaction during or at the end of the period of training.

(b) if he fails to pass Departmental Examination unless the Appointing Authority permits him to sit for re-examination in the subject or subjects in which he failed.

12. Transfer :-

A member of the service shall be liable to be transferred anywhere within the State and his service may be placed at the disposal of any authority as the Government may think expedient in the exigency of public service.

PART 2

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13. Assistant Director of Audit :-

(1) All vacancies in the cadre of Assistant Director of Audit shall be filled up by promotion from the cadre of Audit Officer on the basis of merit with due regard to seniority by the Appointing Authority subjects to the following conditions :

(a) he has rendered service as Audit Officer for a minimum period of 3 years on the first January of the year of promotion; and

(b) he has successfully undergone training and passed departmental examination, if any, as may be prescribed for the purpose.

14. Selection Board :-

The Board shall consist of the following members for considering promotion to the post of Assistant Director of Audit (Local Fund),

Commissioner & Secretary/Secretary.Chairman.

Finance Department.

Director of AccountsMember.

Secretary Personnel or his Member

nominee not below with rank of Deputy Secretary .

Deputy Secretary.Member

Finance Department). **Secretary**

15. General Procedure of Promotion :-

(1) Before the end of each year the appointing Authority shall make an assessment of the likely number of vacancies to be filled up by promotion in the next year.

(2) The Appointing Authority shall then furnish to the Board the following documents and information with regard to the eligible officers equal to four times of number of vacancies, in order of seniority.

(i) Information about the number of vacancies.

(ii) List of Officer in order of seniority eligible for promotion.

(iii) Character Rolls and personal files of the Officers listed.

(iv) Details about reservation in case of promotion to the service.

(v) Any other documents and information as may be considered necessary.

(3) The Board after Examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a list of Officers double the probable number of vacancies in order of preference, found suitable for promotion.

(4) The Appointing Authority, on receipt of the list recommended by the Board shall

(a) consider the list prepared by the Board and approve the list unless it considers any change necessary. If the Appointing Authority consider is necessary to make any change in the list the Appointing Authority shall inform the Board of the changes proposed and after taking into account the comments of the Board t h e Appointing Authority may approve the list with such modification as may in to; opinion of the Appointing Authority be just and proper.

(b)

(i) forward the list to the Commission together with the documents and information as referred to in sub-clause (2) with a request to approve the list.

(ii) The Commission shall consider the list recommended by the Board together with the documents and information and such other documents and information as may be required by the Commission. The Commission shall finally approve the list with such modification as it considers just and proper.

(5) The list finally approved by the Commission shall remain valid for 12 calendar months from the date of approval.

(6) promotion shall be made in accordance with the list finally approved.

16. Seniority :-

The Seniority of a member in the cadre of Assistant Director of Audit shall be determined according to the order of preference of promotion list of he joins within fifteen days from the date of the orders. Provided that if a member is prevented from joining within this period by circumstances of public nature or far reasons beyond his control, it may be extended for a further period, not exceeding three months by the Appointing Authority. If a member fails to join within the period so extended, his seniority shall be determined in accordance with the date of joining.

PART 3

AUDIT OFFICERS

17. Promotion through departmental examination :-

Promotion shall be subject to the following reservations :--

(1) 75 per cent of vacancies in year of recruitment in the cadre of Audit Officer shall be filled by promotion of Assistant Audit Officer

who qualify in a departmental examination called the "Assam Local Fund Audit Service (Promotion) Examination."

(2) An Assistant Audit Officer to be eligible for appearing in the said examination shall have to complete at least 3 years of service as Assistant Audit Officer on the first day of the year of recruitment.

(3) The Assam Local Fund Audit Service(Promotion) Examination shall be conducted by the Commission, in accordance with the rules and syllabus as in Schedule-III and shall be held at such intervals as the Appointing Authority may, in consultation with the Commission from time to time, determine. A list of candidates who have qualified in the said examination shall be prepared by the Commission in order of merit and forwarded it to the Appointing Authority. Promotion shall be made from the list subject to the availability of vacancies.

18. Recruitment through commission :-

(1) A competitive examination called the Assam Local Fund Audit Service (Recruitment) Examination in accordance with rules and syllabus as in Schedule-III shall be held by the Commission for filling 25 percent of the vacancies in a year in the cadre of Audit Officers at such intervals as the Appointing Authority may, in consultation with the Commission from time to time determine.

(2) On the result of the competitive Examination the Commission shall forward to the Appointing Authority a list of successful candidates in order of merit which shall be determined in accordance with aggregate marks obtained by each candidate, if two or more candidates obtain equal marks, the Commission may arrange their names in order of their relative merit which may be determined in accordance with general suitability of the candidates to the service.

19. Qualification For Direct Recruitment :-

(1) A candidate for direct appointment to the cadre of Audit Officers shall not be less than 21 years and more than 36 years of age on the first day of January of the year in which recruitment is made with relaxation in case of candidates belonging to the special categories in accordance with general orders issued from time to time by the Governor. Provided that in the case of Government servants the maximum age limit is relaxable upto 45 years inclusive of all age concessions.

(2) The minimum educational qualification of a candidate shall be a degree in Arts, Science or Commerce of a University recognised by the Government.

(3) A candidate shall possess adequate experience in dealing with financial matters and accounting works for at Least, three years.

(4) The Candidate shall produce to the Commission certificates of good character from :-

(a) Principal Academic or Administrative Officer of the University or College in which he last studied; and

(b) two respectable persons (not related to the candidate) who are well acquainted with him.

(5) A candidate shall be -

(a) of sound health, both mentally and physically and free from organic defects or bodily infirmities likely to interfere with efficient performance of this duties, and

(b) required to undergo medical examination before appointment to the service.

20. Appointment :-

(1) Subject to the provisions of sub-rule (2) appointment to the cadre of Audits Officers shall be made in accordance with the order determined by the Commission in the list referred to in sub-rule of Rule 17 and in sub-rule (2) of Rule 18.

(2) The inclusion of a candidate's name in the list shall confer no right to appointment unless the Appointing Authority is satisfied, after such enquiry as may be considered necessary that the candidate is suitable for appointment to the service. The appointment shall be further subject to the availability of vacancies.

(3) The list of departmental candidates for promotion of the cadre of Audit Officer under sub-rule (3) of Rule 17 shall remain valid for 12 months from the date of approval of the Commission.

(4) All appointments to this cadre shall be made by the appointing Authority.

(5) A person directly recruited to the service shall join within 15 days from the date of receipt of the order of appointment failing which and unless the Appointing Authority extend the period which

shall not in all exceeds three months the appointment shall be cancelled.

21. Probation :-

(1) The period of probation of a person directly recruited to the cadre shall be two years .

Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority, for a further period not exceeding two years in individual case.

(2) During the period of probation a member shall be required to pass Departmental Examination, called the Audit Officer Test Examination as per Rules and syllabus given in Schedule -III if he has not already done so.

(3) A member on probation shall be liable to be discharged from the service.

(a) if on any information received relating to his nationality age health character and antecedent, the Appointing Authority is satisfied that the probationer is ineligible or otherwise, unfit for being a member of the service, or

(b) If he fails to comply with any of the provisions of these rules.

22. Seniority :-

(1) The seniority of a member in the cadre of Audit Officer shall be determined according to the order of preference in the list referred to in sub-rule (3) of Rule 17 and on sub-rule (2) of Rule 18 if a direct recruit joins his appointment within 15 days of the receipt of the order of appointment.

Provided that if a member is prevented from joining within this period by circumstances for reasons beyond his control the Appointing Authority may extend it for a further period not exceeding three months. If a member fails to join within the period so extended his seniority shall be determined in accordance with the date of joining.

(2) A member appointed by promotion in a year shall be senior to a member appointed by direct recruitment in that year.

(3) If the confirmation of a member is delayed beyond two years of probation on account of his failure to qualify for confirmation, he

shall lose his position in the order of seniority vis-a-vis such of his juniors as may be confirmed earlier. On confirmation his original position shall be restored.

PART 4

ASSISTANT AUDIT OFFICER

23. Direct Recruitment through Competitive Examination :-

(1) 75% of the total vacancies in the year of recruitment of the Cadre of Asstt. Audit Officer shall be filled up through Competitive Examination to be conducted by the Appointing Authority in consultation with the Selection Board constituted under Rule 25 (1) (i) at such intervals as the Appointing Authority may determine in accordance with the rules and syllabus as per Schedule - IV.

(2) The Selection Board constituted under Rule 25 (1) (i) shall recommend to the Appointing Authority a list of candidates eligible for appointment to the cadre of Asstt. Audit Officers in order of preference in accordance with general suitability of the candidate to the post.

(3) List of candidates eligible for appointment to the cadre of Asstt. Audit Officer shall remain valid for six months from the date of approval of the Appointing Authority.

24. QUALIFICATION :-

(1) A candidate for the post of Asstt. Audit Officers shall not be less than 18 years and more than 36 years of age on the 1st day of January of the year in which, the recruitment is made with relaxation in the case of candidates belonging to the special categories in accordance with general orders issued from time to time by the Government.

Provident that in the case of Government servants the maximum age limit is relaxable upto 40 years inclusive of all age concessions.

(2) The minimum educational qualification of the candidates shall be a degree in Arts, Science or Commerce.

(3) A candidate shall produce to the Appointing Authority certificates of good character from

(a) the Principal Academic or Administrative Officer of the University or College in which he last studied, and

(b) two respectable persons (not related to the candidate) who are

well acquainted with him.

(4) A candidate shall be.

(a) of sound health, both mentally and physically and free from organic defects of bodily infirmities likely to interfere with efficient performance of his duties, and

(b) required to undergo medical examination before appointment to the service.

25. Recruitment By Promotion :-

(1) 25% of the total vacancies in the year of recruitment of the cadre Asstt. Audit Officers shall be filled up by promotion from the Ministerial staff of the office of the Director of Audit (Local Fund), and the different unit offices under his Administrative control on seniority-cum merit basis, subject to the following conditions :-

(i) recruitment shall be made by the Appointing Authority on the basis of recommendation of a Selection Board to be constituted by Government with the following members :-

(a) Secretary Finance or Chairman, has nominee.

(b) Director of Accounts Member.

(c) Senior Financial -- Member

Adviser of P.W.D.

(d) Director of Audit. Member Secretary.

(Local Fund)

(ii) the upper age limit :shall not exceed 45 years on 1st January of the year of recruitment.

(iii) for being eligible for Selection as departmental candidates, the candidate shall have to complete at least, ten years of service.

(2) The Appointing Authority shall prepare a list of candidates eligible for appointment to the cadre of Assistant Audit Officers in order of their seniority in the Ministerial cadre of the office of the Director of Audit (Local Fund) and other unit offices under the administrative control and place it before the Selection Board. The Board after examinations of relevant documents and if necessary

after interviewing the candidates shall prepare a his giving their recommendation to Appointing Authority in order of preference.

26. APPOINTMENT :-

(1) Subject to the precision of sub-rule (2) appointment to the cadre of Assistant Audit Officers shall be made in accordance with the order of preference determined in the lists referred to in sub-rule (2) of Rule 23 and sub-rule (2) of Rule 25 respectively.

(2) The inclusion of a candidates name in the lists shall confer no right to appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that the candidate is suitable for appointment to the service. The appointment shall be further subject to the availability of vacancies.

(3) A person directly recruited to the service shall joint within 15 days of the date of receipt of the, order of appointment failing which and unless the Appointing Authority extended the period, which shall not in all exceed three months, the appointment shall be cancelled.

27. Seniority :-

(1) The seniority of a member in the cadre of Assistant Audit Officers shall be determined according to the order of preference in the list referred to in sub-rule (2) of Rule 23 and or sub-rule (2) of Rule 25 if a direct recruit joins his appointment within 15 days of the receipt of the order of appointment :

Provided that if a person is prevented from joining within the period of 15 days of the receipt of the order of appointment by circumstances of public nature or for reason beyond his control the Appointing Authority may extend for a further period not exceeding three months. If a person fails to join within the period so extended his seniority shall be determined in accordance with the date of joining.

(2) A member appointed promotion in a year shall be senior to a member appointed by direct recruitment in that year.

PART 5

SCHEDULE 1

Strength of Service

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Cadre Post

		Permanent	Temporary	Total
	(1)	(2)	(3)	(4)
1.	Assistant Director of Audit	8	8	16
2.	Audit Officer	77	15	92
3.	Assistant Audit Officer	59	33	92

SCHEDULE 2

Strength of Service

(See Rule - 10)
1. Assistant Director of Audit : Rs. 2, 215-60-2,395-80-2,795-EB-30-2-875-100-3, 575-125-4,075 P.M. : Rs. 2,095-60 2,395-80-2,635-EB - 80-2,875-100-3, 575-125-3, 950 P.M. : Rs. 1,375-30-1,435 40-1, 635-50-1,885-EB-50-2,015-60-2,395 - 80-2, 875-100-3,375 P.M.

SCHEDULE 3

Strength of Service

SCHEDULE 4

RULES AND SYLLABUS FOR RECRUITMENT TO THE CADRE OF ASSISTANT AUDIT OFFICERS

Subject	Time	Maximum Marks	Percentage of Pass Marks
(1)	(2)	(3)	(4)
1. Easy and Precise Writing	3 Hrs.	100	40 per cent
2. Arithmetic	3 Hrs.	100	50 per cent
3. General Knowledge	3 Hrs.	100	40 per cent
Aggregate		300	45 per cent

The syllabus of the Examination will be as follows :-

1. Essay and Precise Writing :- The standard will be similar to that of the Essay and Precise for a degree Examination.
2. Arithmetic :- The standard for this will be the same as that prescribed for the Matriculation or the School Leaving Certificate Examination.
3. General Knowledge :- The standard will be similar to that of the General Knowledge for a degree Examination.

