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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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No. 215 Dispur, Friday, 10th October, 2003, 18th Asvina, 1925 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
TRANSPORT DEPARTMENT

NOTIFICATION

The 7th October, 2003

No. TMV.259/88/pt/152. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and conditions of service of the persons appointed to the Assam Transport Service:-

- Short title and commencement. 1. (1) These rules may be called the Assam Transport Service Rules, 2003.
(2) They shall come into force on the date of their publication in the official Gazette.
- Definitions. 2. In these rules unless the context otherwise requires:-
(a) "Appointing Authority" means the Governor of Assam in respect of the Class I and Class II Gazetted cadres and the Commissioner of Transport in respect of Class III non-Gazetted cadres of the service.

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- (b) "Board" means the selection Board constituted under rule-13.
- (c) "Commission" means the Assam Public Service Commission.
- (d) "Constitution" means the Constitution of India.
- (e) "Government" means the Government of Assam.
- (f) "Governor" means the Governor of Assam.
- (g) "Member of the service" means a member of the Assam Transport Service appointed either before or after the commencement of these rules.
- (h) "Select list" means the list mentioned in clauses (d) and (e) in sub-rule (b) of rule 6 and clause (a) and (b) (i) in sub-rule (6) of rule 12.
- (i) "Service" means the Assam Transport Service.
- (j) "Schedule" means schedule appended to the Rules.
- (k) "Year" means the calendar year.

Classes and cadre

3. (1) The service shall consist of the following classes and cadres :-

(a) Class-I (Grade-I) It shall include the cadre of

- (i) Joint Commissioner of Transport
- (ii) Deputy Commissioner of Transport
- (iii) Assistant Commissioner of Transport

(b) Class-I (Grade-II) It shall include the cadre of

- (i) District Transport Officer
- (ii) District Transport (Pool) Officer
- (iii) Principal Drivers and Conductors training school officers in cadres of (i), (ii) and (iii) shall have the same status.

(c) Class-II it shall include the cadres of

- (i) Motor Vehicle Inspector
- (ii) Enforcement Inspector

(d) Class-III It shall include the cadres of

- (i) Assistant Enforcement Inspector
- (ii) Enforcement Checker

(2) The service may also include -

(a) any post equivalent to a post in any of the cadres mentioned in sub-rule (1), and

(b) any cadre or post laid down by Government to be included in a cadre of the service.

(3) The Status of Members of the service included in the cadres of class - I (Grade -I) and Class-I (Grade -II) shall have class-I Gazetted Government service and those included in class -II shall have class- II Gazetted Government service while the status of the members of the service included in Class-III are non- Gazetted Government service.

Strength of the service.

4. The number of posts, permanent as well as temporary, in each of the cadres of the service, shall be such as may be determined by the Governor from time to time. The strength of the service on the date of commencement of these rules shall be as shown in Schedule-I :

Provided that the Governor may hold in abeyance any post as and when considered necessary.

Method of Recruitment

5. Recruitment to the service shall be made in the manner prescribed herein below :-

(1) In the cadres of -

(i) Joint Commissioner of Transport ;

(ii) Deputy Commissioner of Transport ;

(iii) Assistant Commissioner of Transport by promotion in accordance with rules 11.

(2) In the cadres of:-

(i) District Transport Officer,

(ii) Transport Officer (Pool), and

(iii) Principal, Drivers and Conductors Training School, -

(a) 30% of the posts in the cadres shall be filled up by direct (direct) recruitment in accordance with rules 7,8,9,10,14 and 15.

(b) 30% of the posts in the cadres shall be filled up by promotion from the cadre of Motor Vehicle Inspector.

(c) 40% of the posts in the cadres shall be filled up by promotion from the cadre of Enforcement Inspector.

(3) Motor Vehicle Inspector - By direct recruitment in accordance with rules 7,8,9,10, 14 and 15.

(4) Enforcement Inspector :-

- (a) 50% of the posts in the cadre shall be filled up by direct recruitment in accordance with rules 7, 8, 9, 10, 14 and 15.
- (b) 25% of the posts in the cadre shall be filled up by promotion from ministerial cadres of Head Assistant & Upper Division Assistant serving in the District Transport Officers in accordance with rules 11, 14, 15, 16, 17 and 18, and
- (c) 25% of the posts in the cadre shall be filled up by promotion from the cadre of Assistant Enforcement Inspector in accordance with rules 11, 17 and 18.

(5) Assistant Enforcement Inspector :-

- (a) 75% of the posts in the cadre shall be filled up by direct recruitment in accordance with rules 7, 8, 9 and 10.
- (b) 25% of the posts in the cadre shall be filled up by cadre of Enforcement Checker in accordance with rules 11, 14, 15, 16, 17 and 18.

(6) Enforcement Checker :- By direct recruitment in accordance with rules 7, 8, 9, 10, 14, 15, 16, 17 and 18.

Direct
recruitment

6. (4) Subject to the provisions contained in sub-rules (2) (a), (4) (a), (5) (a) and (6) of rule 5, direct recruitment to the service shall be made on the basis of recommendation made by the Commission/Board, as the case may be, in accordance with the procedure hereinafter provided :

- (a) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled by direct recruitment during the next year and shall intimate the same to the Commission/Board together with details about reservation for candidates belonging to Scheduled Caste, Scheduled Tribes or any other category as laid down by the Government as provided to rule 15 and about carry forward of such reservation.
- (b) The Appointing Authority shall simultaneously request the Commission/Board to recommend a list of candidates for direct recruitment, in order of preference.

(c) The Commission/Board shall make a selection in accordance with the scheme of selection prescribed by the Government. The Commission/Board may hold such test or interview and undertake scrutiny of the particulars furnished by the candidates and other certificates and documents, as may be considered necessary.

(d) After making the selection the Commission/Board shall prepare and furnish to the Appointing Authority a list of candidates who are found suitable for appointment to the service by direct recruitment in order of preference. The number of candidates in such a list may be approximately double the number of vacancies.

(e) The Commission/Board shall simultaneously publish the list in the Assam Gazette and/or at such other place as the Commission/Board may consider proper.

(2) The list mentioned in clauses (d) and (e) of sub-rule, 6(1) of this rule shall remain valid for twelve months from the date of recommendation.

(3) In the event of the Commission/Board being unable to recommend sufficient number of candidates to fill all the vacancies in a year it shall, in consultation with the Appointing Authority repeat the procedure as mentioned hereinafter under sub-rule (1) of this rule for recommending a subsequent list in the year :

Provided that the Appointing Authority shall not make appointment of any candidate from the subsequent list until all the candidates of the earlier list of the same year are appointed to the service.

Qualification
for direct
recruitment.

7. A candidate for recruitment to the service shall be within the age limit, as shown below against the respective cadre, on the first day of the year of advertisement with relaxation in respect of candidates belonging to reserved categories as prescribed by the Government from time to time.

	Minimum	Maximum
(i) District Transport Officer	21 Yrs	36 Yrs.
(ii) District Transport Officer (Pool)	21 Yrs	36 Yrs.
(iii) Principal Drivers & Conductors Training Schools	21 Yrs	36 Yrs.
(iv) Motor Vehicle Inspector	21 Yrs	36 Yrs.
(v) Enforcement Inspector	21 Yrs	36 Yrs.
(vi) Asstt. Enforcement Inspector	18 Yrs	36 Yrs.
(vii) Enforcement Checker	18 Yrs	36 Yrs.

Academic Qualification. 8. The academic qualification of a candidate for direct recruitment shall be prescribed by the Government/ Appointing Authority from time to time. The qualification and experience prescribed as on the date of commencement of these rules are given in Schedule-II.

Physical fitness. 9. A candidate for direct recruitment shall be :-
 (a) of sound health, both mentally and physically and free from organic defect bodily infirmity likely to interfere with efficient performance of his duties, and
 (b) required to undergo medical examination before appointment to the service.

Character 10. A candidate for direct recruitment shall produce to the Commission/Board Certificate of good character from -
 (a) the Principal/ Academic Officer of the university or college in which he studied last, and
 (b) two respectable persons, who are well acquainted with (but not related to) the candidate.

Recruitment by Promotion 11. (i) Subject to suitability as may be decided by the Board and the Appointing Authority in accordance with the produce set forth in rule 12, all Vacancies in the cadre of, Joint Commissioner of Transport, Deputy Commissioner of Transport, Assistant Commissioner of Transport and in the cadres of District Transport Officer and equivalent cadres, Enforcement Inspector and Assistant Enforcement Inspector to the extent as specified in rules 5, in respect of each cadre shall be filled up by promotion, subject to possessing the experience as prescribed in sub-rules (2), (3), (4), (5), (6) and (7) of this rule.

(ii) A member of the service shall be eligible for promotion to the corresponding higher cadre in the manner hereinafter provided :-

- (a) From Deputy Commissioner of Transport to Joint Commissioner Transport.
- (b) From Assistant Commissioner of Transport to Deputy Commissioner Transport.
- (c) From District Transport Officer and equivalent cadre-posts to Assistant Commissioner of Transport.
- (d) From Motor Vehicle Inspector/Enforcement Inspector to District Transport Officer and equivalent post.
- (e) From (i) Assistant Enforcement Inspector to Enforcement Inspector.
(ii) Superintendent/Head Assistant/U.D. Assistant to Enforcement Inspector.
- (f) From Enforcement Checker to Assistant Enforcement Inspector.

(2) A member of the service in the cadre of Deputy Commissioner of Transport shall be eligible for promotion to the cadre of Joint Commissioner of Transport under Clause (a) of Sub-rule (1) of this rule if he has rendered service in the cadre of Deputy Commissioner of Transport for a minimum period of two years on the first day of January the year in which selection is made for promotion.

(3) A member of the service in the cadre of Assistant Commissioner of Transport shall be eligible for promotion to the cadre of Deputy Commissioner of Transport under clause (b) of sub-rule (1) of this rule, if :-

- (a) he has rendered service in the cadre of Assistant Commissioner of Transport for a minimum period of two years on the first day of January of the year in which selection is made for promotion, or
- (b) he has rendered service in the cadre of District Transport Officer for a minimum period of 10 years on the first day of January of the year in which selection is made for promotion.

(4) A member of the service in the cadre of District Transport Officer shall be eligible for promotion to the cadre of Assistant Commissioner of Transport under clause (c) of sub-rule (1) of this rule, if he has rendered service in the cadre of District Transport Officer for a minimum period of five years on the first day of January of the year in which selection is made for promotion.

(5) A member of the service in the cadre of Motor Vehicle Inspector/Enforcement Inspector shall be eligible for promotion to the cadre of District Transport Officer and equivalent cadres under clause (d) of this rule, if he has rendered service in any of the cadres for a minimum period of 8 years on the first day of January of the year in which selection is made for promotion.

(6) (i) A member of the service in the cadre of Assistant Enforcement Inspector who have not completed 50 years of age and rendered ten years of service in the cadre on the first January of the year in which selection for promotion is made shall become eligible for promotion to the cadre of Enforcement Inspector under clause (e) of sub-rule (1) of this rule.

(ii) A member of the ministerial cadre service serving in the offices of District Transport Officers, who have not completed 50 years of age shall become eligible for promotion to the cadre of Enforcement Inspector under clause (e) of sub-rule (2) of this rule on completion of respective period of service as mentioned below on the first day of January of the year in which selection for promotion is made.

1. Upper Division Assistant: 10 years and including the post of Superintendent or Head Assistant for 2 years.

(7) A member of the service in the Enforcement Checker shall be eligible for promotion to the cadre Assistant Enforcement Inspector on completion of 10 years of service in the cadre on the first January of the year in which selection for promotion is made.

General
procedure of
promotion.

12. (1) Before the end of each year the Appointing Authority shall make an assessment of the likely number of cadre-wise vacancies to be filled up by promotion in the next year in each cadre.
- (2) The Appointing Authority shall then furnish to the Board the following documents and information with regard to all officers, eligible for promotion, in order of seniority.
 - (a) information about the number of vacancies.
 - (b) list of officers in order of seniority eligible for promotion (separate list for promotion to different cadre shall be furnished indicating the cadre to which the case of promotion is to be considered).
 - (c) Character rolls and personal files of the officers listed.
 - (d) details about reservation in case of promotion to the different cadres of the service and about carried forward of reserved vacancies.
 - (e) any other documents and information as may be considered necessary by the Appointing Authority or required by the Board.
- (3) The Appointing Authority simultaneously may request the Board recommend within one month a list of members, found suitable for promotion in order of preference, in respect of promotion to each of the cadre in which recruitment is to be made by promotion.
- (4) The selection shall be made on the basis of merit with due regard to seniority in case of promotion to the different cadres of the service.
- (5) The Board, after examination of the document and information furnished by the Appointing Authority shall recommend to the Appointing Authority a list of officers about double the probable number vacancies in order of preference, found suitable for promotion.
- (6) The Appointing Authority on receipt of the list recommended by the Board shall :-
 - (a) Consider the list prepared by the Board for promotion

to the different cadres, along with character rolls and personal files of the members of the service finding their places in respective list and approve the list unless it considers any change necessary. If the Appointing Authority considers it necessary to make any change in the list received from the Board, he shall inform the Board of the change proposed and after taking into account the comments, if any, of the Board may approve the list finally with such modification, if any, in his opinion, be just and proper.

(b) (i) forward the lists for the posts in the cadres other than the cadre of Assistant Enforcement Inspector to the Commission together with the information and documents referred in sub-rule (2) of the rule with a request to approve the list ;

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

(7) The inclusion of a candidate's name in a select list shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.

(8) The lists finally approved by the Appointing Authority or by the Commission, as the case may be shall be published by the Appointing Authority in the Assam Gazette within fifteen days from the date of final approval.

(9) The select list shall remain valid for twelve calendar months from the date of approval by the Commission, or by the Appointing Authority, as the case may be.

(10) The promotion shall be in accordance with the list finally approved.

Selection Board

13. The Board, as referred to in rule 11 and 12 shall consist of the following:-

(1) Board for considering promotion to the cadres of Joint Commissioner of Transport, Deputy Commissioner of Transport and Assistant Commissioner of Transport.

(i) Chief Secy. or his nominee not below -- Chairman
the rank of Principal Secy.

(ii) Commissioner & Secy./Secy. to the -- Member
Personnel Deptt.

(iii) Commissioner & Secy./Secy. to the -- Member-Secy.
Transport Deptt.

(iv) Commissioner of Transport, Assam. -- Member

(2) Board for considering promotion to the cadre of District Transport Officer/ equivalent post thereof and Enforcement Inspector.

(i) Commissioner & Secy./Secy. to the -- Chairman
Transport Deptt.

(ii) Commissioner of Transport, Assam -- Member

(iii) A representative of Personnel Deptt.
to be nominated by Comm. & Secy./ -- Member
Secy. Personnel Deptt.

(iv) Deputy or Under Secy. Transport -- Member-Secy.
Deptt.

(3) Board for considering promotion to the cadre of Assistant Enforcement Inspector.

(i) Commissioner of Transport, Assam -- Chairman

(ii) Deputy or Under Secy. to the Govt. -- Member
of Assam, Transport Deptt.

(iii) Joint Commissioner of Transport. -- Member-Secy.

Disquali-
fication

14. (1) No person shall be eligible for appointment to the service-

(a) unless he is a citizen of India, and

(b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living:

Provided that the Governor may, he is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause.

(2) No person who attempts to enlist support for candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the service.

Reservation 15. In all cases of appointment by direct recruitment as well as by promotion, there shall be reservation in case of candidate belonging to the member of the Scheduled Castes Scheduled Tribes as per provision of the Assam Scheduled Castes and Schedules Tribes (Reservation of vacancies in Services and posts) Act, 1978 and the rules framed thereunder. There shall also be reservation for candidates belonging to other Backward Classes as per Govt. instruction contained in O.M. No. ABP.338/83/14, dated 4-1-1984, for direct recruitment only. General orders in respect of reservation in favour of other categories of candidates as may be in force from time to time, shall also be followed.

Appointment 16. (1) Subject to the provision of rule 15 and sub-rule (2) of this rule appointment under rule 6 shall be made by the Appointing Authority in accordance with the order of preference as determined in the list referred to in clause (d) of rule 6.

(2) The inclusion of a candidate's name mentioned in clause (d) of rule 6 shall confer no right to appointment unless the Appointing Authority is satisfied after such enquiry as prescribed by the Government from time to time and also as may be considered necessary that a candidate is suitable in all respect for appointment to the service.

Joining time 17. A person shall join within 15 days from the date of receipt of the order of appointment or of promotion failing which the appointment shall be cancelled unless the Appointing Authority extends the period which shall not, in all, exceed three months.

Training 18. A member of the service shall be required to undergo such any training and pass such departmental examination as Government may prescribe.

Discharge of a probationer 19. A temporary or officiating member shall be liable to be discharged or reverted to the lower cadre of the service or to the original service, if-

(1) he fails to make sufficient use of opportunities given during any training as may be prescribed by the

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Government from time to time or fails to render satisfactory service during his tenure of service in the cadre, and for

- (2) it is found on a subsequent verification that he was not initially qualified for appointment or that he had furnished any incorrect information with regard to his appointment.

Seniority 20. (1) The seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of merit in the respective select list, if he joins the appointment within fifteen days from the date of receipt of the appointment order or within the extended time as mentioned in rule 17.

- (2) If a member fails to join within the time as mentioned in rule 17, but joins later, his seniority shall be determined in accordance with the date of joining.

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

Probation and Confirmation 21. (1) Subject to availability of permanent vacancy in the respective cadre, a member shall be placed according to his seniority on probation against 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 :

Provided further that the period of probation may be extended or dispensed within any case for good and sufficient reasons by the Appointing Authority.

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

- (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 under rule 18.

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

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|----------------------------|--|
| Graduation List | 22. There shall be prepared and published every year a graduation list containing names of all the members cadre-wise in order of seniority and such other particulars as date of birth, date of appointment, etc. |
| Pay | 23. All appointments to the service shall be made in the time scale of pay as may be prescribed by Government from time to time. The scale of pay of the posts in the cadre of the service as commencement of these rules are as shown in Schedule-II. |
| Mode of Employment | 24. (1) Member of the service shall be employed in such a manner as the Appointing Authority may decide.
(2) A member of the service shall be liable to be posted anywhere within the State of Assam or outside Assam, or to any other department of the Government, a body corporate, in the affairs of which the Government may substantially be interested or an Autonomous Council, if so required in the interest of public service and in such case the member shall not have option against such posting or transfer. |
| Other condition of service | 25. (1) Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of service shall be regulated by general rules and/or orders of the Government for the time being in force.
(2) The conditions of service of the members in respects of matters for which no provision has been made in these rules, shall be the same as are, for the time being, applicable to other officials of the Government of corresponding status and having similar functions. |
| Relaxation | 26. Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may dispense with or relax the requirement 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 the case of any person shall not be dealt with in any manner less favourable to him than that provided in any of these rules.

THE ASSAM GAZETTE EXTRAORDINARY, OCT. 10, 2003 1585

Interpretation 27. If any question arises relating to the interpretation of these rules the decision of the Government shall be final.

Repeal and Saving 28. The rules corresponding to these rules and in force immediately before commencement of these rules is hereby repealed:

Provided that all orders made or action taken under the rules so repealed or under any general orders ancillary there to shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

SCHEDULE - I

(For the post for which Retention orders could not be located are not included in this list.)

RULE 4 AND 23

Strength of service and time scale of pay for each category of posts.

Sl No.	Categories of Posts	Time Scale of pay	Number of post			Remarks
			Temp.	Per.	Total	
1.	Joint Commissioner of Transport, Class-I (Grade-I)	Rs.9075-325-11025-400-11825-EB-400-14225/-PM	--	1	1	
2.	Deputy Commissioner of Transport, Class -I (Grade-I)	Rs.8100-325-10700-EB-325-11025-400-13025/-PM	--	1	1	
3.	Asstt Commissioner of Transport, (Class-I, Grade-I)	Rs.6600-250-8100-325-8750-EB-325-11025-400-12625/-PM	--	1	1	
4.	District Transport Officer, (Class -I, Grade-II)	Rs.4300-90-4480-120-5200-175-5900-EB-175-6600-250-8100-325-11025/-PM	5	10	15	
5.	Transport Officer, (Pool) (Class -I, Grade-II)	Rs.4300-90-4480-120-5200-175-5725-EB-175-6600-250-8100-325-11025/-PM	--	1	1	
6.	Principal Drivers & Conductors Training School (Class -I, Grade-II)	-do-				
7.	Enforcement Inspector, (Class-II)	Rs.3580-90-4480-120-4720-EB-120-5200-175-6600-250-8100-325-8750/-PM	11	53	64	
8.	Motor Vehicle Inspector, (Class -II)	-do-	9	15	24	
9.	Asstt. Enforcement Inspector, (Class -III)	Rs.3010-60-3490-90-3850-EB-90-4480-120-5200-175-6075/-PM	--	102	102	
10.	Enforcement Checker (Class-III)	Rs.2890-60-3490-90-3670-EB-90-4480-120-5200-175-5725/-PM	59	39	98	

SCHEDULE - I(A)

(Total No. of posts including those posts for which Retention Orders could not be located)

RULE 4 and 23

Strength of service and time scale of pay for each category of posts:

Sl No.	Categories of Posts	Time Scale of pay	Number of post			Remarks
			Temp.	Per.	Total	
1.	Joint Commissioner of Transport, Class -I (Grade-I)	Rs. 9075-325-11025-400-11825-EB-400-14225/-PM.	-	1	1	
2.	Deputy Commissioner of Transport, Class-I	Rs. 8160-325-10700-EB-325-11025-400-13025/-PM.	-	1	1	
3.	Asstt. Commissioner of Transport, (Class -I, Grade-I)	Rs. 6600-250-8100-325-8750-EB-325-11025-400-12625/-PM.	-	1	1	
4.	District Transport Officer, (Class-I, Grade-II).	Rs. 4300-90-4480-120-5200-175-5900-EB-175-6600-250-8100-325-11025/-PM.	5	19	24	
5.	Transport Officer, (Pool) (Class-I, Grade-II)	Rs. 4300-90-4480-120-5200-175-5725-EB-175-6600-250-8100-325-11025/-PM.	-	1	1	
6.	Principal Drivers & Conductors Training School (Class -I, Grade-II)	-do-	-	1	1	
7.	Enforcement Inspector, (Class-II)	Rs. 3580-90-4480-120-4720-EB-120-5200-175-6600-250-8100-325-8750/-PM.	11	70	81	
8.	Motor Vehicle Inspector, (Class -II)	-do-	9	39	48	
9.	Asstt. Enforcement Inspector, (Class -III)	Rs. 3010-60-3490-90-3850-EB-90-4480-120-5200-175-6075/-PM.	-	103	103	
10.	Enforcement Checker (Class-III)	Rs. 2890-60-3490-90-3670-EB-90-4480-120-5200-175-5725/-PM.	59	39	98	

Qualification and experience for recruitment:

Qualification for recruitment to the post of District Transport Officer, Motor Vehicle Inspector, Enforcement Inspector, Asstt. Enforcement Inspector and Enforcement Checker shall be as follows :-

1. District Transport Officer :- A Degree in Arts, Science or Commerce of a University recognised by the Government.
2. Motor Vehicle Inspector :- H.S.S.L.C. with three years Diploma in Automobile or Mechanical Engineering from a recognised Institution of Government of Assam/Government of India and also duly recognised by AICTE.
3. Enforcement Inspector :- A Degree in Arts, Science or Commerce of a University recognised by the Government of Assam or H.S.S.L.C. with three years Diploma in Automobile or Mechanical Engineering from a recognised Institution of Government of Assam/Government of India and also by AICTE.
4. Asstt. Enforcement Inspector :- Higher Secondary or equivalent from any recognised University/Board.
5. Enforcement Checker :- H.S.L.C. from any recognised University/Board.

F. C SHARMA
Principal Secy. to the Govt. of Assam,
Transport Department

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THE ASSAM GAZETTE

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EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 734 দিশপুৰ, মঙ্গলবাৰ, 31 ডিচেম্বৰ, 2002, 10 পূৰ্ণ, 1924 (শক)

No.734 Dispur, Tuesday, 31st December, 2002, 10th Pausa, 1924 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
TRANSPORT DEPARTMENT

NOTIFICATION

The 1st July, 2002

No. TMV.34/93/P1/96.-- In exercise of powers conferred by the proviso to Article 309 of the Constitution of India the Governor of Assam is pleased to make the following rules regulating the recruitment to and other conditions of Service of persons appointed to the Assam Ministerial District Establishment (Transport) Service namely :-

1. Short Title, commencement and application :-

1. These rules shall be called the Assam Ministerial District Establishment (Transport) Service Rules, 2001.
2. They shall come into force on the date of their publication in the Official Gazette.
3. These rules shall be applicable to the persons appointed to the post of Head Assistant, Upper Division Assistant and Lower Division Assistant in all the offices of the District Transport Officer and Secretary Regional Transport Authority of the State under the Commissioner of Transport, Assam, either before or after the commencement of the rules.

2. Definitions :-

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

- a) "Appointing Authority" means the Commissioner of Transport Assam.
- b) "Board" means the Selection Board constituted under Rule 14;
- c) "Constitution" means the Constitution of India ;
- d) "Government" means the Government of Assam ;
- e) "Governor" means the Governor of Assam ;
- f) "Member" means the member of Assam Ministerial District Establishment (Transport) Service.
- g) "Service" means the Assam Ministerial District Establishment (Transport) Service comprising all the offices of the District Transport Officer and Secretary Regional Transport Authority under the Commissioner of Transport, Assam ;
- h) "Year" means the calendar year.

3. Cadre : (1) The Service shall consist of the following cadres, namely :-

- (a) Head Assistant ;
- (b) Upper Division Assistant ;
- (c) Lower Division Assistant ;

(2) Each of the categories of posts in sub-rule (1) shall form an independent cadre. Members of a lower cadre shall have no claim for appointment to any of the higher cadre except in accordance with the provisions made in this rules.

It is open to State Government to constitute as many cadres as they choose according to administrative convenience and expediency.

(3) The status of the members should be non-Gazetted Class III service Under the Government.

Strength : The strength of each cadre in the service shall be such as determined by the Governor from time to time. The strength of the date of service on the date of commencement of these rules shall be as shown in schedule 1 :-

2- Method of recruitment :- Recruitment to the cadre of service shall be made in the following manners :-

(a) Head Asstt :- By promotion from amongst the Upper Division Assistant of District Establishment who have rendered not less than five years of service as Upper Division Assistant on the first day of the year of recruitment.

(b) Upper Division Asstt. :- By promotion from amongst the Lower Division Assistant of District Establishment who have rendered not less than eight years of service as Lower Division Assistant on the first day of the year of recruitment.

(c) Lower Division Asstt. :- (i) By direct recruitment upto 90 percent of the vacancies occurring in a year in accordance to rule 6 and by promotion in accordance with Rule II upto 10 percent of vacancies occurring in a year from amongst the Grade IV employees of district offices.

The appointing Authority may fill any vacancy in the cadre of Head Asstt. or UDA in a particular office by allowing the Senior most UDA or LDA of that particular office on officiating promotion to the vacancy as a stopgap arrangement to avoid dislocation of works that may arise in considering regular appointment by promoting the senior most incumbent of district establishment for periods not more than three months at a time.

6. Direct recruitment :- (1) Direct recruitment to the cadre of LD, upto 90 percent of Vacancy occurring in a year shall be made by the appointing authority in accordance with the procedure hereinafter provided :-

(a) Before the end of each year the appointing authority shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year together with the details about reservation of candidates belonging to S.C., S.T. or any other category as laid down by the Government as provided under rule 10 and about carry forward of such reservation.

(b) The appointing authority shall then invite applicants from all the District employment exchange of the State and shall make

the selection in accordance with the scheme of Selection prescribed by the Government and prepare a list of candidates suitable for appointment in order of preference. The number of candidates in such a list may be approximately double the number of vacancies.

(c) The appointing authority shall publish the list at such place as it may consider proper.

(d) The list mentioned in clause (b) of sub-rule (I) of this rule shall remain valid for twelve calendar months from the date of publication.

In the event of the appointing authority being unable to enlist sufficient number of candidates to fill up the vacancies in a year it shall repeat the procedure as mentioned here in before under sub-rule (I) of this rule for preparing a subsequent list in a year.

Provided that the appointing authority shall not make appointment to any candidate if the earlier list of the same year eligible for appointment, have been offered the appointment.

QUALIFICATION FOR DIRECT RECRUITMENT

7. AGE :- A Candidate for direct recruitment shall not be less than 18 years and more than 36 years of age on the first January of the year of recruitment with relaxation of age in case if candidates belongs to special categories like S.C., S.T. or any other category as laid down by the Government in accordance with general order of the Government in force.

8. Academic qualification :- The Academic qualification of a candidate for direct recruitment shall be as prescribed in schedule II.

9. Physical fitness :- A candidate for direct recruitment shall be :-

(i) of sound health, both mentally and physically and free from organic defects or bodily infirmity likely to interfere with efficient performance of his duties ; and (ii) require to undergo medical examination before appointment to the service.

However, there shall be relaxation for physically handicapped candidates as per Government order in force in this regard.

10. Character :- A candidate for direct recruitment shall produce to the Appointing Authority, Certificate of Good Character :-

(a) The Principal, Academic Officer of the institution in which he studied last ; and

(b) Two respectable persons, who are well acquainted with (both not related to) the candidate.

11. Appointment on promotion :-

(1) Subject to availability as may be decided by the Government and by the appointing Authority as set forth in rule 13 and subject to possessing such qualifications as may be prescribed by the Government from time to time, a member of Class IV in the establishment of district offices shall be eligible for promotion to the cadre of Lower Division Assistant.

(2) 10 percent of the vacancies in the cadre of LDA in any year shall be filled up by promotion under sub-rule (1) of this rule subject to availability of suitable candidates, provided that any shortfall of the reservation due to non-availability of adequate number of suitable candidates in particular year shall be carried forward to the subsequent year or years.

11.(3):-A member of the Class IV service shall be eligible for promotion to LDA under this rule subject to the following conditions :-

- (a) he has passed the HSLC or an equivalent examination of a Board recognised by the Govt. and
- (b) he has rendered as a Class IV employee of the Govt. for a minimum period of 7 (seven) years of service on the first January of the year of promotion.

12. Recruitment by promotion.

(1) Vacancies in the cadre of UDA shall be filled by promotion in the manner prescribed herein below :-

(i) Subject to suitability as may be decided by the Boards and by the appointing authority as set forth in rule 13 and also, subject to possessing the qualifications and experience as prescribed herein after, a member of the cadre of LDA shall be promoted to the cadre of UDA -

(ii) A member of the cadre of LDA should be eligible for promotion to the cadre of UDA, if

(a) he has rendered minimum eight years of continuous service in the cadre of LDA on the first day of the year of promotion and

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

(iii) Vacancies in the cadre of Head Asstt. should be filled up by promotion in the manner prescribed herein -

(i) he has rendered minimum ten years of continuous service in the cadre of UDA on the first day of the year of promotion.

(ii) he has undergone the training and passed the departmental examination as may be prescribed for the purpose.

13. General procedure for 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 in each cadre.
- (2) The appointing authority shall chalkout details about reservation and about carry forward of vacancies as provided under sub-rule (2) of rule 11.
- (3) The Selection shall be made on the basis of Seniority cum-merit in case of promotion to the cadre of Head Asstt. and UDA and on the basis of merit only in case of promotion to the cadre of LDA.
- (4) The inclusion of a candidate's name in the Select List shall confer no right for promotion unless the appointing authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (5) The Select List shall remain valid for 12 (Twelve) months from the date of approval.

14. Constitution of the Selection Board :- The Board as referred to in rule 11, 12, 13 shall consist of the following :-

Commissioner of Transport - Member.
Joint Commissioner, Transport - Members
and
Deputy Commissioner, Transport.
Asst. Commissioner, Transport - Member Secretary.

15. Disqualification :- (1) No person shall be eligible for promotion to the Service :-

(a) Unless he is a Citizen of India and

(b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living.

Provided that the Governor may if he is satisfied that there are special grounds for doing so, exempt an person from the operation of this clause.

(2) No person, who attempts to enlist support for his candidature directly or indirectly by any recommendation either written or oral by any other means, shall be appointed in service.

16. Reservation :- In the case of direct recruitment to the service there shall be reservation in favour of candidates belonging to S.C. to S.T. and any other categories as determined by the Government from time to time.

17. Appointment by direct recruitment :

(1) Subject to the provision of sub-rule (2), appointment under rule 6 shall be made by the appointing authority in order of preference determined in the list referred to in clause (C) of sub-rule (1) of rule 6.

(2) The inclusion of a candidate's name in the list mentioned in clause (C) of sub-rule (1) of rule 6 shall confer no right to appointment unless the appointing authority is satisfied after such enquiry as may be prescribed by the Govt. from time to time and also, as may be considered necessary that a candidate is suitable in all respect for appointment to the service.

18. Joining time :- A person shall join within fifteen date of appointment the date of receipt of the order of appointment or promotion, failing which his appointment or promotion shall be cancelled unless the appointing authority excludes the period which shall not, in all, exceeds sixty days.

19. Training :- A member of the service may be required to undergo such training and pass such departmental examination as the Government may be order prescribe.

20. Discharge of reversion :- A temporary of officiating member shall be liable to be discharged or reverted to the Lower cadre of service or to his original service, if -

(1) he fails to make sufficient use of the opportunities given during any training as may be prescribed by the appointing authority from time to time or fails to render satisfactory service during his tenure of service in the cadre ; and

(2) it is found on a subsequent verification that he was initially not qualified for the appointment or that he has furnished any incorrect information with regard to his appointment.

21. Seniority :-

(1) The Seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of merit in the respective list mentioned under Clause (1) of sub-rule of Rule 6 and sub-rule (b) of Rule 13 if he joins the appointment within 15 (fifteen) days from the date of receipt of the order or within the extended period as mentioned in Rule 10.

(2) If a member fails to join the appointment within the initial 15 days of receipt of the order or within the extended period as mentioned in Rule 10, but joins later, his seniority shall be determined in accordance with the date of joining.

(3) A member appointed by promotion against a vacancy occurring in a year, shall be senior to a member appointed by direct recruitment of that year.

22. Confirmation :- (1) Subject to availability of a permanent vacancy in the respective cadre, a member shall be confirmed against the permanent vacancy subject to the following conditions :-

(a) he has successfully undergone the training and passed the departmental examination, if any, prescribed by Government under Rule 19.

23. Gradation List :- There shall be prepared and published every year a Gradation list consist of the names of all members of the service cadre-wise in order of seniority and such other particulars as date of birth, date of appointment, Caste etc.

24. Mode of employment :- A member of the service shall be liable to be posted anywhere within the State of Assam or any Abroad district Council if so require in the interest of public service and in such case the member shall not have any option against such posting or transfer.

25. Pay :- All appointment in the service shall be made in the time scale of pay as may be prescribed by the Government from time to time. The scale of pay of the posts in the cadre of service, on the date of commencement of these rules, are shown in schedule-I.

26. Other conditions of service :- Except as provide in these rules all matters relating to pay and allowances, leave, pension, discipline and other conditions of service shall be regulated by the General Rules and/or order of the Government for the time being in force.

27. Relaxation : Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may dispense with or relax the requirement 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 equivalent manner ;

Provided that the case of any person shall not be dealt within any manner less favourable to him than that provided in these rules.

28. Interpretation :- If any question arises relating to the interpretation of these rules, the decision of the Government shall be final.
29. Repeal and savings :- The rules corresponding to these rules and in force immediately before commencement of these rules, are hereby repealed.

Provided that all orders made or action taken under the rule so repealed or under any general orders ancillary thereto shall be deemed to have been validly made or taken under corresponding provision of these rules.

SCHEDULE - I

(RULES 4 AND 24)

STRENGTH OF SERVICE AND SCALE OF PAY

Sl. NO.	CATEGORY OF POST	SCALE OF PAY	NUMBER OF POST TOTAL		
			Permanent	Temporary	
1	2	3	4	5	6
1	Head Assistant	Rs. 3940-90-4400-120-5200- ED-175-6500-250-8100-325- 8425.	13	10	23
2	Upper Division Assistant	Rs. 3050-90-4400-120-4600- ED-120-5200-175-6600-250- 7350.	69	5	74
3	Lower Division Assistant (cum Typist)	Rs. 1890-60-3490-90-3670- ED-90-4400-120-5200-175- 5725.	120	10	130

SCHEDULE - II

(Rule 11)

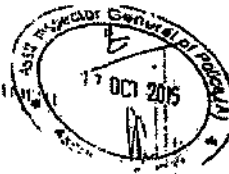
Minimum qualification prescribed for Direct Recruitment

A candidate for direct recruitment to the cadre of Lower Division Assistant shall have the minimum qualification as prescribed below :-

- 1) He must have passed the High School Leaving Certificate Examination of a Board recognized by the Government or any other examination declared by the Government as equivalent.
- 2) He must be capable of typing of the minimum speed of 30 words per minute...

P. C. SHARMA,
Principal Secretary to the Govt. of Assam,
Transport Department, Dispur.

GOVERNMENT OF ASSAM
GENERAL ADMINISTRATION (B) DEPARTMENT
DISBURSEMENT



ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur the 13th October, 2015

No. GAG (B) 386/2014/01-11142

Constitution of India, the Government of Assam is hereby pleased to make the following rules in order to amend the Assam Ministerial District Establishment Service Rules, 1967 hereinafter referred to as the principal Rules, namely :-

Short title
and commencement

1. (1) These Rules may be called the Assam Ministerial District Establishment Services (Amendment) Rules, 2015.

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

Amendment of rule 6 .

2. In the principal Rules, in rule 6,-

(i) in sub-rule(2):-

(a) in the third line for the existing word and figure "years" and in the fourth line for the existing word "any" the words and figures "2 years" and "concerned" respectively shall be substituted;

(b) in the fifth line, for the punctuation mark "." appearing at the end the punctuation mark ":" shall be substituted and thereafter the following proviso shall be inserted, namely :-

"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his /her joining during that year".

(ii) in sub-rule (3):-

(a) in the eighth line, for the figure and word "7 years" occurring in between the words "than" and "of" and in the tenth line for figure and word "3 years" occurring in between the words "least" and "shall", the word and figures "4 years" and "2 years" respectively, shall be substituted;

(b) in the twelfth line, the punctuation mark "." appearing at the end, the punctuation mark ":" shall be substituted and thereafter the following proviso shall be inserted, namely :-

"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his /her joining during that year".

(iii) in the sub-rule (5):-

(a) in the fifth line, for the figure and word "5 years" occurring in between the words "than" and "of", the figure and word "4 years" shall be substituted;

(b) in the seventh line, for the punctuation mark "." appearing at the end, the punctuation mark ":" shall be substituted and thereafter the following proviso shall be inserted, namely:-

"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his /her joining during that year".

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(iv) in sub-rule (b), in clause (b) for the words "High School Leaving Certificate of equivalent examination" occurring between the words "the" and "and" the words "Degree Examination in any discipline from a recognized University or any examination declared equivalent thereto" shall be substituted

Amendment of rule 7

3. In the principal Rules, in rule 7,-

(i) in clause (ii), for the words and figures "36 years" occurring between the words "than" and "of", the figures and words "38 years" shall be substituted;

(ii) in clause (iii) for the words "High School Leaving Certificate Examination" occurring in between the words "the" and "from" the words "Degree Examination in any discipline" shall be substituted and for the existing word "Board" occurring between the words "recognized" and "or", the word "University" shall be substituted.

Sd/-S.P.Nandi,

Commissioner & Secretary to the Govt. of Assam,
General Administration Department.

Dated Dispur the 15th October, 2015

Memo No. GAG(B) 306/2014/Pt-III/22 -A

Copy to:-

1. All Additional Chief Secretaries, Assam, Dispur.
2. The Additional Chief Secretary to Chief Minister, Assam, Dispur, Guwahati-6.
3. The Commissioner & Secretary to the Governor of Assam, Guwahati-1.
4. The Principal Secretary, Assam Legislative Assembly, Dispur.
5. All P.S.s to Ministers, Assam, Dispur, Guwahati-6.
6. All Principal Secretaries/Commissioner & Secretaries/Secretaries, Assam, Dispur, Guwahati-6.
7. S.O. to Chief Secretary, Assam.
8. All Commissioners of Divisions.
9. All Deputy Commissioners/Sub-Divisional Officers (Civil).
10. The Press Adviser to Chief Minister, Assam.
11. The Director General of Police, Assam, Ulubari, Guwahati-7.
12. The Principal Accountant General, Assam, Guwahati-29.
13. The Registrar General, Gauhati High Court, Guwahati-1.
14. The Secretary, A.P.S.C., Khanapara, Guwahati-22.
15. The Agriculture Production Commissioner, Assam, Guwahati-6.
16. The Chairman, Assam Administrative Tribunal, Guwahati.
17. The Chairman, Assam Board of Revenue, Guwahati.
18. The Secretary, O/o the Upa-Lokayukta, Assam, Shaktigarh Road, Bhangagarh, Guwahati.
19. The Secretary, State Information Commission, House of Complex, Dispur.
20. The Secretary, State Election Commission, Dispur, Guwahati-6.
21. All Departments of Assam Secretariat, Dispur, Guwahati-6.
22. All Heads of Department, Guwahati.
23. All Principal Secretaries of Autonomous Councils.
24. The Director, Printing & Stationery, Assam, Guwahati-21. He is requested to publish the above Notification in the Extra Ordinary Assam Gazette and supply 5000 (Five thousand) copies to this department immediately.
25. The Director, Information & Public Relations, Assam, Dispur for wide publicity of the above Notification through print and electronic media.
26. The Managing Director, AMTRON. He is requested to upload the same in the departmental website.

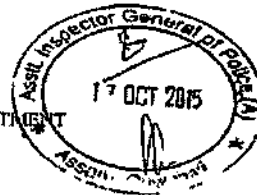
By order etc.

Deputy Secretary to the Govt. of Assam
General Administration (B) Department.

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GOVERNMENT OF ASSAM
GENERAL ADMINISTRATION (B) DEPARTMENT
DISPUR, GUWAHATI-6.



ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur the 15th October, 2015.

No. GAG (B) 306/2014/T-III/22 . In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules further to amend the Assam Ministerial District Establishment Service Rules, 1967 hereinafter referred to as the principal Rules, namely :-

Short title
and commencement

1. (1) ~~These Rules may be called the Assam Ministerial District Establishment Service (Amendment) Rules, 2015.~~
- (2) They shall come into force on the date of their publication in the Official Gazette.

Amendment of rule 6

2. In the principal Rules, in rule 6,-
 - (i) in sub-rule (2),-
 - (a) in the third line for the existing word and figure "3 years" and in the fourth line for the existing word "any" the words and figures "2 years" and "concerned" respectively shall be substituted;
 - (b) in the fifth line, for the punctuation mark "." appearing at the end the punctuation mark "," shall be substituted and thereafter the following proviso shall be inserted namely:
"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his/her joining during that year."
 - (ii) in sub-rule (3),-
 - (a) in the eighth line, for the figure and word "7 years" occurring in between the words "than" and "of" and in the tenth line for figure and word "3 years" occurring in between the words "least" and "shall", the words and figures "4 years" and "2 years" respectively shall be substituted;
 - (b) in the twelfth line, the punctuation mark "." appearing at the end, the punctuation mark "," shall be substituted and thereafter the following proviso shall be inserted namely:
"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his/her joining during that year."
 - (iii) in the sub-rule (5),-
 - (a) in the fifth line, for the figure and word "5 years" occurring in between the words "than" and "of", the figure and word "4 years" shall be substituted;
 - (b) in the seventh line, for the punctuation mark "." appearing at the end, the punctuation mark "," shall be substituted and thereafter the following proviso shall be inserted namely:
"Provided that 1st year of joining shall be treated as complete year irrespective of the date and month of his/her joining during that year."

(iv) in sub-rule (6), in clause (b) for the words "High School Leaving Certificate or equivalent examination" occurring between the words "the" and "and" the words "Degree Examination in any discipline from a recognized University or any examination declared equivalent thereto" shall be substituted.

Amendment of rule 7

3. In the principal Rules, in rule 7,-

(i) in clause (ii), for the words and figures "36 years" occurring between the words "than" and "of", the figures and words "38 years" shall be substituted;

(ii) ~~in clause (ii) for the words "High School Leaving Certificate Examination" occurring between the words "the" and "of" the words "Degree Examination in any discipline" shall be substituted and for the existing words "Board" occurring between the words "recognized" and "of" the words "University" shall be substituted.~~

Sd/-S.P.Nandi,

Commissioner & Secretary to the Govt. of Assam
General Administration Department.

Dated Dispur the 15th October, 2015.

Memo No GAG(B)306/2014 Pt-III/22

Copy to:-

1. All Additional Chief Secretaries, Assam, Dispur.
2. The Additional Chief Secretary to Chief Minister, Assam, Dispur, Guwahati-6.
3. The Commissioner & Secretary to the Governor of Assam, Guwahati-1.
4. The Principal Secretary, Assam Legislative Assembly, Dispur.
5. All P.S.s to Ministers, Assam, Dispur, Guwahati-6.
6. All Principal Secretaries/Commissioners & Secretaries/Secretaries, Assam, Dispur, Guwahati-6.
7. S.O. to Chief Secretary, Assam.
8. All Commissioners of Divisions.
9. All Deputy Commissioners/Sub-Divisional Officers (Civil).
10. The Press Adviser to Chief Minister, Assam.
11. The Director General of Police, Assam, Uluberi, Guwahati-7.
12. The Principal Accountant General, Assam, Guwahati-29.
13. The Registrar General, Gauhati High Court, Guwahati-1.
14. The Secretary, A.P.S.C., Khanapara, Guwahati-22.
15. The Agriculture Production Commissioner, Assam, Guwahati-6.
16. The Chairman, Assam Administrative Tribunal, Guwahati-6.
17. The Chairman, Assam Board of Revenue, Guwahati-6.
18. The Secretary, O/o the Una Lokayukta, Assam, Shaktigarh Road, Bhanzaganj, Guwahati.
19. The Secretary, State Information Commission, House of Complex, Dispur.
20. The Secretary, State Election Commission, House of Complex, Dispur.
21. All Departments of Assam Secretariat, Dispur, Guwahati-6.
22. All Heads of Departments, Guwahati.
23. All Principal Secretaries of Autonomous Councils.
24. The Director, Printing & Stationery, Assam, Guwahati-21. He is requested to publish the above notification in the Extra Ordinary Assam Gazette and supply 5000 (Five thousand) copies to this department immediately.
25. The Director, Information & Public Relations, Assam, Dispur for wide publicity of the above.
26. The Managing Director, AMERON, He is requested to upload the same in the departmental website.

By order of
Deputy Secretary to the Govt. of Assam
General Administration (B) Department



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 156 দিশপুৰ, সোমবাৰ, 7 মাৰ্চ, 2022, 16 ফাগুন 1943 (শক)
No. 156 Dispur, Monday, 7th March, 2022, 16th Phalgun, 1943 (S. E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
DEPARTMENT OF PERSONNEL ::: PERSONNEL (B)

NOTIFICATION

The 5th March, 2022

No. ABP.13/2022/24.- In exercise of the powers conferred by section 15 of the Assam Direct Recruitment Commissions for Analogous Posts in Class III and Class IV Act, 2021, the Government of Assam makes the following Rules for carrying out the provisions of the Act, namely: -

- Short title and commencement
1. (i) These rules may be called the Assam Direct Recruitment for Class III and Class IV Analogous Posts Rules, 2022.
- (ii) They shall come into force on the date of their publication in the Assam Gazette.
- Definition
2. In these rules unless there is anything repugnant in the subject or context: -
- (a) 'Act' means the Assam Direct Recruitment Commissions for Analogous Posts in Class III and Class IV Act, 2021;
- (b) 'Additional/ Specialised qualification' means eligibility qualification for a post in addition to the General qualification like Bachelor's degree, HSSLC, HSLC or equivalent;

- (c) 'Appointing Authority' means the Authority to whom the power of appointment is delegated as per existing provisions;
- (d) 'Class- III posts' means posts under Group-C as defined by Assam Services (Revision of Pay) Rules, 2017;
- (e) 'Class- IV posts' means posts under Group-D as defined by Assam Services (Revision of Pay) Rules, 2017;
- (f) 'Commission' means the recruitment commissions constituted under the Act;
- (g) 'Chairman' means the Chairman appointed under sub-section (2)(b) of section 5 of the Act;
- (h) 'Department' means the Administrative Departments of the Government of Assam;
- (i) 'Executive order' / 'Service Order' means an order issued by the Governor for regulating the recruitment and other conditions of service of a person appointed in the service, rules for which are yet to be framed under the proviso to Article 309 of the Constitution of India or any other Act;
- (j) 'Essential qualification' means eligibility conditions as to minimum educational qualification, essential experience, if any, applicable in respect of any post or category of posts. This may be of one or two parts, namely, General qualification and Additional/ Specialised qualification;
- (k) 'General qualification' means the educational qualifications like Bachelor's degree, Higher Secondary or equivalent examination passed or HSLC or equivalent examination passed;

- (l) 'Government' means the Government of Assam in the Personnel Department;
- (m) 'Member' means the Member appointed as per sub-section (2)(b) of section 5 of the Act and includes the Chairman;
- (n) 'Non-Technical posts' means such posts for which eligibility conditions as to minimum educational qualification is Bachelor's degree, Higher Secondary passed or Class ten passed with or without computer skill;
- (o) 'Prescribed' means prescribed by these rules made under the Act;
- (p) 'Reserved categories' means and includes the Scheduled Castes, Scheduled Tribes (Plains), Scheduled Tribes (Hills) and OBC including MOBC, Ex-Serviceman, Persons with Benchmark Disabilities and any other category of persons declared as such by Government from time to time;
- (q) 'Specified' means specified by these rules made under the Act;
- (r) 'Staff' means staff engaged to assist the Commissions under the provisions of the Act;
- (s) 'Technical posts' means such posts for which there are certain requisite special or specified eligibility qualification/ condition, in addition to the general qualifications of Bachelor's degree, Higher Secondary or HSLC or equivalent examination passed or computer skill;
- (t) 'Year' means the English calendar year;
- (u) Words and expressions used herein but not defined in this Rules shall have the same meaning assigned to them in the Act.

Applications.

3. (1) These rules shall apply to all Class III posts, both technical and non-technical, and Class IV posts under the Government of Assam including the posts or category of posts, in respect of which the eligibility conditions as to minimum educational qualification, essential experience, if any, have been prescribed or modified under the provision of sub-section (1) of Section 10 of the Act, unless the posts are otherwise excluded from the purview of the Act.
- (2) The Commissions through the Personnel Department may notify the posts or category of posts, in respect of which the eligibility conditions as to minimum educational qualification, essential experience, if any, have been prescribed or modified shall be as per format in the Schedule- III for Class- III posts and Schedule- IV for Class- IV posts of these rules.
- (3) The pay band and grade pay of the posts are as per Assam Services (Revision of Pay) Rules, 2017 and as amended.
- (4) The names of posts or categories of posts, excluded from the purview of these rules are at Schedule- I for Class- III and Schedule- II for Class- IV posts.
- (5) The Commissions through the Personnel Department may, considering the prerequisites or any special circumstances, notify names of posts or categories of posts:
 - (a) shown as per format in the Schedule- I and Schedule- II of these rules, to which the provisions of these rules shall not apply;

(b) shown as per format in the Schedule-III and Schedule-IV of these rules, to which the provisions of these rules shall apply.

Note: Schedules will be applicable at appropriate time.

Constitution of Commissions

4. (1) The Governor shall, by Notification, constitute two Commissions, namely, the State Level Recruitment Commission for Class-III Posts and the State Level Recruitment Commission for Class-IV Posts under Section 5 of the Act.

(2) Each of the Commissions shall consist of a Chairman, who is serving in the rank of Additional Chief Secretary/ Principal Secretary to the Government of Assam and two members who are serving in the rank of Commissioner and Secretary/Secretary to the Government of Assam. The Personnel Department shall issue the notifications placing the services of the officers partially at the disposal of the respective Commissions.

(3) The terms of office of the Chairman and Members of the Commissions shall be for a period to be notified by the Government from time to time.

Staff of the Commissions

5. (1) An officer not below the rank of a Deputy Secretary shall be notified by the Personnel Department as Secretary to a Commission partially placing his services at the disposal of the Commission for a period of three years or such period as the Government may decide.

(2) A number of officers, as and when necessary, may also be appointed by the Government, placing their services at the disposal of the respective Commissions for such period as the Government may notify from time to time.

(3) Other staff of the Commissions may initially be appointed temporarily as additional charge or on secondment basis till such time the Government makes appointments through direct recruitment. For temporary appointments and as and when necessary, the Personnel Department shall request the Secretariat Administration Department for placing the services of required staff at the disposal of the Commissions

Conditions of service of the Chairman, Members and other Officers and Staff of the Commissions

6. (1) The pay and other conditions of service of the Chairman, Members, Secretary, other officers and staff of the two Commissions shall be as per the terms of service to which one belongs or as per the extant policy of the Government

(2) Conduct and discipline of the Chairman, Members, Secretary, other officers and staff of the two Commissions shall be as applicable to the service to which one belongs or as per the extant policy of the Government.

Powers and Functions of the Commissions

7. (1) The Commissions shall hold test, written examination, practical examination or interview for selection and recommendation of candidates against vacant posts in respect of the vacant posts, other than the posts that are excluded from the purview of the Act under Section 3 as per procedure prescribed hereinafter.

(2) The respective Commissions shall decide about setting question papers and evaluating the answer scripts and may conduct any part or the whole of the recruitment process themselves or through a University, Board of Secondary Education, Assam or any other agency/agencies as deemed to be competent with the approval of the Government.

(3) Decision of the majority of all the Members, including the Chairman, shall be the decision of the Commission and no Member of the Commissions shall abstain from any decision-making meeting of the respective Commissions.

(4) A true and faithful record of the proceedings of the Commissions authenticated by the Chairman shall be caused to be maintained by the respective Secretaries of the Commissions.

(5) The Commissions shall, in the discharge of their duties, be guided by any general or particular directions as may be given by the Government.

Direct
Recruitment

8. Direct recruitment to the posts, other than those excluded from the purview of these rule, shall be made by the Commissions constituted in accordance with the provisions of the Act and the procedure hereinafter provided.

General
Procedure for
Direct
Recruitment

9. (1) (i) Immediately after constitution, the Commissions shall inform the departments to submit requisition in the model format at Annexure- I within a specified date or as determined under provision of sub-section

2(c) of section 16 of the Act, for selection and recommendation of candidates against vacancies for any posts other than those posts excluded from the purview of the Act.

(ii) The Appointing Authorities shall make assessments regarding the existing and likely vacancies to be filled by direct recruitment and, within the date specified by the Commissions, shall through their administrative Departments, intimate the same to the respective Commissions together with all details including that about reservation for the reserved categories in the model format at Annexure- I of these rules;

(iii) Thereafter, before the end of each year, the Appointing Authorities shall make assessments regarding the existing vacancies and the likely number of vacancies to be filled by direct recruitment during the next twelve months and, through their administrative Departments, shall intimate the same to the respective Commissions together with the details about reservation for the reserved categories in the model format at Annexure- I of these rules;

(iv) On receipt of the requisitions for selection of candidates, the Commissions, in addition to any other details, shall check the following: -

- i. the number of vacancies,
- ii. whether any post or category of posts, for which requisition has been submitted for direct recruitment, have

been excluded by any Notification under the provision of Section 3 of the Act,

- iii. details of minimum essential qualification,
- iv. essential experience, if any,
- v. pay band and grade pay,
- vi. age limits,
- vii. reservation of posts for reserved categories
- viii. names of department, office or offices and appointing authority,

(2) (i) On being satisfied on the correctness of the details furnished by the departments, the Commissions shall sort out the non-technical and technical posts,

(ii) The respective Commissions shall also sort out the posts depending upon the minimum essential qualifications and group the posts having same requisite qualifications irrespective of different Grade Pay within the same Pay Band.

(iii) the Commissions, after completing all necessary processes, shall publish advertisements for Class- III and Class- IV posts through widely circulated local newspapers calling for applications from aspiring candidates and making all details and application forms available online in the Commission's website or authorized agency's website as determined by the Commission under provision of sub-section 2(f) of section 16 of the Act;

(iv) The manner of receipt of applications and issuing of admit card and other related tasks for holding of examination shall be as determined by the Commission or its authorized agency.

- (3) Eligibility conditions as to minimum educational qualification, essential experience, if any, shall be as mentioned by the Administrative Departments for the posts other than those posts/ category of posts for which eligibility criteria have been modified or prescribed under the provision of sub-section (1) of section 10 of the Act.
- (4) After holding examinations as provided for hereinafter, the Commissions shall select the candidates and recommend the names of successful candidates to the Departments concerned as per rule 10 of these rules for appointment by the Appointing Authorities.
- Scheme of examination for Class- III posts
10. (1) The Commission shall select candidates for recommendation by conducting of examination as provided for hereinafter;
- (2) The Commission shall select candidates for recommendation on merit, in order of higher Grade Pay taking into consideration reservations for Scheduled Casts, Scheduled Tribes, Other/ More Other Backward classes and other categories;
- (3) The question paper shall be as mentioned hereinafter.
- (4) The Examination Centres shall be as decided by the Commission depending upon the number of candidates.
- (5) Candidates shall have to appear in a written examination and Computer test/ other test as provided hereunder.
- (6) The examinations shall be held separately on different dates as follows so as to enable higher degree holders to appear in more than one examination: -

(a) For Bachelor's degree level:

Separate examinations as per following eligibility qualifications for the posts:

- (i) Bachelor's degree
- (ii) Bachelor's degree with computer skill
- (iii) Bachelor's degree in Science
- (iv) Bachelor's degree in Commerce
- (v) Bachelor's degree with Economics/ Statistics/ Mathematics

Stage- 1: -

(i) Written examination shall consist of a single Paper of multiple-choice objective type questions as decided by the Commission.

Duration- three hours,

Maximum marks- 175:

Stage- 2: -

Computer test/ other test or interview-25 marks.

(b) For class- XII level:

Separate examinations as per following eligibility qualifications for the posts:

- (i) Higher Secondary or equivalent examination passed
- (ii) Higher Secondary or equivalent examination passed with computer skill
- (iii) Higher Secondary Science or equivalent examination passed

Stage- 1: -

There shall be a single paper of maximum marks of 150, with objective type questions as decided by the Commission.

Duration: Two and a half hours.

Stage- 2: -

Computer test/ other test or interview-25 marks.

(c) For class- X level :

Separate examinations as per following eligibility qualifications for the posts:

(i) High School Leaving Certificate Examination (Class 10) or equivalent examination passed

(ii) High School Leaving Certificate Examination (Class 10) or equivalent examination passed with Driving license

Stage- 1: -

There shall be a single paper of maximum marks of 150 with objective type questions as decided by the Commission.

Duration: Two and a half hours.

Stage- 2: -

Other test or interview/ Practical test (for driver posts candidates): 25 marks

(7) (a) On the basis of the marks obtained in the written examination a list of all candidates shall be prepared in order of merit.

(b) For Non-Technical posts, minimum qualifying marks, of the marks obtained in the written examination, for General Candidates and Candidates belonging to the different reserved categories, shall be determined by the Commission to short list candidates, from the above list, to be called for Computer test/ other test/ practical test in a ratio to be decided by the Commission depending upon the number of vacancies.

(c) Similarly, for Technical posts, other lists requiring different specialized qualifications shall be prepared as per merit and

reservations, with names of candidates having respective specialized qualification, in a ratio to be decided by the Commission depending upon the number of vacancies.

(8) The Commission shall determine minimum qualifying marks for Computer test/ other test/ practical test.

(9) Candidates securing less than the qualifying marks in the Computer test/ other test/ practical test shall not be eligible for selection.

Scheme of Examination for Class IV posts

11. (1) The Commission shall select candidates for recommendation by conducting of examination as provided for hereinafter;

(2) The Commission shall select candidates for recommendation on merit, in order of higher Grade Pay, taking into consideration reservations for Scheduled Casts, Scheduled Tribes, Other/ More Other Backward classes and other categories;

(3) The question paper shall be as mentioned hereinafter.

(4) The Examination Centres shall be as decided by the Commission depending upon the number of candidates.

(5) There shall be a single paper/s of 135marks with objective type questions of Class ten level/ below Class ten level as decided by the Commission and interview/ other test of 15 marks.

Common Procedure for recommendation and appointment of candidates

12. (1) The Commission, in the manner described hereinafter, shall, after conducting necessary examination/ computer test/ other test/ practical test as applicable, prepare a list of successful candidates in order of merit and higher Grade Pay under

the signatures of the Chairman and all other Members of the Commission and furnish to the respective Departments recommending appointment.

(2) The merit lists shall be published under the signatures of the Chairman, and all other Members of the Commission and a copy of the list signed by all of them shall be forwarded to the respective departments.

(3) In the event of the Commission being unable to recommend sufficient number of candidates to fill up all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure of recruitment for recommending a subsequent list in the year:

Provided that during the period of validity of an earlier list the Appointing Authority shall not make appointment of any candidate from a subsequent list until all the candidates of that earlier list have been offered the appointment.

Preparation of
Merit lists for
Class- III posts

13. (1) (a) Merit list of candidates for Class- III posts shall be based on the total of marks obtained in the written examination and Computer test/ other test/ practical test, as applicable as per the scheme of examination under rule 10.

(b) For selection of the last candidate or determining merit, where a specified number of candidates have to be selected, if two or more candidates have same marks, the following procedure shall be followed: -

- (i) The candidate obtaining higher marks in the written examination shall be selected;
 - (iii) If selection could not be made after following the above process, the candidate with earlier date of birth shall be selected;
 - (iv) If the selection could not be made even after following the above process, the selection may be made by a draw of lots by the Commission.
- (2) The following process shall be followed for preparation of the merit lists, for Class- III posts, with the names of successful candidates for recommendation to the respective departments:
- (a) The individual marks obtained in the Computer test/ other test/ practical test, as applicable, shall be added to the marks obtained in the written examination, for the grand total to prepare merit lists.
 - (b) Posts having higher Grade Pay shall be filled by candidates securing higher marks subject to filling up of posts meant for reserved category by the corresponding reserved category candidates.
 - (c) Candidates within a particular Grade Pay shall be allotted departments by draw of lots by the respective Commissions.
 - (d) The Commission shall send the Final Merit Lists to the respective departments as recommendation for appointment against the vacant posts under the department as per requisition submitted by the department.

(e) Places of posting shall be decided by the respective departments in a manner as decided by the concerned department after receipt of the merit lists.

(f) The department, through the Appointing Authorities shall appoint the recommended candidates subject to fulfilling the conditions mentioned in sub-rule (2) of rule 15 and rule 16.

Preparation of the merit lists for Class- IV posts

14. (1) (a) Merit list of candidates for Class- IV posts shall be based on the total of marks obtained in the written examination and interview, as applicable as per the scheme of examination under rule 11.

(b) For selection of the last candidate or determining merit, where a specified number of candidates have to be selected, if two or more candidates have same marks, the following procedure shall be followed: -

(i) The candidate obtaining higher marks in the written examination shall be selected;

(ii) If selection could not be made after following the above process, the candidate with earlier date of birth shall be selected;

(iii) If the selection could not be made even after following the above process, the selection may be made by a draw of lots by the Commission.

(2) The following process shall be followed for preparation of the merit lists, for Class- III posts, with the names of successful candidates for recommendation to the respective departments:

(a) The individual marks obtained in the interview, as applicable, shall be

added to the marks obtained in the written examination, for the grand total to prepare merit lists.

- (b) Posts having higher Grade Pay shall be filled by candidates securing higher marks subject to filling up of posts meant for reserved category by the corresponding reserved category candidates.
- (c) Candidates within a particular Grade Pay shall be allotted departments by draw of lots by the respective Commissions
- (d) The Commission shall send this Final Merit List to the respective departments as recommendation for appointment against the vacant posts under the department as per requisition submitted by the department.
- (e) Places of posting after receipt of the merit lists shall be decided by the respective departments in a manner as per the policy of the concerned department.
- (f) The department, through the Appointing Authorities shall appoint the recommended candidates in order of merit as per the recommendation.

Appointment 15. (1) The appointment shall be made strictly in order of merit as per the merit list with due regard to the provisions of reservation for the Scheduled Tribes (Plains), Scheduled Tribes (Hills) and other Backward Classes/More other Backward Classes and other reserved categories as per the provisions of the relevant Act, Rules and

Government instructions. Any appointment made otherwise shall be void ab-initio.

- (2) The merit lists mentioned above shall remain valid for 12 months from the date of the recommendation by the Commission.
- (3) No person shall be eligible for appointment to the service: -
 - (a) unless he is a citizen of India;
 - (b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living:
Provided that the Government may, if it is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause;
 - (c) in contravention of the provisions of the Assam Public Services (Application of Small Family Norms in Direct Recruitment) Rules, 2019;
 - (d) if he is otherwise found not suitable.
 - (e) if he attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the post.
- (4) A person appointed by direct recruitment shall be employed in such manner as the Appointing Authority may decide.
- (5) A person appointed by direct recruitment shall be liable to be posted anywhere within the State of Assam or outside Assam, or to any other department of the Government, a body corporate, in the affairs of which the Government may be

substantially interested, if so required in the interest of public service and in such case the person so appointed shall not have any option against such posting or transfer.

Health,
character and
antecedents

16. (1) A candidate for direct recruitment shall be of sound health, both mentally and physically and free from organic defect or bodily infirmity, likely to interfere with the efficient performance of his duties and selected candidates shall have to submit medical fitness certificate as and when directed by the Appointing Authority.

(2) A selected candidate shall have to submit a notarized affidavit regarding character and antecedents as per provision of the OM No. ABP.78/2021/01 Dated. 18-11-2021 in the format prescribed therein.

Service
conditions,
pay etc.

17. (1) Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of service, on appointment, shall be regulated by respective Service Rules, the general rules and/or orders of the Government, for the time being in force.

(2) The conditions of service of the persons appointed under these rules, in respect of matters, for which no provision has been made in these rules, shall be the same, as are for the time being, applicable to other employees of the Government of the corresponding status and having similar functions by general orders, instructions or rules of the Government.

Reservation.

18. In all cases of appointment by direct recruitment, there shall be reservation in

case of candidates belonging to the members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, More Other Backward Classes, Ex-Service men, Persons with Benchmark Disabilities, Economically Weaker Sections, Women etc. as per provisions of respective Acts, Rules or General orders in this regard be in force for the time being.

Power of
Government

19. (1) Nothing contained in these rules shall limit or abridge the power of the Government to deal with the case of any person claiming appointment to a post under these rules in such manner as may appear to the Government to be just and suitable not inconsistent with the provisions of the Act.
- (2) Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may, dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary, not inconsistent with the provisions of the Act, for dealing with the case in a just and equitable manner: Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided in these rules.
- (3) If any difficulty arises in giving effect to the provisions of these rules, the Governor may by an order in writing, issue directions, not inconsistent with the provisions of the Act, which appear to be necessary for the purpose of removing such difficulties.
- (4) If any question arises relating to the interpretation of these rules, it shall be

- referred to the Government in Personnel (B) Department, whose decision thereon shall be final.
- Overriding effect 20. The provisions of section 20 of the Act shall on other laws have overriding effect, notwithstanding anything inconsistent therewith contained in other state laws for the time being in force.
- Repeal and 21. The provisions for direct recruitment Savings incorporated in any rules or orders in respect of the Class III and Class IV posts, other than such posts which are excluded from the purview of the Act under section 3, are repealed by section 21 of the Act: Provided that:
- (a) any recruitment process, for which advertisement/s has been issued or, which is at any stage of recruitment shall be completed as per the existing provision under which advertisement/s was made;
 - (b) the other service conditions of all posts, whether or not listed under the Schedules of these rules, shall continue to be governed as per the existing provisions in the respective Rules or Orders where these are incorporated;
 - (c) the provisions of direct recruitment to posts which are listed in Schedule- I and Schedule- II of these rules, shall continue to be governed as per the existing provisions in the respective Rules or Orders where these are incorporated.

NIRAJ VERMA,

Principal Secretary to the Government of Assam,
Personnel Department.

Schedule- I**(See sub-rule 4 of Rule 3)**

The following posts are excluded from the purview of the Act :

All posts/ categories of posts for which Recruitment is done through specially constituted Commissions/ Boards by Health and Family Welfare, Environment and Forest, Education and Home departments (Notification No ABP 13/2022/22 dated 5th March, 2022)

Name of Post	Eligibility Criteria	Name of Department/ Office	Notification Number
1	2	3	4
Posts requiring the eligibility criteria shown in column 2.	Bachelor's degree in Engineering, Certificate course in Textile, Diploma in Engineering, Diploma in Surveying, Draughtsmanship, ITI certificates/ diploma in different trades (other than in Computer for Jr. Assistant and similar posts and for Stenographer Grade- III), Master's degree in any discipline, RCC Training.	All Departments/ offices concerned having such posts	No ABP 13/2022/22 dated 5 th March, 2022
Audio Visual Operator, Compounder, Dresser, Engine boat driver, Laboratory Assistant, Laboratory Technician, Pharmacist, Tracer,	As per respective existing service rules	All concerned Departments/ offices	No ABP 13/2022/22 dated 5 th March, 2022
Physical Instructor, Coach	As per respective existing service rules	Sports and Youth Welfare Department,	No ABP 13/2022/22 dated 5 th March, 2022
Teachers and Instructors	As per respective existing service rules	Social Welfare Department.	No ABP 13/2022/22 dated 5 th March, 2022

Schedule- II**(See sub-rule 4 of Rule 3)****Class- IV**

The following posts are excluded from the purview of the Act :

All posts/ categories of posts for which Recruitment is done through specially constituted Commissions/ Boards by Health and Family Welfare, Environment and Forest, Education and Home departments (Notificatin No ABP 13/2022/23 dated 5th March, 2022)

Name of Post	Eligibility Criteria	Name of Department/ Office	Notification Number
1	2	3	4
-	-	-	-

Schedule- III**(See sub-rule 2 of Rule 3)****Class- III**

Name of Posts	Name of Department/ Office	Modified / Specified minimum educational qualification	Notification No.
1	2	3	4

Schedule- IV**(See sub-rule 2 of Rule 3)****Class-IV**

Name of Posts	Name of Department/ Office	Modified / Specified minimum essential qualification	Notification No.
1	2	3	4

CADRE

3. **Service.**— (1) There shall be a combined cadre of Administrative officers for the offices mentioned in column (1) of Schedule I.

Note.— The offices for which such posts will be created may be determined by Government from time to time and that on the commencement of the rules the offices where such posts are in categories of posts—

(2) The service in an office shall comprise of the following categories of posts—

- (a) Registrar;
- (b) Superintendent;
- (c) [Senior Assistant]; ✓
- (d) [Junior Assistant]; ✓
- (e) Typists; ✓
- (f) Selection Grade. ✓
- (g) Deleted!

[Note.— After the commencement of the Assam Directorate Establishment (Ministerial) Service (Amendment) Rules, 1987, there shall be no further appointment to the post of Selection Grade Typist and this category of post shall be filled up by [Junior Assistant] after the existing incumbents retire or finally cease to hold the posts:]

Provided that the entertainment of a post of Registrar or Superintendent in an office shall be subject to the yardstick of staff fixed is by Government under general order from time to time.

(3) Each of the categories of posts mentioned in sub-rule (2) shall form an independent cadre. Members of a lower cadre shall have no claim for appointment to any of the higher cadres except in accordance with the provisions made in these rules.

4. **Status of Service.**— (1) The status of the Administrative Officer shall be that of Class I Gazetted Ministerial Service.

[2] The status of the Registrar and Superintendent shall

¹ Deleted sub-clause (g) of clause (a) of sub-rule (2) of Rule 3 vide Notification No. ASP. 277/82/114, dated the 6th May, 1987 (with effect from 1st day of January, 1987) Deleted sub-clause (g) read as— "of Ordinary Grade".

² Added 'Year' in sub-rule (2) of Rule 3 by Bud.

³ Substituted with rule 73 vide Memo No. ASP 6/2008/23, dated the 29-10-2002.

be that of Class II Gazetted Ministerial service and that of other staff shall be of Class III non-Gazetted Ministerial Service.]

5. **Strength of the Service.**— (1) The number of posts, permanent as well as temporary, under each of the categories mentioned in sub-rules (1) and (2) of Rule 3 shall be such as may be determined by the Government from time to time.

(2)(a) The strength of the cadre of Administrative Officers at the commencement of these rules is as shown in Schedule II;

(b) The strength of the service at the commencement of these rules, both permanent as well as temporary in the office shall be notified to the officer by the Government.

RECRUITMENT

6. **Administrative Officer.**— (1) Recruitment to the post of Administrative Officer shall be made by the promotion from the select list approved by the Commission for the purpose under sub-rules (4) from amongst of the members of the service holding the post of Registrar or Superintendent in any of the offices for a total period of not less than 5 years on the 1st day of the year in which selection is made :

Provided that if no suitable person is available on any particular occasion the appointing authority may, in the interest of public service, fill up the vacancy by persons belonging to other services in consultation with the Commission.

(2) For the purpose of select list mentioned in sub-rule (1) above there shall be a Selection Committee consisting of the following members:—

Chairman—

(1) Chief Secretary;

Member—

(2) Two Heads of Departments to be nominated by the Chief Secretary.

Member-Secretary—

(3) Secretary or Additional Secretary or Joint Secretary or Deputy Secretary, Appointment Deptt.]

(3) The appointing authority shall obtain Character Rolls and

relevant service particulars of eligible persons for recruitment to the cadre of Administrative Officer and shall refer to the Selection Committee, the approximate number of vacancies likely to occur during the year and furnish the Committee with the character rolls personal files of all eligible persons. The Committee shall examine the character rolls and relevant service particulars of the persons taking into consideration the merit of the persons and prepare a list of names in order of preference for recruitment to the post.

The lists shall be forwarded by the Committee to the appointing authority.

(4) Select List- The lists so prepared shall be forwarded to the Commission along with the character rolls and service records of all eligible persons and the observations of the appointing authority on the recommendations of the Committee. The Commission shall consider the list along with other documents received and may approve the list unless it considers any change necessary. If the Commission considers any change necessary, it shall inform the appointing authority of the changes proposed and after taking into consideration the comments, if any, of the appointing authority, the Commission shall approve the lists finally with such modification, if any, as the Commission may think to be just and proper. The lists so finally approved by the Commission shall form select lists for the purpose of appointment of Administrative Officer.

(5) The Selection Committee shall meet once a year and review the select lists every year.

(6) A select list shall ordinarily remain in force for a period of one year from the date of the Commission's letter of recommendation if not reviewed under sub-rule (5) of the rules :

Provided that in the event of any great lapse in the conduct or performance of duties on the part of any person in the select list, the appointing authority may, if he so thinks fit, remove any such persons from the select list. In removing the name of a person from the select list, the Commission shall be consulted.

7. Registrar- Appointment shall be made by the appointing authority by promotion on the basis of seniority and merit from amongst Superintendents of the service who have rendered service as such for a period of not less than two years on the first day of the year in which the selection is made.

8. Superintendent- Appointment shall be made by the appointing authority by promotion on the basis of seniority and merit from amongst (Senior Assistant) of the service who have rendered not less than 7 years of service as (Senior Assistant) on the 1st day of the year in which the selection for promotion is made.

9. B.A. Selection Committee- For the purpose of selection of Registrar and Superintendent, there shall be a Selection Committee consisting of the following members-

(a) Secretary to the Govt. of Assam of the respective Administrative Deptt.	Chairman
(b) Director of concerned Directorate	Member
(c) Deputy Secretary to the Govt. of Assam of the Administrative Deptt.	Member-Secretary
(d) Secretary to the Govt. of Assam, Personnel Department or his nominee, not below the rank of Deputy Secretary.	Member

10. B.A.A. General procedure of promotion- (1) Before the end of each year, the Appointing Authority shall make an assessment of the likely number of vacancies of the Registrar and Superintendent to be filled up by promotion in the next year in the cadre.

(2) The Appointing Authority shall then furnish to the Selection Committee the following documents and information with regard to as many incumbents in order of seniority as are eligible for promotion:-

- (a) Information about the number of vacancies;
- (b) List of incumbents in order of seniority eligible for promotion to the rank of Superintendent and Registrar;
- (c) ACRs, of last five years of eligible incumbents;
- (d) Details about reservation.

(3) The Appointing Authority shall simultaneously request the Selection Committee to recommend within one month, separate lists of officers, found suitable for promotion in order of preference for promotion to the posts of Superintendent and Registrar respectively.

(4) The selection shall be made on the basis of seniority and merit and after selection the Selection Committee shall furnish a list of officers in order of preference, found suitable for promotion.

(5) The 'Appointing Authority' shall consider the list recommended by the Selection Committee and finally approve the list.

(6) The select list shall remain valid for 12 calendar months from the date of approval by the appointing authority.

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

10. [Senior Assistant].- Appointment shall be made by the appointing authority.

(1) by promotion on the basis of seniority from amongst the [Junior Assistants] of the Service who-

(a) have rendered not less than 5 years of service on 1st day of the year in which selection for promotion is made, and

(b) have successfully undergone such training and passed such examinations as may be prescribed by the appointing authority from time to time.

(2) by selection strictly on the basis of merit from amongst the ministerial staff of district offices having at their credit not less than 2 years continuous service as [Senior Assistant] on the 1st day of the year in which the selection is made.

Note.- The proportion of vacancies to be filled up in any year according to sub-rules (1) and (2) above shall be 57.1/2 : 12.1/2, respectively. When the vacancy against sub-rule (2) falls short of a whole number in any year, the fraction over the whole number shall be carried over the subsequent year or years until it becomes once. Here vacancies shall include both permanent and temporary vacancies.

10. [Junior Assistant].- Appointment shall be made by the appointing authority-

(1) by direct recruitment;

(2) by selection on the basis of suitability with due regard

1. Substituted sub-rule (2) of Rule 10, vide Notification No. ASP.277/52/116, dated the 6th May, 1987 (w.e.f. 1st Day of January, 1988).

Note.- Before substitution sub-rule (2) of Rule 10, read as - (2) by selection strictly on the basis of merit from amongst the typists of the service who have rendered not less than 4 years of

to seniority from amongst other Class-III employees as classified in the Assam Services (Revision of Pay) Rules, 1983 of the office whose scale of pay are less than that of the [Junior Assistant] and who have passed (i) the Higher Secondary School Leaving Certificate Examination/Pre-University Examination or equivalent examination and have rendered not less than 5 years, or (ii) the Matriculation or equivalent examination and have rendered not less than 7 years of continuous service in the Office on the 1st day of the year in which the selection is made.

(3) By selection on the basis of suitability [with due regard to seniority] from amongst the Grade IV staff of the office who passed (i) the Higher Secondary or equivalent examination and have rendered not less than 5 years or (ii) the matriculation or equivalent examination and have rendered not less than 7 years of continuous service in the Office on the 1st day of the year in which the selection is made.

Note.- (1) Recruitment under sub-rules (2) and (3) shall not exceed 5 per cent and 10 per cent respectively of the cadre strength of [Junior Assistant] of that Office.

Note.- (2) If in an office the 5 per cent and 10 per cent of the strength of the cadre of [Junior Assistant], as aforesaid, be less than 1, even then 1 post shall be filled up under sub-rules (2) and (3), as the case may be.

Note.- (3) In the event of sufficient numbers of suitable persons not being available under sub-rules (2) and or (3), the balance shall be filled up under sub-rule (1).

11. Encasement of Typists (Ordinary Grade).- (1) Typists

1. Inserted vide Not. No. ASP.277/52/116 dated 6th May, 1987 (w.e.f. 1.1.1988).

2. Substituted "Note" below sub-rule (2) of Rule 10 vide Notification No. ASP.277/52/116, dated 6th May, 1987, (w.e.f. 1-1-1988). Before substitution Note (2) was added and the existing "Note" was renumbered as "Note (1)", vide Notification No. ASP.277/59/196, dated 25th February, 1975.

3. Substituted Rule 11 vide Notification No. ASP.277/52/116, dated the 6th May, 1987 (w.e.f. 1.1.1988).

Note.- Before substitution Rule 11, read as - "11. Typists.- (1) Selection Grade. Appointment shall be made by the appointing authority by selection on the basis of seniority-merit from amongst the typists of ordinary grade of the service in the office who have rendered not less than ten years of service as typists on the 1st day

of ordinary grade who were appointed on or before December 31, 1980 and were borne in the service on January 1st, 1981 shall be deemed to have been encadred as [Junior Assistant] on January 1st, 1981.

(2) Typists of ordinary grade who have been appointed on or after January 1st, 1981 but before the publication of the Assam Directorate Establishment (Ministerial) Service (Amendment) Rules, 1987 shall be deemed to have been encadred as [Junior Assistant] on the dates of their appointments as Typists ordinary grade in the service.]

12. Direct Recruitment.- Direct recruitment to a post of [Junior Assistant] [**] shall be made according to the following procedure:-

- (i) The appointing authority, shall make an annual assessment of the requirement of his staff and inform the Employment Exchange concerned at the beginning of each year. The Director of Employment and Craftsmen Training, Assam shall conduct competitive examination at such intervals and in accordance with such instructions as the Government may from time to time direct. The Director of Employment and Craftsmen Training, Assam shall forward the names of suitable persons in order of preference and shall get the character and antecedents of the selected candidates verified from Deputy Inspector General of Police, Criminal and Investigation Department without waiting for actual appointment of the candidates. The appointing authority shall make recruitment from the list. The appointing authority shall, however, ascertain in every case whether verifications have been made before offering

(ii) Ordinary Grade:- Appointment shall be made-

(a) by the appointing authority by direct recruitment through the Director of Employment and Craftsmen Training, Assam;

(b) by selection from among the Grade IV employees of the Service who have specified qualification such as knowledge of typing and have attained the typing speed of not less than 20 w.p.m. and have rendered at least 4 years of service as Grade IV on the 1st day of the year in which selection is made;

Provided that the recruitment under clause (b) shall not exceed 5 percent of the cadre strength of the ordinary Grade typist.*

* Substituted clause (b) of Rule 11, vide Notification No. ADP.429/77/2, dated the 12th May, 1976. Vide Notification No. ADP.429/77/2, dated the 12th May, 1976.

appointments. The Appointing Authority may however, deviate from the order of preference in the list for good reasons to be recorded in writing, but such appointments not made in the order of preference will be temporary and subject to the approval of the Chief Secretary;

- (ii) In order to be eligible for appointment to the post of [Junior Assistant] [**] a candidate must satisfy the following conditions, namely-

(a) Nationality- He must be a citizen of India;

(b) Age- He must not be less than 18 years and more than 30 years of age on the first day of the year in which the [advertisement is made] by the Director of Employment and Craftsmen Training, Assam ;

Provided that, in the case of candidates belonging to special categories the upper age limit shall be subject to such relaxation as may be made by the Government from time to time.

Explanation- "Special categories"- means persons belonging to Scheduled Castes/Scheduled Tribes and such other persons or class of persons as may be notified by Government from time to time.

- (iii) Educational and other qualifications- For appointment to a post of [Junior Assistant] a candidate must have passed the Higher Secondary School Leaving Certificate Examination/Pre-University Examination from a recognised Board/University or any examination declared equivalent thereto by the Government and passing of a speed test in typing of not less than 30 words per minute in English shall be an essential qualification.]

Note:- Pending conversion of all the existing Schools into

1. Deleted the words "in typist" in Rule 12 vide Notification No. ADP.277/82/116, dated the 6th May, 1987 [w.e.f. 1.1.1981].
2. Substituted for the figure "28" in sub-clause (b) of clause (ii) by 30.
3. Substituted for the words "examinations is held" by Ed.
4. Substituted clause (ii) of Rule 12, vide Notification No. ADP.277/82/116, dated the 6th May, 1987 [w.e.f. 1.1.1981].

NOTE:- Before substitution clause (a) of Rule 12, read as-

(ii) Educational qualification- For appointment to a post of Lower Division Assistant a candidate must have passed the Higher Secondary School Leaving Certificate Examination from a recognised Board/University or any examination declared equivalent thereto by the Government and passing of a speed test in typing of not less than 30 words per minute in English shall be an essential qualification.]

Higher Secondary Schools, and during the transitional period when both the old courses and the new courses continue simultaneously, the instructions issued by Government from time to time in this regard shall be followed.

(u) He must not have more than one wife living provided that Government may, for good and sufficient reasons, exempt any candidate from the operation of this condition;

(v) No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the service.

13. Reservation.—(1) Of the number of vacancies to be filled up in any year by direct recruitment, there shall be reservation in favour of candidates belonging to Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) to the extent as may be determined by Government from time to time.

(2) If a sufficient number of suitable candidates with minimum qualifications belonging to Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) referred to in sub-rule (1) is not available for filling up all the vacancies reserved for them the remaining vacancies shall be filled up from amongst other candidates and an equivalent number of additional vacancies shall be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) for the next recruitment year in the manner as may be determined by the Government from time to time :

Provided that if a sufficient number of suitable candidates is not available to fill up all the reserved vacancies, the reservation including the additional vacancies on account of the deficiency shall be carried forward upto two subsequent years (or for such period as the State Government may, by a general or special order from time to time prescribe) before the reservation is finally treated as lapsed.

14. Physical Fitness.—No candidate shall be eligible for appointment who after such medical examination as Government may prescribe is not found to be in good mental condition or sound health or free from any mental or physical defect likely to interfere

15. Training.—Every [Junior Assistant] appointed under Rule 10 and every [Senior Assistant] appointed under sub-rule (2) of Rule 9 shall undergo such training and pass such departmental examination as may be prescribed by the appointing authority from time to time.

16. Appointment to the Service.—(1) Subject to the provisions of Rule 12 and sub-rule (1) of Rule 13 appointment under sub-rule (1) of the Rule 10 [**] shall be made by the Appointing Authority in such orders as the names appear in the list prepared by the Director of Employment and Craftsmen Training, Assam.

(2) Appointment under Rules 7, 8 and 9, sub-rules (2) and (3) of Rule 10 [**] shall be made by the Appointing Authority in the manner stated in these rules :

Provided that a temporary appointment for a period not exceeding two months may be made by the appointing authority at its discretion.

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

CONFIRMATION, SENIORITY, ETC.

17. Confirmation.—(1) Subject to availability of a permanent vacancy, every member of the service shall be confirmed in the cadre to which he is appointed if—

- he has completed at least one year of service to the satisfaction of the appointing authority;
- he has successfully undergone such training and also passed such departmental examination as may be prescribed from time to time; and
- he is otherwise considered fit for confirmation by the appointing authority :

Provided that clause (b) shall not apply in the case of Registrar, Superintendent, [Senior Assistant] appointed under sub-rule (1) of Rule 9 and [Typists encadred under sub-rule (2) of Rule 11.]

2. Deleted the words "and sub-rule (2) of Rule 11" and "and sub-rule (1) of Rule 11" in sub-rule (1) and (2) of Rule 16 respectively, vide Notification No. ADP-277/227/118, dated 6th May, 1967 (w.e.f. 1-1-1968).

[2] Subject to the aforesaid conditions, confirmation shall be made on the basis of seniority as determined under Rule 19.

18. Discharge or Reversion before Confirmation.- At any time before confirmation a member is liable to be reverted to his next lower rank or to a lower post on which he holds lien or discharge from the service in case he is a direct recruit, if he cannot qualify for such confirmation even after a second chance or if his performance of duty has not been satisfactory and/or if the appointing authority finds him otherwise unfit to hold the post.

19. Seniority.- (1) *Inter-se* seniority of Administrative Officers appointed under Rule 6 shall be according to the order of preference as arranged in the select list, vide Rule 6(4).

(2) *Inter-se* seniority of the Registrars appointed under Rule 7 on the same date/batch shall be according to the order of preference as arranged by the Appointing Authority.

(3) *Inter-se* seniority of Superintendents appointed under Rule 8 on the same date/batch shall be according to the order of preference as arranged by the Appointing Authority.

(4) *Inter-se* seniority of [Senior Assistant] appointed under sub-rules (1) and (2) of Rule 9 on the same date shall be according to the order of selection made by the appointing authority. *Inter-se* seniority between assistant recruited under any one of the aforesaid sub-rules and an assistant recruited under the other sub-rule shall be according to the date of appointment. *Inter-se* seniority amongst [Senior Assistant] appointed under the aforesaid sub-rules on the same date shall be according to the following orders:-

- (i) Assistant appointed under sub-rule (1) of Rule 9;
- (ii) Assistants appointed under sub-rule (2) of Rule 9.

(5) *Inter-se* seniority of [Junior Assistant] appointed under sub-rules (1), (2) and (3) of Rule 10 on the same date shall be according to the order of selection made by the appointing authority. *Inter-se* seniority between an assistant recruit under any one of the aforesaid sub-rules and an assistant recruited under the other sub-rule shall be according to the date of appointment.

Inter-se seniority amongst [Junior Assistant] appointed under the aforesaid sub-rules on the same date shall be according to

- (i) Assistants appointed under sub-rule (1) of Rule 10,
- (ii) Assistants appointed under sub-rule (2) of the Rule 10;
- (iii) Assistants appointed under sub-rule (3) of Rule 10.

[(5A)(i) The *inter-se* seniority between the typists encadred as [Junior Assistant] under sub-rule (1) of Rule 11 and other [Junior Assistant] appointed on or before December 31, 1980, shall as on January 1st, 1981, be fixed by placing the former group immediately after the latter group and the relative position of those in the former group, amongst themselves, shall be in the order in which their position had been as typists (ordinary grade),

(ii) The *inter-se* seniority of the typists encadred as [Junior Assistant] under sub-rule (2) of Rule 11 and other [Junior Assistant] shall be determined by treating their appointments as if made under sub-rule (1) of Rule 10.]

(6) *Inter-se* seniority of typists appointed to the selection grade in any year shall be according to the order of selection made by the appointing authority.

[(7) Deleted]

(8) If confirmation of a member of the service in a cadre is delayed on account of his failure to qualify for such confirmation, he shall lose his position in order of seniority in that cadre vis-à-vis such of his juniors as may be confirmed earlier than him. His original position in that particular cadre shall, however, be restored on his confirmation subsequently.

20. Pay.- The scale of pay admissible to Administrative Officer and to members of different cadres shall be as shown in Schedule II subject to revision by Government from time to time.

1. Added as new sub-rules "(5A)" in Rule 19, vide Notification No. ADP/277/82/116, dated the 6th May, 1987 (w.e.f. 1.1.1981).

2. Deleted sub-rule (7) of Rule 19, vide Notification No. ADP/277/82/116, dated the 6th May, 1987 (w.e.f. 1.1.1981).

Note: Before deletion of sub-rule (7) of Rule 19, originally read as-

"(7) *Inter-se* seniority of typists of ordinary grade shall be fixed according to the date of appointment if the candidates join appointment within 15 days of the receipt of the order of appointment. When more than one typist are appointed on the same date, their *inter-se* seniority shall be according to the order of selection made by the appointing authority consultation with the Director of Employment and Craftsmen Training, Assam ;

Provided that, in case a candidate is prevented from joining within the said period of 15 days by circumstances of a public nature or for reasons beyond his control the

Sl. No.	1	2	3
50	Director, Rural Development	Secy, Rural Dev. Department	Rural Dev. Department
51	Director, Library Services	Secy, Education Department	Education Department
52	Director of Municipal Administration	Secretary, Municipal Administration Dept.	Municipal Administration Dept.
53	Director of Social Welfare	Secretary, Welfare	Welfare Dept.
54	Director of Dairy Development	Secretary, Veterinary	Veterinary Dept.
55	Director/Asst. Director	Secretary, Industrial	Industrial Dept.
56	Director, Tribal Research	Secretary, W.P.T. & B. C.	W.P.T. & B. C. Dept.
57	Secretary, N.W. Sahasrabal David	Secretary, General Administration Department	General Administration Department
58	Director of Land Acquisition, Agribusiness & Fisheries, Assam	Secretary, Revenue	Revenue Dept.

Added as New Sl. No. 50 in Schedule-I, vide Notification No. ABP-275/69/239, dated the 25th September, 1965.
 Added as New Sl. No. 51 in Schedule-I, vide Notification No. ABP-52/70/67, dated the 25th February, 1966.
 Added as New Sl. Nos. 52-58 in Schedule-I, vide Notification No. ABP-28/88/31, dated the 11th September, 1969, See Assam Gazette, Part III, dated 22nd Nov., 1969 p. 1310.

[SCHEDULE - II
 [Rule 5(2) (a)]

Name of Post	No. of Posts
1. Administrative Officer in Engineering College in the Directorate of Technical Education.	Two
2. Administrative Officer in the Directorate of Sericulture.	One
3. Administrative Officer in the Directorate of Employment and Craftsmen Training.	One
4. Administrative Officer in the Directorate of Agriculture.	One
5. Administrative Officer in the Assam Administrative Staff College.	One
6. Administrative Officer in the Directorate of Economics & Statistics.	One
7. Administrative Officer in the Directorate of Medical Education.	One
8. Administrative Officer in the Office of the Chief Engineer, P.W.D. (Roads).	One
9. Administrative Officer, in the Office of the Chief Conservator of Forest.	One]

* Substituted Schedule-II, vide Notification No. ADP-142/92/3, dated the 20th May, 1993, See Assam Gazette, Part III (No. 33), dated 18th August, 1993.
 Note: Before substitution of Schedule-II, read as:-

SCHEDULE - II [Rule 5(2) (a)]

Name of Post	No. of Posts
1. Administrative Officers in Engineering Colleges in the Directorate of Technical Education.	Two
2. Administrative Officers in the Office of the Chairman, Assam Board of Revenue.	One
3. Administrative Officers in the Office of the Director, Sericulture and Weaving.	One
4. Administrative Officers in the Office of the Director of National Employment Service.	One
5. Administrative Officers in the Office of the Director of Agriculture.	One

SCHEDULE - III
(Rule-20)

Name of Post (1)	Scale of Pay (2)
1. Administrative Officer	Rs. 350-30-500-E.B.-30-650-E.B.-35-1000.
2. Registrar	Rs. 550-25-650-E.B.-25-750.
3. Superintendent	Rs. 375-20-475-E.B.-20-575.
4. [Senior Assistant]	Rs. 275-10-325-E.B.-10-375-12.50-425.
5. [Junior Assistant]	Rs. 140-6-170-E.B.-7-205-E.B.-7-275.
6. Typist (Selection Grade)	Rs. 200-6-236-E.B.-8-300.
7. Typist (Ordinary Grade)	Rs. 125-4-145-E.B.-4-165-E.B.-5-200.

with 2 and 4 advance increments respectively for those passing speed test of 30 and 45 words per minute in English and 25 and 35 words per minute in Assamese or Bengali or Hindi conducted by the Committee constituted by Government.

***SCHEDULE - IV**
LIST OF HEADS OF DEPARTMENTS
(See Rule-20)

1. Commissioners of Divisions.
2. Director of Land Records & Surveys, Assam.
3. The Registrar of Co-operative Societies, Assam.
4. Principal Chief Conservator of Forests, Assam.
5. The Legal Remembrancer, Assam.
6. Director General of Police, Assam.
7. Director of Higher/Elementary/Secondary/Adult Education, Assam.
8. Inspector General of Prisons, Assam.
9. Director of Health Services, Assam.
10. District and Sessions Judges.
11. Chief Engineer, P.W.D. (Roads/Building/Irrigation/Flood Control).
12. Commissioner of Excise, Assam.
13. Director of Agriculture, Assam.
14. The Commissioner of Taxes, Assam.
15. Secretary, Assam Public Service Commission.
16. The Labour Commissioner, Assam.
17. The Chief Inspector of Factories, Assam.
18. The Advocate General, Assam.
19. Commissioner of Transport, Assam.
20. Director of Economics and Statistics, Assam.
21. Director of Animal Husbandry & Vets., Assam.
22. Director of Information and Public Relations, Assam.
23. Director of Panchayat and Rural Development, Assam.
24. Director of Sericulture and Weaving, Assam.
25. Director, Inland Water Transport, Assam.
26. Director of Industries, Assam.
27. Director of Food & Civil Supplies, Assam.
28. Director of Tourism, Assam.
29. Director of Soil Conservation, Assam.
30. Director of Technical Education, Assam.

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31. Director of Printing and Stationery, Assam.
32. Director of Audit & Local Fund.
33. The Registrar (Judicial) High Court.
34. Chief Electoral Officer, Assam.
35. The Chief Inspector of Boiler, Assam.
36. Director of Geology and Mining, Assam.
37. Director of Employment & Craftsmen Training, Assam.
38. Director of Fisheries, Assam.
39. Trade Advisor & Director of Movements, Government of Assam, Calcutta.
40. State Textile Commissionera, Assam.
41. Chief Engineer, Public Health Engineering, Assam.
42. Director of State Lotteries, Assam.
43. Director of Small Savings, Assam.
44. Director of Accounts & Treasuries, Assam.
45. The Chairman, Assam Administrative Tribunal.
46. The Director of Town & Country Planning.
47. The Director of Municipal Administration, Assam.
48. The Chief Engineer, P.W.D. (Building).
49. Director of Sports and Youth Welfare, Assam.
50. Director of Cultural Affairs, Assam.
51. Director of Civil Defence and Commandant General, Home Guards, Assam.
52. Controller of Legal Metrology, Assam.
53. Director of Financial Inspections, Assam.
54. Director of Social Welfare and Probation.
55. Director, Tribal Research Institute, Assam.
56. Director, W.P.T. & B.C., Assam.
57. Director of Pension.
58. Chief Engineer P.W.D. (Hills).
59. Director of Border Areas.
60. Director of Tea.
61. Chief Engineer P.W.D. (Border Areas).]

**THE
ASSAM MINISTERIAL DISTRICT ESTABLISHMENT
SERVICE RULES, 1967**

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SCHEDULE-II****LIST OF AMENDING RULES, THE PROVISIONS OF THE AMENDMENTS
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1. Notification No. GAG(B)14/95/Pt-IV/15, dated 2-3-2006.
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4. Notification No. AWP.64/93/46, dated 17-3-1994.
5. Notification No. ABP.204/75/12, dated 15-11-1975.
6. Notification No. AWP.190/72/17, dated 13-2-1974.

**THE
ASSAM PUBLIC SERVICES
(DIRECT RECRUITMENT TO CLASS-III AND
CLASS-IV POSTS) RULES, 1997¹**

[Dated the 1st August, 1997]

No. ABP. 28/97/10.— *In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules, regulating direct recruitment to Class III and Class IV posts in the offices of the Heads of Department, the Regional Office, District Offices, Divisional Offices and below District Level Offices, namely—*

ARRANGEMENT OF RULES

RULES

1. Short title and commencement.
2. Definition.
3. Applications.
4. Direct recruitment.
5. Constitution of selections committee.
6. Selection procedure.
7. Physical fitness.
8. Character.
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10. Joining time.
11. Seniority.
12. Mode of employment.
13. Other condition of service.
14. Power to relax.
15. Power to remove difficulties.
16. Reservation.
17. Interpretation.
18. Savings.

NOTE — No Amendment found till 31st December, 2006

1. Short title and commencement— (i) These rules may be called as *the Assam Public Services (Direct Recruitment to Class III and Class IV posts) Rules, 1997*

(ii) They shall come into force on the date of their publication in the Assam Gazette¹.

1. [Published in the Assam Gazette Extraordinary, dated 4th August, 1997 (with effect from 4th August, 1997)] pp-2031-2042 (No. 424).

2. Definition- In these rules unless there is anything repugnant in the subject or context-

- (a) "Appointing Authority" means the Authority to whom the power of appointment is delegated;
- (b) "Commission" means the Assam Public Service Commission;
- (c) "Committee" means the Selection Committee constituted under Rule 4;
- (d) "E.A.C." means Extra Assistant Commissioner;
- (e) "Government" means the Government of Assam;
- (f) "Reserved categories" means and includes the Scheduled Castes, Scheduled Tribes (Plains), Scheduled Tribes (Hills) and OBC including MOBC, Ex-Serviceman, physically handicapped persons and any other category of persons declared as such by Government from time to time;
- (g) "S.D.O." means Sub-Divisional Officer under the General Administration Department;
- (h) "State" means the State of Assam;
- (i) "Year" means the calendar year;
- (j) "Executive order" means an order issued by the Governor for regulating the recruitment and other conditions of service of a person appointed in the service pending finalisation of the service rules to be framed under the proviso to Article 309 of the Constitution of India.

3. Applications- (1) These rules shall apply only to those Class III, both technical and non-technical, and Class IV posts, where there are no Service Rules/Executive orders regulating the recruitment and conditions of service and are not within the purview of the Commission.

(2) These rules shall not apply to the following cases-

- (i) the posts, to which recruitments are made as per the existing Service Rules/Executive Order;
- (ii) the posts which are within the purview of the Commission.
- (iii) the posts of teachers under Education Department;
- (iv) the posts of police under the Home Department;
- (v) the posts on the Establishment of Raj Bhawan, Assam.

Legislative Assembly, High Court, Assam Public Service Commission, Lokayukta; and

(vi) the posts excluded from the purview of these rules by any general or special order by the Government.

4. **Direct recruitment-** Direct recruitment shall be made on the basis of recommendation made by the Selection Committee in accordance with the procedure hereinafter provided in this rule.

(1) Before the end of each year the Appointing Authority shall make an assessment regarding the existing vacancies and the likely number of vacancies to be filled by direct recruitment during the next twelve months and shall intimate the same to the Selection Committee together with the details about reservation for the reserved categories as provided under Rule 16 and about carry forward of such reservation.

(2) The Appointing Authority shall advertise the vacancies giving details about reservation for the reserved categories and other necessary particulars by displaying the advertisement in the office board of the office of the Appointing Authority. In addition, the copies of the advertisement shall be sent to the following offices as stated below for display in their respective office notice boards-

(a) In case of a district level office or any office below that level-

(i) Deputy Commissioner of the district in which the office of the Appointing Authority is situated;

(ii) All Sub-divisional Officers, all Block Development Officers and all Revenue Circle Officers in the district in which the Office of the Appointing Authority is situated;

(iii) All Employment Exchange Offices in the district in which the Office of the Appointing Authority is situated.

(b) In case of a divisional level office such as that under the Public Works Department, Forest Department, etc. or any office below that level-

(i) Deputy Commissioner(s) of the district(s) to which the territorial jurisdiction of the Divisional Office extends fully or partially

- (ii) All Sub-divisional Officers, all Block Development Officers, all Revenue Circle Officers in the above mentioned district(s);
 - (iii) All Employment Exchange Offices in the above mentioned district(s);
- (c) In case of a Regional level Office-
- (i) Deputy Commissioner(s) of the district(s) to which the territorial jurisdiction of the Regional level Office extends fully or partially;
 - (ii) All Sub-divisional Officers, all Block Development Officers, all Revenue Circle Officers in the above mentioned district(s);
 - (iii) All Employment Exchange Offices in the above mentioned district(s).
- (d) In case of the Office of the Head of Department-
- (i) Secretary of the Administrative Department concerned;
 - (ii) Further, the advertisement shall be published in two regional daily newspapers.

(3) The Selection Committee shall, after conducting necessary test/interview, prepare a combined list of successful candidates in order of merit and furnish to the Appointing Authority a copy of the combined merit list of candidates recommended by it in the order of preference found suitable for recruitment.

(4) The list mentioned in sub-rule (3) above shall remain valid for 12 months from the date of the recommendation of the Selection Committee.

(5) In the event of the Selection Committee being unable to recommend sufficient number of candidates to fill up all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure as mentioned hereinafter under Rule 6 for recommending a subsequent list in the year :

Provided that during the period of validity of an earlier list the Appointing Authority shall not make appointment of any candidate from a subsequent list until all the candidates of that earlier list have been offered the appointment.

5. Constitution of Selection Committee- (1) There shall be

constituted different Selection Committees for selecting the candidates for Class III and Class IV posts in different offices of the State for which no Service Rules or Executive Orders are in existence and are not within the purview of the Commission as stated herein below-

- (a) *Selection Committee for the posts in the District level Offices, Divisional level Offices (like those under the PWD., Forest, etc.) and below District level offices-*

The composition of this Selection Committee shall be as under-

- (i) Appointing Authority or the Seniormost departmental officer available in the district where the vacancy arises nominated by the Appointing Authority Chairman;
- (ii) A departmental officer belonging to the office under which the vacancy arises..... Member-Secretary;
- (iii) An officer of the rank of E.A.C. upto S.D.O. to be named by the Deputy Commissioner of the district where the vacancy arises Member;
- (iv) An officer of a department other than the department under which the vacancy arises to be named by the Deputy Commissioner of the District where the vacancy arises Member;
- (v) An officer of a department other than the department under which the vacancy arises and the department from which the deputy Commissioner has nominated an officer as a member of this Committee to be named by the Appointing Authority Member.

- (b) *Selection Committee for the posts under the Deputy Commissioner of a District-*

The composition of this Selection Committee shall be as under-

- (i) The Deputy Commissioner or the Seniormost Additional Deputy Commissioner in the office of the Deputy Commissioner nominated by the Deputy Commissioner Chairman;
- (ii) The Seniormost Sub-divisional officer (sadar) in the

Office of the Deputy Commissioner Member-Secretary;

(ii) Three of officers belonging to three different departmental Offices in the district to be named by the Commissioner of the Division in whose Division the district lies Members.

(c) *Selection Committee for the posts in the Office of the Heads of Department-*

The composition of this Selection Committee shall be as under-

(i) Appointing Authority or the Seniormost departmental officer available in the district where the vacancy arises nominated by the Appointing Authority Chairman;

(ii) A departmental officer belonging to the office under which the vacancy arises..... Member-Secretary;

(iii) An officer to be nominated by the Director of Agriculture, Assam in case the vacancy arises in the Office of the Director of Employment and Craftsmen Training, Assam and by the Director of Employment and Craftsmen Training, Assam in all other cases.... Member;

(iv) Two officers to be nominated by the Appointing Authority from the offices of two other Heads of Department (one from each office)..... Members

(d) *Selection Committee for the posts in the Regional Level Offices-*

The composition of this Selection Committee shall be as under-

(i) Appointing Authority or the Seniormost departmental officer available in the district where the vacancy arises, nominated by the Appointing Authority Chairman;

(ii) A departmental officer belonging to the same office under which the vacancy arises to be nominated by the Appointing Authority..... Member-Secretary

(iii) An officer of the rank of E.A.C. upto the rank of S.D. to be nominated by the Deputy Commissioner of the

district in which the Office of the Regional Head is situated..... Member;

(iv) An officer of a Department other than the department under which the vacancy arises to be nominated by the Deputy Commissioner of the district in which the Office of the Regional Head is situated..... Member;

(v) An officer of a department other than the department under which the vacancy arises as well as the department from which the Deputy Commissioner has nominated a member to this Selection Committee to be nominated by the Appointing Authority..... Member.

(2) The Appointing Authority shall in every case before the commencement of selection progress, constitute and notify the Selection Committee as is applicable in his case in the manner stated in the foregoing provisions.

(3) The Administrative Department shall issue instructions on the following, namely—

- (a) the minimum essential qualification for direct recruitment to the post or posts and the age limit of candidates;
- (b) the minimum essential experience, if any, for the post or posts;
- (c) whether there will be written test and if so, the name of the papers and the maximum marks, for each paper;
- (d) whether there will be typing test and if so, the maximum marks of the typing test; and
- (e) whether there will be interview and if so, the maximum marks for the interview.

6. Selection procedure- (1) The Selection shall be made by the above mentioned Selection Committee.

(2) The Selection shall be made on the basis of merit by taking into account the performance in the written test, typing test and interview with reference to the mode of Selection as laid down by the Government instruction issued by the Administrative department under the provision of sub-rule (3) of the Rule 5 with due regard to the reservation for the Scheduled Caste, Scheduled Tribes (Plains), Scheduled Tribes (Hills), OBC/MOBC etc., as per

the provisions of the Assam Scheduled Caste and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 and the Rules framed there-under and the Government instruction, in whose case also, the selection is to be made on the basis of merit amongst the candidates of the respective Reserved category.

(3) For each category of posts, the Selection Committee on completion of the selection, shall prepare a combined merits list, which shall consist of all selected candidates in order of preference with mention of roll number of every selection candidate in the list. In case of any selected candidate in the select list belonging to the Scheduled Castes, Scheduled Tribes (Plains), Scheduled Tribes (Hills) or Other Backward Classes including MOBC, as the case may be, the fact of it shall also be mentioned against his name in the list.

(4) The combined merit list shall have names of the selected candidates, whose number shall not exceed the total notified vacancy by 40%, if the total notified vacancy does not exceed 10, by 20%, if the total notified vacancy does not exceed 50 and by 15%, if the total notified vacancy is more than 50, while making this computation, it is to be rounded to the next above integer, if the fraction is more than 0.5; it is to be rounded to the next below integer if the fraction is less than 0.5.

(5) The combined merit list shall be published under the signature of the Chairman, Member-Secretary and all other Members of the Selection Committee and a copy of it shall be displayed on the notice board of the departmental officer, who is the Member-Secretary. A copy of the list signed by all of them shall be forwarded to the Appointing Authority.

(6) The combined merit list shall remain valid for 12 months from the date of the recommendation of the Selection Committee.

(7) The appointment shall be made strictly in order of merit as per this combined merit list with due regard to the provisions of reservation for the Scheduled Castes, Scheduled Tribes (Plains), Scheduled Tribes (Hills) and Other Backward Classes. More Other Backward Classes as per the provisions of the relevant Act, Rules and Government instructions. The appointment from amongst these Reserved categories shall also be made strictly in order of merit. Any appointment made otherwise shall be void ab-initio.

7. Physical fitness- A candidate for direct recruitment shall be-

- (i) of sound health, both mentally and physically and free from organic defect or bodily infirmity, likely to interfere with the efficient performance of his duties; and
- (ii) required to undergo medical examination before appointment to the service.

8. Character- A candidate for direct recruitment shall produce to the Selection Committee certificate of good character from—

- (a) the principal academic officer of the University, College or School or educational institution in which he studied last; and
- (b) two respectable persons, who are well acquainted with (but not related to) the candidate.

9. Disqualification- (1) No person shall be eligible for appointment to the service-

- (a) unless he is a citizen of India;
- (b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living :

Provided that the Government may, if it is satisfied that there are special ground for doing so, exempt any person from the operation of this clause; and

- (c) if he is otherwise found not suitable.

(2) No person, who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the post.

10. Joining time- A person shall join within 15 days from the date of receipt of the order of appointment, failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not, in all exceed three months.

11. Seniority- (1) The seniority of a person in a cadre appointed by direct recruitment shall be determined according to the order of preference in the respective list recommended by the Selection Committee, if he joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in Rule 10.

(2) If a person fails to join the appointment within the initial 15 days of receipt of the order or within the extended period as mentioned in Rule 10 but joins later his seniority shall be determined in accordance with the date of joining.

(3) A person appointed by promotion in a year shall be senior to a person appointed in the same cadre by direct recruitment in that year.

12. Mode of employment- (1) A person appointed by direct recruitment shall be employed in such manner as the Appointing Authority may decide.

(2) A person appointed by direct recruitment shall be liable to be posted anywhere within the State of Assam or outside Assam, or to any other department of the Government, a body corporate, in the affairs of which the Government may be substantially interest, if so required in the interest of public service and in such case the person so appointed shall not have any option against such posting of or transfer.

13. Other conditions of service- (1) Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules and/or orders of the Government for the time being in force.

(2) The conditions of service of the persons appointed under these rules, in respect of matters, for which no provision has been made in these rules shall be the same, as are, for the time being, applicable to other employees of the Government of the corresponding status and having similar functions by general orders, instructions or rules of the Government.

14. Power to relax- (1) Nothing contained in these rules shall limit or abridge the power of the Government to deal with the case of any person claiming appointment to a post under these rules in such manner as may appear to the Government to be just and suitable.

(2) Where the Government is satisfied that the operation of any of these rules causes under hardship in any particular case, it may, dispense with or relax the requirement 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 the case of any person shall not be dealt with in any manner less favourable to him than that provided in these rules.

15. **Power to remove difficulties-** If any difficulty arises in giving effect to the provisions of these rules, the Governor may by an order in writing, issue directions, not inconsistent with these rules, which appear to be necessary for the purpose of removing such difficulties.

16. **Reservation-** In all cases of appointment by direct recruitment, there shall be reservation in case of candidates belonging to the members of the Scheduled Castes, Scheduled Tribes as per the provisions of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 and the Rules framed thereunder. There shall also be reservations for candidates belonging to Other Backward Classes as per Government instructions contained in O.M. No. ABP.338/83/14, dated 04-01-1984. 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.

17. **Interpretation-** If any question arises relating to the interpretation of these rules, it shall be referred to the Government Personnel (B) Department, whose decision thereon shall be final.

18. **Savings-** (1) In the cases where the recommended select list was issued by the erstwhile Assam Staff Selection Board as per the provisions of the Assam Staff Selection Board's Rules, 1995 (*since repealed*) to the concerned authority on or before 04-09-1996, that is, the date on which these Rules were repealed, the appointments shall be made by the Appointing Authority as per the recommended list of the said Board as if the selection was made under the corresponding provisions of these rules.

(2) In cases, where only the applications were received by the erstwhile Assam Staff Selection Board (*since abolished*) and no action was taken by the Assam Staff Selection Board upto 04-09-1996, necessary action shall be taken in respect of the applications as per the provisions of the respective Service Rules/Executive Orders, wherever these exist and wherever there is no Service Rules or Executive Orders, selection and recruitment shall be made in accordance with the procedure herein before prescribed.

Provided that, if the Government so desire in any of the above mentioned cases, the vacancies in the post may be re-advertised,

inviting applications with a clear stipulation that the candidate who has applied earlier to the erstwhile Assam Staff Selection Board need not apply again and his application shall be considered alongwith the applications received in response to the re-advertisement.

(3) In the cases where the interview was partially completed by the erstwhile Assam Staff Selection Board before 04-09-1996 each such case shall be treated as if no action had been taken by the erstwhile Assam Staff Selection Board and such cases shall be processed in accordance with the foregoing provisions.

(4) In the cases, where the interview was completed and grading were done by the erstwhile Assam Staff Selection Board but no recommendation was issued by the erstwhile Assam Staff Selection Board to the Appointing Authority, all the actions taken by the erstwhile Assam Staff Selection Board upto 04-09-1996 shall stand cancelled and such cases shall be dealt with in accordance with the provisions of these rules.
