

***The U.P. Directorate of Education Internal Audit Organisation Service Rules, 1993***

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In 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 and the conditions of service of persons appointed to the Uttar Pradesh Directorate of Education Internal Audit Organisation Service.

***Part I***

***General***

1. (1) These rules may be called the Uttar Pradesh Directorate of Education Internal Audit Organisation Service Rules, 1993.
- (2) They shall come into force at once.
2. The Uttar Pradesh Directorate of Education Internal Audit Organisation Service Comprises Group 'C' posts.
3. In these rules, unless there is anything repugnant in the subject or context,-
  - (a) 'appointing authority' means Additional Director of Education (Madhyamik), Uttar Pradesh in respect of a post under Secondary Education and Additional Director of Education (Basic), Uttar Pradesh in respect of post under Basic Education in the service;
  - (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) 'Director' means the Director of Education, Uttar Pradesh and the Director of Education (Basic), Uttar Pradesh;
  - (d) 'Commission' means the Uttar Pradesh Subordinate Service Commission;
  - (e) 'Constitution' means the Constitution of India;
  - (f) 'Governor' means the Governor of Uttar Pradesh;
  - (g) 'Government' means the State Government of Uttar Pradesh;

(h) 'member of the service' means a person substantively appointed under these rules or the rules or orders in force prior to the commencement of these rules to a post in the cadre of the service;

(i) 'service' means the Uttar Pradesh Directorate of Education Internal Audit Organisation Service;

(j) 'substantive appointment' means an appointment, not being an *ad hoc* appointment on a post in the cadre of the service, made after selection in accordance with the rules, and if there are no rules, in accordance with the procedure prescribed for the time being by executive instructions, issued by the government;

(k) 'year of recruitment' means the period of twelve months commencing from the first day of July of a calendar year.

## **Part II**

### **Cadre**

4. (1) The strength of the Service and of each category of posts therein shall be such as may be determined by the Government from time to time.

(2) The strength of the Service and of each category of posts therein shall, until orders varying the same are passed under sub-rule (1) be as follows:

Sl. No.	Name of the post	Number of posts		Total
		Permanent	Temporary	
1	2	3	4	5
1.	Senior Auditor	94	05	099
2.	Junior Auditor	188	07	195

(4) Provided that:

(i) the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post, and

(ii) the Governor may create such additional, permanent or temporary posts as he may consider proper.

## **Part III**

**Recruitment**

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

<i>Name of post</i>	<i>Source of recruitment</i>
(1) Junior Auditor	By Direct recruitment.
(2) Senior Auditor	By promotion on the basis of seniority subject to the rejection of the unfit from amongst permanent Junior Auditors who have completed five years service as such.

6. **Reservation.-** Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the orders of the Government in force at the time of the recruitment.

**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, Sri Lanka 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 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 a 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. A candidate for direct recruitment to the post of Junior Auditor must possess a Bachelor's degree in Commerce with Accountancy/Audit from a University established by law in India or a qualification recognised by the Government as equivalent thereto.
9. A candidate who has -

(i) served in the Territorial Army for a minimum period of two years, or

(ii) obtained a 'B' certificate of National Cadet Corps, shall, other things being equal, be given preference in the matter of direct recruitment.

10. A candidate for direct recruitment must have attained the age of 21 years and must not have attained the age of more than 32 years on the first day of July of the calendar year in which vacancies for direct recruitment are advertised by the Commissions :

Provided that the upper age limit in the case of candidate belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the Government from time to time, shall be greater by such number of years as may be specified.

11. The character of a candidate for direct recruitment to a post in the Service must be such as to render him suitable in all respects for employment in Government service. The appointing authority shall satisfy itself on this point.

*Note.* - Persons dismissed by the Union Government or by a State Government or by a Local Authority or by a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the service. Persons convicted of an offence involving moral turpitude shall also be ineligible.

12. 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 a 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.

13. No candidate shall be appointed to a post or 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 is finally approved for appointment he shall be required to produce a medical certificate of fitness in accordance with the rules framed under Fundamental Rule 10, contained in Chapter III of the Financial Hand Book, Volume II, Part III:

Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.

**Part V**

**Procedure for Recruitment**

14. **Determination of vacancies.**- The appointing authority shall determine and intimate to the Commission the number of vacancies to be filled by direct recruitment during the course of the year as also the number of vacancies to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under rule 6.

15. (1) Applications for being considered for selection by direct recruitment shall be called by the commission in the prescribed *pro forma* published in the advertisement issued by the commission.

(2) The Commission shall scrutinize the applications and cause the list of candidates prepared on the basis of quality marks to be calculated in the manner specified in the Appendix. The maximum quality marks shall be fifty-five.

(3) After the list under sub-rule (2) has been preferred, the Commission shall, having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with rule 6, summon for written examination, such number of candidates as have come to the standard fixed by the Commission on the basis of quality marks. The written examination shall also be of fifty-five marks.

(4) The marks obtained in the written examination by each candidate shall be added to his quality marks.

(5) The commission shall prepare a list of candidates in order of their proficiency as disclosed by the aggregate of marks obtained by each candidate under sub-rule (4) and recommend such number of candidates as they consider fit for appointment. If two or more candidates obtain equal marks in the aggregate, the name of the candidate obtaining higher quality marks shall be placed higher in the list. The number of the names in the list shall be larger (but not larger by more than 25 per cent) than the number of the vacancies. The Commission shall forward the list to appointing authority.

16. **Procedure for recruitment by promotion.**- Recruitment by promotion shall be made on the basis of seniority subject to the rejection of the unfit through the Selection Committee constituted as follows :

1. Additional Director of Education (secondary), Uttar Pradesh.	... Chairman
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2. Additional Director of Education (Basic), Uttar Pradesh.	... Member
3. Chief Accounts Officer	... Member
4. An officer belonging to the Scheduled Caste/Tribe nominated by the Appointing authority	... Member

(1) The senior most Additional Director of Education shall be the Chairman of the Selection Committee.

(2) The appointing authority shall prepare eligibility lists of the candidates in accordance with the Uttar Pradesh Promotion by Selection (on posts outside the purview of the Public Service Commission) Eligibility List Rules, 1986 and place the same before the Selection Committee along with their character rolls and such other records, pertaining to them, as may be considered proper.

(3) The Selection Committee shall consider the cases of candidates on the basis of the records referred to in sub-rule (2), and, if it considers necessary, it may interview the candidates also.

(4) The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

## ***Part VI***

### ***Appointment, Probation, Confirmation and Seniority***

17. **Appointment.**- (1) The appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the lists prepared under rule 15 or 16, as the case may be.

(2) If more than one order of appointment are issued in respect of one selection, a combined order shall also be issued mentioning the names of the persons in order of seniority as determined in the selection or, as the case may be, as they stood in the cadre from which they are promoted.

18. **Probation.**- (1) A person on substantive appointment to a post in or against a permanent vacancy shall be placed on probation for a period of two years.

(2) The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto which the extension is granted :

Provided that the period of probation shall not be extended beyond one year and in no circumstances beyond two years.

(3) 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 to a probationer has not made sufficient use, his opportunities or has otherwise failed to be satisfaction, he may be reverted to his substantive post, if any, and if he does not hold any post, his services may be dispensed with.

(4) A probationer will who is reverted or whose services are dispensed with under sub-rule (3) will not be entitled to any compensation.

(5) The appointing authority may allow continuous service, rendered in an officiating or temporary capacity in a post included in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation.

**19. Confirmation.-** (1) Subject to the provisions of sub-rule (2) a probationer shall be confirmed his appointment at the end of the period of probation or extended period of probation if,-

[(a) his work and conduct have been satisfactory, and

(b) his integrity is certified],

(2) Where, in accordance with the provisions of the Uttar Pradesh State Government Servants Confirmation Rules, 1991, confirmation is not necessary the order under sub-rule (3) of rule 5 of these rules declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.

**20. Seniority.-** The seniority of persons substantively appointed in any category of posts shall be determined in accordance with the Uttar Pradesh Government Servants Seniority Rules, 1991, as amended from time to time.

## ***Part VII***

### ***Pay Etc.***

**21. Scales of Pay.-** (1) The scales of pay admissible to persons appointed to the various categories of posts in the service, shall be such as may be determined by the Government from time to time.

(2) The scales of pay at the commencement of these rules are given as follows :

<i>Name of the post</i>	<i>Scale of pay*</i>
Junior Auditors	Rs. 1200-30-1560- E.B.-40.2040

Senior Auditors	Rs. 1400-40-1600- 50-2300-E.B.-60- 2600
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\* For Latest Pay Scale please see current G.O.

**22. Pay during Probation.-** (1) Notwithstanding any provision in the Fundamental Rules, to the contrary, a person on probation, if he is not already in permanent Government service, shall be allowed his first increment in the time scale when he has completed one year of satisfactory service, has passed departmental examination and undergone training where prescribed, and second increment after two years service when he has completed the probationary period and is also confirmed:

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 who was already holding a post under the Government, shall be regulated by the relevant fundamental rules :

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.

(3) The pay during probation of a person already in permanent government service shall be regulated by the relevant rules applicable generally to government servants serving in connection with the affairs of the State.

**23. Criteria for crossing efficiency bar.-** No person shall be allowed to cross-

(i) the first efficiency bar unless his work and conduct are found to be satisfactory and his integrity is certified, and

(ii) the second efficiency bar unless he has worked diligently and to the best of his ability, his work and conduct are found to be satisfactory and his integrity is certified.

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

**25. Regulation of other matters.-** In regard to the matters not specifically covered by these rules or by specially 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.

**26. Relaxation from the conditions of service.-** Where the government is satisfied that the operation of any rule regulating the conditions of service of a person appointed to the service causes 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 has been framed in consultation with the commission that body shall be consulted before the requirements of the rule are dispensed with or relaxed.

27. **Savings.**- Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Casts, Scheduled Tribes and other special categories of persons in accordance with the order of the Government issued from time to time, in this regard.

### Appendix

[See Rule 15(2)]

Quality marks for selection of Junior Auditors by direct recruitment:

	<i>Examination</i>	<i>Quality points</i>	
1.	High School	The percentage of marks	10
2.	Intermediate	The percentage of marks X 1.5	10
3.	Bachelor's in other Commerce	The percentage of marks X 2.5	10
4.	Postgraduate in Commerce	First Division 5 Second Division 3 Third Division 2	