

A

1. Appointment - On Compassionate Grounds.

1. OM No.
ABP.357/80/137,
dated 09/09/83.

Sub:- Policy for appointment on compassionate grounds of a son, daughter or near relative of a Government Servant.

Government have decided to implement a scheme to provide employment under the Government to a son, daughter or near relative of a Government servant who dies in harness. Under this scheme appointing authorities may appoint a son, daughter or other near relative of a Government servant who dies in harness, leaving his family in need of immediate assistance, to a post of Class III service not above the level of Lower Division Assistant or to a post of Class IV service in relaxation of the prescribed procedure of recruitment. Such compassionate appointments will be regulated in the manner indicated below :-

No compassionate appointment will be made except with the prior approval of the Secretary of the respective Administrative Department.

The expression "near relative" will mean, in order of preference, a son or an unmarried daughter, the wife or the husband, a brother or a sister of the Government Servant.

Not more than 5% of the vacancies in Class III Service (not above the level of Lower Division Assistant) or in Class IV Service arising in a year will be filled up under this scheme. This restriction will not apply where only one vacancy each in Class III or Class IV service is filled up under this scheme in a year.

This scheme envisages relaxation of recruitment procedure only. The beneficiaries of this scheme have to be otherwise eligible and suitable for appointment. Administrative Departments may, with the previous approval of the Secretary of the Department, relax the requirement of educational qualification in cases of extreme hardship and give an applicant under the scheme an opportunity to acquire the requisite qualification within a period of two years after appointment under the scheme. Beyond this period no relaxation in educational qualification will be permitted and the person concerned will be discharged from service if still unqualified after the period of relaxation.

Only one son/daughter/ near relative of a Government Servant will be appointed under this scheme. Ordinarily the scheme is applicable to only such families as have no earning member. In deserving cases however, the benefit may be extended to families having earning members, depending upon the earnings and liabilities of such earning member.

While considering an appointment under this scheme the appointing authorities will keep it in mind that the concept of compassionate appointment is limited to the need for immediate assistance. If several years have passed after the death of a Government servant it would appear on the face of it that the family has managed to support itself all these years and has some means of subsistence. In such a case, compassionate appointment would not ordinarily be justified. Applications for appointment under this scheme should be carefully examined from the point of view of immediate need for assistance to ensure that only the most deserving get the benefit of the scheme.

It is clarified that the family of a Government Servant who dies during the period of extension in service is eligible for the benefit of this scheme. The benefit of the scheme is, however, not available to the family of a Government servant who may die during re appointment.

The benefit of compassionate appointment may be extended to a son, daughter or other near relative of a Government servant retired on medical grounds under the provisions of Rule 82

of the Assam Services (Pension) Rules, 1969, if the appointing authority is satisfied that the family is in indigent circumstance and in immediate need of assistance.

Compassionate grounds will be taken into account only at the time of initial appointment and shall be limited to a relaxation in the recruitment procedure, claims for a relaxation in other conditions of appointment, a change in the conditions of service or appointment to a higher post should be invariably rejected.

Administrative Departments should amend their respective Service Rules / Recruitment Rules to make a provision for compassionate appointment indicated in this Office Memorandum.

A form prescribed for processing the cases of appointment on compassionate grounds, is attached.

**Form For Processing Cases Of Compassionate Appointment Of Dependants Of
Government Servants Dying While In Service/ Retired On Invalid Pension.**

PART-I

- I.(a) Name of the deceased/retired (on invalid pension)employee.
(b) Designation of the employee.
(c) Date of death/ retirement on invalid pension.
(d) Total length of service rendered.
(e) Whether permanent or temporary.
(f) Whether belonging to S.C./ST (Plains/Hills).
- II.(a) Name of the candidate for appointment.
(b) His/Her relationship with the employee.
(c) Date of birth.
(d) Educational Qualification.
(e) Whether any other dependent has been appointed on compassionate grounds.
- III. Particulars of total assets left including amount of :-
(a) Family pension.
(b) D. C. R. Gratuity.

- (c) G. P. F. Balances.
 (d) L. I. Policies.
 (e) Movable and Immovable Properties and annual income earned therefrom by the family.

IV. Brief particulars of liabilities, if any.

V. Particulars of all dependants of the employees (if some are employed, their income and whether they are living together or separately).

Sl. No.	Name	Relationship with the deceased/retired employee and age.	Employed or not particulars of employment and emoluments
1	2	3	4

DECLARATION

I do hereby declare that the facts given by me above are to the best of my knowledge correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated.

Signature of the candidate

Shri/Shrimati _____ is known to me and the facts mentioned by him/her are correct.

Signature of permanent Government Servant.

Name _____

Address _____

PART - II

- (a) Name of the candidate for appointment.
 (b) His/Her relationship with the employees.
 (c) Educational Qualifications, age (date of birth) and experience, if any.

- (d) Post for which employment is proposed.
- (e) Whether the Recruitment Rules provide for direct recruitment?
- (f) Whether the candidate fulfils the requirements of the Recruitment Rules for the post?
- I. Apart from waiver of Employment Exchange procedure, what other relaxation are to be given?
- II. Whether the facts maintained in Part I have been verified by the office and if so, indicate the result.
- III. Personal recommendations of the Head of the Department.
- IV. If the employee died / retired on invalid pension more than 5 years back, why the case was not sponsored earlier.

Signature of the Appointing/Sponsoring Authority.

2. OM. No. ABP.
357/80/176, dated
03/03/92

Sub:- Appointment of Female Dependants of deceased/medically boarded out GREF Personnel belonging to the State of Assam, on compassionate grounds.

Government have decided to implement a Scheme to provide employment under the Government to a female dependent of the families of GREF Personnel (Central Government employees) of the Border Road Organisation, who belong to the State of Assam and who dies in harness leaving his family in need of immediate assistance, to a post of Class III service not above the level of Lower Division Assistant or to a Class IV service, in relaxation of the prescribed procedure of recruitment. Such compassionate appointments will be regulated in the manner indicated below :-

No compassionate appointment will be made except with the prior approval of the respective Administrative Department.

The expression "female dependants" will mean, in order of preference an widowed wife or an unmarried daughter of the deceased GREF personnel or medically boarded out GREF personnel belonging to the State of Assam, whose cases are so recommended for consideration by the Director General of Border Roads.

Not more than 1% of the vacancies in Class-III service (not above the level of Lower Division Assistant) or in Class-IV service arising in a year will be filled up under this scheme. This restriction will not apply where only one vacancy each in Class-III or Class-IV service is filled up under this scheme in a year.

This scheme envisages relaxation of recruitment procedure only. The beneficiaries of this scheme have to be otherwise eligible and suitable for appointment.

A widowed wife or only one unmarried daughter of the GREF personnel (Central Government employee) will be appointed under this Scheme. Ordinarily the scheme is applicable to only such families as have no earning member. In deserving cases however, the benefit may be extended to families having an earning member, depending upon the earnings and liabilities of such earning member.

While considering an appointment under this scheme the appointing authorities will keep in mind that the concept of compassionate appointment is limited to the need for immediate assistance. If several years have passed after the death of a Government Servant it would appear on the face of it that the family has managed to support itself all these years and has some means of subsistence. In such a case, compassionate appointment would not ordinarily be justified. Applications for appointment under this scheme should be carefully examined from the point of view of immediate need for assistance to ensure that only the most deserving get the benefit of the scheme.

The benefit of compassionate appointment may be extended to a widowed wife or an unmarried daughter including wife or an unmarried daughter of the medically boarded out GREF who belongs to this State, as per recommendation of Government of India.

Compassionate grounds will be taken into account only at the time of initial appointment and shall be limited to a relaxation in the recruitment procedure, claims for a relaxation in other conditions of appointment, a change in the conditions of service or appointment to a higher post should be invariably rejected.

Administrative Departments should amend their respective Service Rules/Recruitment Rules to make a provision for compassionate appointment indicated in this Office Memorandum.

(d) Post for which employment is proposed.

(e) Whether the Recruitment Rules provide for direct recruitment?

(f) Whether the candidate fulfils the requirements of the Recruitment Rules for the post?

I. Apart from waiver of Employment Exchange procedure, what other relaxation are to be given?

II. Whether the facts maintained in Part I have been verified by the office and if so, indicate the result.

III. Personal recommendations of the Head of the Department.

IV. If the employee died / retired on invalid pension more than 5 years back, why the case was not sponsored earlier.

Signature of the Appointing/Sponsoring Authority.

2. OM. No. ABP.
357/80/176, dated
03/03/92

Sub:- Appointment of Female Dependents of deceased/medically boarded out GREF Personnel belonging to the State of Assam, on compassionate grounds.

Government have decided to implement a Scheme to provide employment under the Government to a female dependent of the families of GREF Personnel (Central Government employees) of the Border Road Organisation, who belong to the State of Assam and who dies in harness leaving his family in need of immediate assistance, to a post of Class III service not above the level of Lower Division Assistant or to a Class IV service, in relaxation of the prescribed procedure of recruitment. Such compassionate appointments will be regulated in the manner indicated below :-

No compassionate appointment will be made except with the prior approval of the respective Administrative Department.

The expression "female dependants" will mean, in order of preference an widowed wife or an unmarried daughter of the deceased GREF personnel or medically boarded out GREF personnel belonging to the State of Assam, whose cases are so recommended for consideration by the Director General of Border Roads.

Not more than 1% of the vacancies in Class-III service (not above the level of Lower Division Assistant) or in Class-IV service arising in a year will be filled up under this scheme. This restriction will not apply where only one vacancy each in Class-III or Class-IV service is filled up under this scheme in a year.

This scheme envisages relaxation of recruitment procedure only. The beneficiaries of this scheme have to be otherwise eligible and suitable for appointment.

A widowed wife or only one unmarried daughter of the GREF personnel (Central Government employee) will be appointed under this Scheme. Ordinarily the scheme is applicable to only such families as have no earning member. In deserving cases however, the benefit may be extended to families having an earning member, depending upon the earnings and liabilities of such earning member.

While considering an appointment under this scheme the appointing authorities will keep it in mind that the concept of compassionate appointment is limited to the need for immediate assistance. If several years have passed after the death of a Government Servant it would appear on the face of it that the family has managed to support itself all these years and has some means of subsistence. In such a case, compassionate appointment would not ordinarily be justified. Applications for appointment under this scheme should be carefully examined from the point of view of immediate need for assistance to ensure that only the most deserving get the benefit of the scheme.

The benefit of compassionate appointment may be extended to a widowed wife or an unmarried daughter including wife or an unmarried daughter of the medically boarded out GREF who belongs to this State, as per recommendation of Government of India.

Compassionate grounds will be taken into account only at the time of initial appointment and shall be limited to a relaxation in the recruitment procedure, claims for a relaxation in other conditions of appointment, a change in the conditions of service or appointment to a higher post should be invariably rejected.

Administrative Departments should amend their respective Service Rules/Recruitment Rules to make a provision for compassionate appointment indicated in this Office Memorandum.

Note :- The form prescribed for processing the cases under this O.M. is the same as that given in the preceding O.M. No.ABP.357/80/137, dated 09/09/83.

3. OM. No. ABP.
357/80/p/12, dated
23/03/92

Sub:- Appointment on compassionate grounds - relaxation in educational qualifications - need for immediate assistance.

The undersigned is directed to refer to para 5 of Government O. M. No. ABP. 357/80/137 Dated 09/09/83 wherein it has been laid down, inter-alia, that the beneficiaries of this Scheme have to be otherwise eligible and suitable for appointment, and the Administrative Department may relax the requirements of educational qualification in cases of extreme hardship to the extent of two years after appointment under this scheme to enable the employee to acquire the requisite qualification. Beyond that period no relaxation in educational qualification is permissible and the person concerned will be discharged from service if still unqualified.

But it is felt that discharge of a person who has already rendered 2 years service may defeat the very spirit of such appointment.

Government have, therefore, after careful consideration of the matter, decided that para 5 of the O. M. No. ABP. 357/80/137 Dated 09/09/83 shall be substituted by the following :-

"5(a). This scheme envisages relaxation of recruitment procedure only. The beneficiaries of this scheme have to be otherwise eligible and suitable for appointment. The Administrative Department may, with the previous approval of the Secretary of the Department relax the requirement of educational qualification in cases of extreme hardship and give an applicant under the scheme an opportunity to acquire the requisite qualification.

(b) For Grade IV posts, if educational qualifications are once relaxed, the same shall stand relaxed, for all times to come.

(c) As for Grade III posts attaining of the requisite educational qualification would be required only for promotion to the next higher post in the service to which he/she is appointed and for fixation of inter-se-seniority in the cadre. "

Also Government have, after careful consideration of the matter decided that para 7 of the O. M. No. ABP. 357/80/137 Dated 09/09/83 shall be substituted by the following :-

"7. While considering an appointment under this scheme the appointing authorities will keep it in mind that the concept of compassionate appointment is limited to the need for immediate assistance. If several years have passed after the death of a Government Servant it would appear on the face of it that the family has managed to support itself all these years

and has some means of subsistence. In such a case, compassionate appointment would not ordinarily be justified. However, in special cases there may not be any period of limitation for appointment on compassionate ground. Applications for appointment under this scheme should be carefully examined from the point of view of immediate need for assistance to ensure that only the most deserving get the benefit of the scheme".

This will come into force with immediate effect.

4. No.
ABP.141/94/17,
dated 01/02/95

Sub :- Scheme for appointment on compassionate ground the family of the deceased security forces personnel of Assam, killed in action in Jammu and Kashmir and other States of India

The State Government have already adopted a scheme circulated vide O.M. No. ABP.357/80/176, dated 03/03/92 to provide employment under the Government of Assam on compassionate grounds to a female dependant of the deceased/medically boarded out personnel of the GREF of the Border Road Organisation, who belong to State of Assam and dies in harness leaving his family in need of immediate assistance. As per provision of the Scheme, 1% of the vacancies arising in Class-III service not above the level of lower Division Assistants or in Class-IV service shall be filled up by the dependants of the deceased/medically boarded out GREF personnel died in harness subject to fulfilment of all the conditions prescribed in the scheme.

Now, a request has been made by the Government of Jammu and Kashmir for extending the facilities of Government employment to one member of the deceased security forces personnel i.e. member of Army, Border Security Force, Central Reserve Police Force, Indo-Tibetan Border Police etc.) belonging to Assam, who has been or are killed in action in fighting terrorism in the State of Jammu and Kashmir. The matter has been examined keeping in view the overall percentage of reservation made in Class-III and Class-IV services under the State Government and after careful consideration, it has been decided to include the case of dependant of the deceased security forces personnel mentioned above also within the scheme adopted and circulated vide State Government O.M. No.ABP.357/80/176, dated 03/03/92 subject to the fulfilment of the conditions prescribed therein. The cases of the dependent of the deceased security forces personnel shall be considered within the overall limit of 1% of the reservation of vacancies made under the scheme. An application for appointment under the scheme shall be forwarded to the Secretary to the Government of Assam, General Administration Department by the concerned Defence Authorities/Director General of Police of Border Security Force/Central Reserve Police Force/Indo-Tibetan Border Police etc. with their recommendation. The General Administration Department of the Government of Assam shall co-ordinate and take up the matter for appointment under the scheme with the respective appointing authorities i.e. Administrative Department/Heads of

Department/Deputy Commissioners/Sub-Divisional Officers etc. for appointment under this scheme.

2. Appointment under Regulation 3(e) or 3(f) or 4(d) of the APSC Regulations

1. No. AAP.
196/59/42, dated
27/07/64.

Sub :- Writing to Assam Public Service Commission to regularise the appointment.

1. Whenever any appointment is made under Regulation 3(e) and 3(f) of the Assam Public Service Commission (Limitation of Functions) Regulation 1951 the appointing authorities should invariably send a copy of such appointment order/ notification to the Assam Public Service Commission and Accountant General, Assam Nagaland, Shillong and take immediate steps to regularise the appointment within the period of six months or 4 months, as the case may be, in consultation with the Assam Public Service Commission (if the vacancy against which the appointment has been made is likely to continue beyond the specified period). The appointing authority should also take urgent steps for forwarding advertisements for the post/ posts to the Commission as soon as possible and remind the latter before expiry of the terms of appointment of persons appointed under the above-mentioned regulation. In the event of not getting any response from the Assam Public Service Commission within the prescribed time they may be reminded once again and the fact also made known to the Accountant General, Assam & Nagaland.

2. Officiating promotion under regulation 4(d) for a period which is likely to last for more than one year to a service which comes under the purview of the Commission, should be regularised within a period of one year in consultation with the Commission after observing the necessary formalities. The appointing authority should send a copy of the orders of promotions to the Assam public Service Commission and the Accountant General, Assam & Nagaland.

Sub :- Requisition for advertisement to be submitted within 4/6 months.

2. No. AAP.
196/59/44, dated
21/12/65.

As per the instruction contained in O. M. No. AAP. 196/59/42, dated 27th July 1964, the Assam Public Service Commission has decided that unless the requisition for advertisement is received within the period of 6/4 months from the date of order of appointment under Regulation 3(e)/3(f) as the case may be it will not be possible for them to agree to regularise any appointment with retrospective effect

even though the appointee under the above regulations may subsequently be selected by the Commission.

It is further clarified that Regulation 4(d) is applicable only when at the time of promotion the period for promotion is not likely to last for more than a year say in case of a newly created temporary post in the higher rank or in the case of an incumbent in the higher post going on deputation etc. i. e. where the vacancy in the higher post is temporary. If subsequently the period is extended the Commission should be consulted.

In case of regular promotion in the usual course to a permanent post, Regulation 4(d) is not applicable and consultation with the Commission is obligatory.

3. No. FEG.
19/94/21, dated
12/10/95

Sub :- Appointment/Promotion under Regulation 3(f) - Counting of increment.

I am directed to inform you that as all services under a time scale count for increments under F.R. 26, it has been decided that increments may be counted from the anniversary date of initial appointment under Regulation 3(f), if the services are continuous without any break.

Sub :- Appointments under 3(e)/3(f) to be treated as ad hoc till regularisation.

4. OM. No. ABP.
16/72/1, dated
28/02/78

Instances have come to notice of Government that persons who are initially appointed under the provisions of Regulation 3(e) or 3(f) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951 have been allowed to continue in the same capacity for years together without having their appointments regularised and thereafter Appointment (B) Department is moved for advice as to the procedure for regularisation of such appointments and the principle of determination of seniority of such persons for the purpose of promotion and confirmation.

Normally the appointments made under these two regulations should be regularised within the time limits specified in the Regulation itself. The Administrative Department has hardly any obligation to a person appointed under 3(e) or 3(f) in the matter of regularisation of his appointment. What is necessary is to advertise the post(s) in the shortest possible time and all appointees have to apply of their own accord. Unless they are nominated with a sufficiently high ranking for appointment they have to make room for the names found suitable for appointment by the Assam Public Service Commission.

It is, therefore, clarified for information and guidance of the Administrative Departments that the appointments made under the aforesaid clauses of the Assam Public Service Commission Regulations should be treated as ad hoc appointments till these are regularised

by the Assam Public Service Commission and the seniority of the persons in the Cadres/Services should be according to the preference indicated by the Commission. In this connection instructions contained in this Department O. M. No. ABP. 51/63/1 dated 05/02/64 may please be referred to. Besides, these persons should be deemed to have been regularly appointed to the posts from the dates they were recommended by the commission.

The Administrative Departments should see that the appointment order clearly indicates that such appointment is for a specified period and the appointee will have no right to have the period counted for promotion, seniority etc. The memo under the appointment order should also contain an instruction to the person concerned to apply to the Assam Public Service Commission in response to their advertisement for the post and to note that he may get regular appointment to the post only if he is found suitable on the basis of Assam Public Service Commission's recommendation and not otherwise.

5. O.M. No. ABP.
149/94/10, dated
19/12/94

Sub :- Ad hoc Appointment under regulation 3(f)/4(d) of the Assam Public Service Commission Regulation, 1951 - Regularisation of.

Regulations 3(f)/4(d) of the Assam Public Service Commission Regulations, 1951 provide for temporary appointment for a period of 4 months/12 months without any provision for extension of the period of such ad-hoc appointment beyond 4 months or 12 months as the case may be. But instances have come to the notice of the state Government that certain Administrative Departments/Heads of Departments while appointing a person under Regulation 3(f) of the Assam Public Service Commission Regulations, 1951 did not take any steps to forward the draft advertisement to the Assam Public Service Commission simultaneously along with requisition as already prescribed and circulated in the State Government O. M. No. ABP. 319/78/50 Dated 24/03/80 for advertising the post and also for obtaining the recommendation of the Assam Public Service Commission for regular appointment in time and, instead, have made it a practice to extend the tenure of such ad-hoc appointment for years together, and then after lapses of 4 or 5 years, when the ad-hoc appointee has failed to qualify himself in the recruitment test/interview conducted by the Assam Public Service Commission, the department approaches Personnel Department seeking advice as to how his temporary ad-hoc appointment is to be regularised ignoring the Government standing instructions in this regard circulated in Government O. M. No. ABP. 16/72/1 Dated 20. 2. 78.

It is, therefore, once again, clarified that a temporary appointment for a fixed tenure of 4 months made under Regulation 3 (f) of the Assam Public Service Commission Regulations, 1951 is purely an ad-hoc appointment made in the exigency of public service and such

appointment being ad-hoc in nature stands automatically terminated after expiry of the period of 4 months. Hence, to allow an ad-hoc appointee to continue in service indefinitely beyond 4 months without the post being advertised by the Assam Public Service Commission for regular appointment is not only irregular but also against the very principles of Statutes/prescribed Rules. Similarly, a temporary promotion for a fixed tenure of 12 months under Regulation 4(d) of the Assam Public Service Commission Regulations, 1951 is made by the Administrative Departments/Heads of Department in the exigency of public service, and for regularisation of such promotion, the matter should be taken up with the Assam Public Service Commission simultaneously for recommendation as per relevant provisions of Service Rules.

It is, therefore, impressed upon all concerned that in future, if it becomes necessary in the interest of public service to appoint a person under Regulation 3 (f)/4(d) of the Assam Public Service Commission Regulations, 1951, necessary steps should invariably be taken by the concerned Administrative Departments/Heads of Departments to send draft advertisements/relevant records to the Assam Public Service Commission simultaneously along with the requisition prescribed in the State Government O. M. quoted above accompanying a copy of notification/order of such appointment for immediate necessary action. Further all the Administrative Departments/Heads of Departments are also hereby advised not to extend the tenure of appointment made under Regulation 3 (f)/4(d) of the Assam Public Service Commission Regulations, 1951 beyond the prescribed period of 4 months/12 months, as the case may be, without the prior approval of Personnel (B) Department.

In case it is found that an Administrative Department/Head of Department has extended the tenure of such appointment beyond 4 months/12 months without first consulting this department, the Personnel (B) Department will not take any responsibility for extension/regularisation of the tenure of such ad-hoc appointment/promotion and the officer concerned will be held responsible for violation of the Government order/instructions issued in this regard.

The above instructions should be brought to the notice of all concerned for future guidance.

6. OM. No. AAP.
319/78/50, dated
24/03/80

Sub :- Appointment under Regulation 3(e)/3(f)/4(d) - Annual Report of Assam Public Service Commission - model forms to be used.

In supersession of all previous orders on the subject, Government are pleased to lay down the following instructions for guidance :-

1. The Administrative Departments, to whom objections raised by the Assam Public Service Commission in their Annual Reports are referred, should supply necessary information with copies of orders relating to appointments, proceedings, etc. without any delay so that the reports with comments of the Government on objections raised therein can be placed before the Legislature in time after observing all the required formalities.

All concerned should intimate the Assam Public Service Commission of the action taken by them in proper time whenever the latter was consulted and send the intimation in time with copies of orders relating to appointments, proceedings etc.

2. Whenever an appointment is made under Regulation 3(e) or 3 (f) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951, a requisition (as at Annexure-I) along with a draft advertisement for filling up of the post through the Assam Public Service Commission should be simultaneously sent by the appointing authority concerned to the Commission together with a copy of the Notification relating to the appointment certifying simultaneously to the Accountant General to that effect, unless it is definitely intended to retain persons so appointed for six or four months only, as the case may be. A copy of each of the model forms of notification/Office Orders for appointment under regulations 3(e) or 3 (f), as the case may be, is at Annexure-II.

3. Similarly, in case of appointments already made under Regulation 3(c)/3(f)/4(d) but which have not so far been regularised through the Commission, the appointing authorities concerned should send a requisition (as at Annexure-I) along with the draft advertisement to the Commission without any further delay and certify simultaneously to the Accountant General to that effect with intimation to the Assam Public Service Commission. A copy of the model form of certificate to be issued for the purpose is at Annexure-IV. The Accountant General will not issue pay slips beyond 4 months/6 months/1 year (for promotion) as the case may be, to officers already appointed under the Regulations unless this certificate is issued.

4. Promotion under Regulation 4(d) should, as far as possible, be avoided by all concerned but where it is not possible to do so in the exigencies of public interest and where the vacancy is expected to last for more than one year, the authorities concerned should send the following records to the Commission with intimation to the Accountant General simultaneously with the issue of, and along with, the copy of Notification/Office Order under Regulation 4(d). A copy of the model form of Notification/Office Order for appointment under Regulation 4(d) is at Annexure-III.

- (a) Service Rules of the Service, if any;
- (b) Field of eligibility for promotion to the post/posts.
- (c) Gradation List of the Service;

(d) C. Rs. for the consecutive last five years preceding the year in which the cases are referred to the Commission; and

(e) Integrity certificate.

ANNEXURE - I**TO BE FURNISHED IN DUPLICATE**

office.

Requisition for the recruitment of candidates for appointment to the post(s) of _____

1.(a) Designation of the post(s)

(b) Scale of pay

(c) Number of posts to be filled

2. Class and Service to which the post belongs

3.(a) Have service rules for the post been approved by the Commission? If so, please quote the Commission's reference number.

(b) If, according to the rules, a percentage of vacancies are to be filled by direct recruitment please state whether the present vacancy/vacancies fall in the direct recruitment quota.

(c) If the recruitment rules provide for other methods of recruitment being tried before direct recruitment is resorted to, please indicate the action taken in that regard.

4.(A) If the post is permanent, please state:

(a) By whom the post is held or was last held:

(b) Whether the Commission were consulted on his appointment;

(c) If the answer to (b) is in the affirmative, the number and date of the reference to the Commission and of the latter's reply:

(d) If the answer to (b) is in the negative, the reasons for which a reference to the Commission was not made:

(e) The nature of the vacancy and how it has arisen.

4.(B) If the post is temporary, please state:

- (a) When it was sanctioned:
 - (b) The period for which it has been sanctioned:
 - (c) Irrespective of the period of sanction, how long it is expected to last and whether it is expected to be retained on a permanent basis eventually:
 - (d) By whom the post is held or was last held. (His date of appointment, his age and qualifications, academic training, experience, etc. with dates should be given):
 - (e) Whether the Commission were consulted on his appointment and /or on filling the post:
 - (f) If the answer to (e) is in affirmative, the number and date of the reference to the Commission and of the latter's reply:
 - (g) If the answer to (e) is in the negative, the reasons for which a reference to the Commission was not made.
5. Is the post pensionable or non-pensionable ?
6. Period of probation.
7. Can the appointment be terminated by notice ? If so, on what conditions.
8. (a) Duties:
- (b) Place or places at which the officers(s) will be required to serve ?
9. When will the selected candidate (s) be required to join ?
10. Can higher initial pay be granted for specially well-qualified and experienced candidates ? If so, please specify the limit, if any.
11. Prospects of promotion to higher post or to higher time scales of pay, if it is desired to incorporate it in the advertisement.
12. Qualifications required:
- (a) Essential:
 - (b) Are the qualifications proposed in accordance with the approved recruitment rules ?
If not, please state reasons for deviation.
13. (a) Age limits, if any (the limits laid down will be strictly adhered to by the A. P. S. C., save in exceptional circumstances, but in no case be relaxed beyond a limit of three years).
- (b) Are the age limits relaxable for Government servants ?

(c) Are the age limits proposed in accordance with the approved recruitment rules ? If not, please state reasons for deviation:

14.(a) Are any posts reserved for Scheduled Castes and/or Scheduled Tribes ? Please give clear details of the reservation:

(b) Are the reserved posts to be treated as unreserved if no suitable Scheduled Caste and/or Scheduled Tribe candidates are available ?

15. Any other conditions or requirements not covered by the above columns.

16. If this requisition is being sent in response to any reference from the Commission, please quote Commission's reference number:

17. If direct recruitment was made previously for identical posts, please quote your previous reference number.

18. Name, designation and qualification of the expert, who will assist the Commission at the time of interview.

Place

Signature of the requisitioning officer.

Date

Telephone No.

ANNEXURE-II(A)

Model form of Notification (for Gazetted Posts)/Office Order (for Non-Gazetted Posts) for appointment under Regulation 3(e) of the A. P. S. C. (Limitation of Functions) Regulations, 1951.

GOVERNMENT OF ASSAM

DEPARTMENT/OFFICE

BRANCH.

ORDERS BY THE GOVERNOR OF ASSAM (for Notification only)

NOTIFICATION/OFFICE ORDER

Dated

No. _____ Subject to discharge without notice and without assigning any reasons thereof, Shri _____ (name) is appointed temporarily and until further orders for a period of six months as _____ (post/designation) Under

Regulation 3(e) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951, with effect from the date of taking over charge and posted at _____ (station/office).

Secretary to the Government of Assam,
Department/Head of Office.

Memo No. _____

Dated ___ 19 ___

Copy forwarded to :-

1. The Secretary, Assam Public Service Commission. It has been necessary in the public interest to make the above officiating appointment under Regulation 3(e) since direct recruitment through the Commission is likely to cause undue delay and the appointment should be made immediately. As, however, the vacancy is for a period of more than six (6) months, it is requested that the Commission may kindly advertise the post immediately and send its recommendations to this Department/Office as early as possible. A copy of the necessary draft advertisement and other relevant papers are enclosed. It is expected that the recommendation of the Commission will not be delayed beyond six months.
2. The Accountant General, Assam, for information and necessary action. It is certified that the necessary draft advertisement for regularisation of the appointment made under the above notification has been sent to the Assam Public Service Commission. He is requested to issue a pay slip to the Officer for a period of six months. A pay slip for any period beyond six months should not be issued unless the specific extension or re appointment of the officer is made after expiry of the present term of appointment.
3. The officer concerned. He is requested to apply to the Secretary, Assam Public Service Commission, as soon as the post is advertised by the Assam Public Service Commission, for regularisation of his appointment. The present appointment is purely temporary and unless he applies to the Commission and is recommended by it for his regular appointment to this post, he is liable to be discharged in terms of the notification as this appointment is for a maximum period of six months only.
- 4.
- 5.
- 6.

By order etc.

Secretary to the Government of Assam,
Department/Head of Office.

ANNEXURE-II(B)

Model form of Notification (for Gazetted posts)/Office order (for Non-Gazetted posts) for appointment under Regulation 3(f) of the A. P. S. C. (Limitation of Functions) Regulations, 1951.

GOVERNMENT OF ASSAM

DEPARTMENT/OFFICE

BRANCH

ORDERS BY THE GOVERNOR OF ASSAM(for Notification only)

NOTIFICATION/OFFICE ORDER

Dated _____ the _ 19 _

No. _____ Subject to discharge without notice, and without assigning any reasons thereof, Shri _____ (name) is appointed temporarily and until further orders for a period of four months as _____ (post/designation) under Regulation 3(f) of Assam Public Service Commission (Limitation of Functions) Regulation, 1951, with effect from the date of taking over charge and posted at _____ (Station/Office).

Secretary to the Government of Assam,
Department/Head of Office

Memo No. _____

Dated _____ the _ 19 _

Copy forwarded to :-

1. Secretary, Assam Public Service Commission. It has been necessary in the public interest to make the above officiating appointment under Regulation 3(f) since direct recruitment through the Commission is likely to cause undue delay and the appointment should be made immediately. As, however, the vacancy is for a period of more than four months, it is requested that the Commission may kindly advertise the post immediately and send its recommendations to this Department/ Office as early as possible. A copy of the necessary

draft advertisement and other relevant papers are enclosed. It is expected that the recommendation of the Commission will not be delayed beyond four months.

2. The Accountant General, Assam for information and necessary action. It is certified that the necessary draft advertisement for regularisation of the appointment made under the above notification has been sent to the Assam Public Service Commission. He is requested to issue pay slip to the officer for a period of four months. Pay slip for any period beyond four months should not be issued unless the specific extension or re-employment of the officer is made after expiry to the present term of appointment.

3. The Officer concerned. He is requested to apply to the Secretary, Assam Public Service Commission, as soon as the post is advertised by the Assam Public Service Commission, for regularisation of his appointment. The present appointment is purely temporary and unless he applies to the Commission and is recommended by it for his regular appointment to this post, he is liable to be discharged in terms of the Notification as this appointment is for a maximum period of four months only.

By order etc.

Secretary to the Government of Assam,
Department/Head of Office.

ANNEXURE-III

**Model form of Notification (for Gazetted posts)/Office order (for Non-Gazetted posts)
for appointment under Regulation 4 (d) of the A. P. S. C. (Limitation of Functions)
Regulations, 1951.**

GOVERNMENT OF ASSAM

DEPARTMENT/OFFICE

BRANCH.

NOTIFICATION/OFFICE ORDER

Dated _____ the _____ 19 ____.

No. _____ Subject to reversion without notice and without assigning any reasons thereof, Shri _____ (name and present designation) is promoted temporarily and until further orders for a period of one year only and appointed to officiate as _____ (post/designation) under Regulation 4(d) of the Assam

Handbook of General Circulars

Public Service Commission (Limitation of Functions) Regulations, 1951 with effect from the date of taking over charge and posted at _____ (Station/Office).

Secretary to the Government of Assam,

Department/Head of Office

Memo No. _____

Dated _____ the _ 19 _

Copy forwarded to :-

1. Secretary, Assam Public Service Commission. It has been necessary in the public interest to make the above officiating appointment under Regulation 4 (d) since prior consultation with the Commission is likely to cause undue delay and the appointment should be made immediately. As, however, the vacancy is for a period of more than one year, it is requested that the Commission may kindly send its recommendations early to this Department/Office. The relevant records etc. are sent herewith. It is expected that the recommendation of the Commission shall not be delayed beyond one year.

2. The Accountant General, Assam, for information and necessary action. It is certified that the necessary records etc. for regulations of the appointment made under the above Notification have been sent to the Assam Public Service Commission. He is requested to issue a pay slip to the officer for a period of one year. A pay slip for any period beyond one year should not be issued unless the specific extension or re-employment of the officer is made after expiry of the present term of appointment.

By orders etc.

Secretary to the Government of Assam,

Department/Head of the office.

ANNEXURE-IV

Model form of certificate to be issued to the A. G. Assam, Meghalaya in connection with appointment already made under regulations 3(c)/3 (f)/4(d) of the A. P. S. C. (Limitation of Functions) Regulations, 1951.

GOVERNMENT OF ASSAM

DEPARTMENT/OFFICE

BRANCH

No. _____,

Dated Dispur, the ___ 19__

CERTIFICATE

This is to certify that a copy of the necessary draft advertisement for regularisation of the appointment of Shri _____ (name) as _____ (post/designation) appointed under Regulations 3(e)/3(f)/4(d) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951, vide this Department/Office Notification/Office order No. _____ Dated _____ has already been sent to the Assam Public Service Commission, under cover of this Department/Office letter No. _____ Dated _____

Secretary to the Government of Assam

Department/Head of Office.

Memo No. _____,

Dated Dispur, the ___ 19__

Copy forwarded to :-

1. The Secretary, Assam Public Service Commission, Guwahati for information.

By orders etc.,

Secretary to the Government of Assam,

Department/Head of the Office.

7. OM. No. ABP
233/85/62, dated
07/05/86

*Appointment - Under Regulation 3(f) of the A. P. S. C. Regulations -
Assam Public Services (Ad-hoc) Appointment Rules, 1986.*

The State Government have had under consideration the practice hitherto followed by different appointing authorities in making appointments for temporary periods by invoking the provision of clause (f) of Regulation 3 of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951. The State Government after due consideration of all aspects of the matter have decided that such appointments should be regulated by a uniform procedure of selection through selection Committees after due advertisement and the practice of continuing such appointments for indefinite period should be checked firmly and wherever necessary timely action should be taken for filling up of the posts on regular basis. Accordingly, a set of rules for this purpose called the Assam Public Services (Ad-hoc)

Appointment Rules, 1986 have been made which will come into force at once. The rules have been published in an Extra Ordinary Gazette to-day. .

2. With the enforcement of the Assam Public Services (Ad-hoc) Appointment Rules, 1986, the Appointing Authorities while making an ad-hoc appointment shall keep the following points in view :-

(i) All ad-hoc appointments shall henceforth be made strictly as per the provisions of these rules;

(ii) where a post has been sanctioned for or is likely to last for more than four months, the Public Service Commission shall be consulted most expeditiously for making the appointment on regular basis.

(iii) for enabling the Public Service Commission to make its recommendation without causing undue delay, the Administrative Departments should make an assessment about the overall position of vacancies on account of factors like superannuation, promotion to the higher rank, planned expansion of the activities of the Department and occurrence of other foreseeable factors and as far as possible make the appointments under these rules at a time;

(iv) Subject to Rules 5 of these rules extension of an appointment for a period not exceeding 4 (four) months at a time may be given without consultation with the Public Service Commission ;

(v) the appointing authorities in respect of appointments to be made under these rules shall be the authorities as specified in the schedule to the Assam Services (Discipline and Appeal) Rules, 1964.

3. It is hereby clarified that persons who have been appointed prior to the commencement of the Assam Public Services (Ad-hoc) Appointment Rules, 1986, may be granted extension depending on the individual merit of each case. For this purpose, prior approval of the Public Service Commission will not be required. All Administrative Departments should ensure that filling up of such posts on regular basis in consultation with the Public Service Commission is processed most expeditiously.

**8. Notification No.
AAP. 233/85/86,
dated 07/05/86.**

**Sub :- Clarification on the Assam Public (Service) Ad hoc appointment,
Rules, 1986.**

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 ad-hoc appointments in public services under the Government of Assam, namely :-

Short title and commencement.

1.(1) These rules may be called the Assam Public Services (Ad-hoc) Appointment Rules, 1986.

(2) They shall come into force at once.

Definition.

2. In these rules unless there is anything repugnant to the subject or context :-

- (a) "Government" means the State Government of Assam.
- (b) "Commission" means the Assam Public Service Commission.
- (c) "Service" means any public service under the State Government of Assam including any post for which no separate service has been constituted.

Ad-hoc appointment.

3. (1) Notwithstanding anything contained in any Service Rules, ad-hoc appointment by direct recruitment to a temporary post created under the Government may be made, if it is necessary in the public interest that the appointment should be made immediately and reference to the Commission would cause undue delay;

Provided that if the post has been sanctioned for or is likely to last for more than four months, the Commission shall, as soon as possible, be consulted for making the appointment on regular basis, as provided for in clause (c) of sub-rule (2) of this rule.

(2) All such appointments shall be made in accordance with the procedure hereinafter laid down-

(a) Where such recruitment is to be made, this shall be made after due advertisement for the services and posts and the selection of candidates shall be processed through a Selection Committee to be constituted as follows-

- (i) Secretary of the Administrative Department Chairman
- (ii) A nominee of the Personnel Department Member
- (iii) A senior officer nominated by the Secretary of Member Secretary
the Administrative Department

(b) The Commission shall be informed simultaneously of all ad-hoc appointments made under these rules.

(c) A review of all ad-hoc appointments shall be made by the concerned Administrative Department, within four months of initial appointment and wherever it appears that such posts are likely to continue in the public interest for a period exceeding four months then a requisition along with a draft advertisement shall be sent to the Commission within four months of initial date of appointment with a request to furnish its recommendation for making the appointment on regular basis without causing undue delay.

Eligibility qualification.

4. A person to be eligible for appointment under these rules must satisfy the eligibility qualifications prescribed in the respective service Rules for that post.

Provided that where no Service Rules have been made, the eligibility qualifications shall be as prescribed by the Government in consultation with the Commission.

Term of appointment.

5. Any appointment made under these rule shall not be continued beyond a period of one year from the date of initial appointment. Such appointment shall automatically stand terminated on the expiry of the said period of one year, unless terminated earlier.

Interpretation

6. If any question arises as to the interpretation of these rules, the same shall be decided by the Government.

Note :-Though these rules were repealed under Notification No. ABP. 233/85/187, dated 04/11/91, they have been included because they may be relevant for cases arising out of decisions taken or appointments made under these rules.

**9. Notification No.
ABP. 233/85/187,
dated 04/11/91**

Sub :- Repeal of the Ad hoc appointment rules, 1986.

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 repeal, with immediate affect, the Assam Public Services (Ad-hoc) Appointment Rules, 1986 framed under the proviso of the said Article and notified vide notification No. ABP. 233/85/56 Dated 7th May, 1986.

**10. Notification
No. ABP.
233/85/188, dated
04/11/91**

Sub :- Withdrawal of O.M. No. 233/85/62, 233/85/79 dated 07/05/86 and 07/04/88.

Consequent upon the repeal of the Assam Public Services (Ad-hoc)

Appointment Rules, 1986 vide Government Notification No. ABP. 233/85/187 Dated 04/11/91 the Governor of Assam is hereby pleased to withdraw the O. M. No. ABP. 233/85/62, Dated the 7th May, 1986 and O. M. No. ABP. 233/85/79 Dated 7th April 1988, with immediate effect.

3. Appointment of Stenographers - Procedure of.

I. No. ABP.
78/62/60, dated
18/04/64

Sub :- Procedure for appointment for Stenographers of different grades.

With reference to Government letter No. ABP. 78/62/6, Dated 04/11/1963, it is made clear that recruitment of qualified Grade III Stenographers can be made on the basis of the test conducted by the Board constituted under para 7(V) of the Government Resolution Dated the 19th January 1960, regarding appointment of Stenographers, in the order in which the candidates are placed by the Board. The Employment Exchange will have no concern in this regard. Similarly, recruitment to Grade II and Grade 1 Stenographers will be made on the basis of the A. P. S. C. test in the order in which the names of the candidates appear in the A. P. S. C. test as provided in the Resolution Dated the 19th January, 1960.

4. Appointment - Verification of character and antecedents

I. No. ABM.
50/60/300, dated
08/01/64.

Sub :- Detailed instructions for verification of character and antecedents of persons selected for appointment in Government service.

A candidate who has been provisionally selected for any Government service should not be appointed until and unless such verification of his character and antecedents has been done and the Appointing Authority is satisfied that his character is such as to render him in all respects suitable for appointment to the service or post to which he is to be appointed. Generally speaking, persons convicted of offences involving moral turpitude or who have been dismissed earlier by the Government of India or by any State Government or any Local Body, should be deemed ineligible for appointment under the Assam Government. The Appointing Authority should therefore get a certificate from the D. I. G. (C. I. D.) specifically on this point. This procedure is also applicable to all Panchayats, Municipalities, District Councils, all other Local Bodies and State Government undertakings.

2. PLB. 61/67/215,
Dated 18/05/76.

Sub :- Verification of character and antecedents of persons selected for appointment in Government service - Procedure regarding.

In modification of previous instructions issued from Political Department regarding verification of character and antecedents of the persons selected for appointment in Government Services the following principles are laid down on the subject-

- (1). Appointments to all posts, whether temporary or permanent shall be made only after final police verification. In exceptionally urgent cases, however, which cannot await final police verification or in cases where antecedents of the persons to be appointed may be known appointments may be given only to candidates belonging to the State on purely temporary basis on provisional police verification report. Reasons for such temporary appointments should be recorded in writing. In respect of candidates recruited from outside the States provisional appointment in exceptionally urgent cases can be made on a purely temporary basis on production by the candidate of certificates of character, one from the Principal or Head of the Institution in which the candidate last read and the other from a Gazetted Officer, or from the officer under whom the candidate last served. Such appointment may be made subject to the condition that the services may be terminated with three months notice and without assigning any reasons. The final verification of antecedents should be made in due course according to the usual procedure.
- (2) Each candidate for appointment to a post under the Government before his appointment, whether in a permanent or temporary capacity must satisfy the appointing authority that his character is such as to render him suitable in all respects for appointment. It will be the responsibility of the appointing authority to satisfy itself on this point before making an appointment. Each case should be decided on its merits.
- (3) A candidate who has been provisionally selected for any Government service should not be appointed until and unless such verification of his character and antecedents has been done and the appointing authority is satisfied that his character is such as to render him suitable in all respects for appointment to the services or post to which he is to be appointed.
- (4) Generally speaking persons convicted of offences involving moral turpitude or who have been dismissed from service by the Union Government or by a State Government or any Local Body should be deemed to be in-eligible for appointment under the State Government.
- (5) No person should be considered unfit for appointment solely because of his political opinions, but care should be taken not to employ persons who are likely to be disloyal and to abuse the confidence placed in them by virtue of his appointment.

(6) Persons who are actively engaged in subversive activities, including members of any organisation the avowed object of which is to change the existing order of society by violent means, should be considered unfit for appointment under Government

(7) An individual may be considered unsuitable for public employment only on the ground of his actual participation in an association with any objectionable activity or programme. The following especially shall be considered undesirable for employment in civil posts, in the public services :-

(a) those who are, or have been, members of or associated with anybody or association declared unlawful, after it has been so declared; or

(b) those who have participated in, or associated with any activity or programme-

(i) aimed at the subversion of the constitution

(ii) aimed at the organised breach or defiance of the law involving violence.

(iii) prejudicial to the interests of the sovereignty and integrity of India or the security of the State, or

(iv) which promotes on grounds of religion, race, language, caste or community, feelings of enmity or hatred between different sections of the people.

Participating in such activities at any time after attaining the age of 21 years and within three years of the date of enquiry should be considered as evidence that the person is still actively engaged in such activities, unless in the interval there is positive evidence of a change of attitude.

(8) Persons in quasi Government institutions and autonomous bodies, as well as private concerns, when absorbed in Government services should be treated as persons selected for appointment to Government service for the first time, as far as verification of their character and antecedents is concerned, and necessary police verification reports should invariably be obtained in all cases prior to their absorption in Government service.

(9) No indication either orally or in writing, should be given to any candidate who is appointed under exceptional circumstances without prior verification of character, etc. that the appointment or retention in service is subject to satisfactory verification of character and antecedents. In cases where it becomes necessary to terminate the service on account of adverse reports received subsequent to the appointment, the fact that action is being taken on the results of a police report should not be divulged to the employee, nor should the nature or substance of reports received from the police be communicated under any circumstances to the employee.

- (10) On receipt of the report of the concerned authorities on the verification of character and antecedents of the candidates in question, the appointing authority should take a decision regarding the suitability of the candidate for appointment to a civil post under Government in the light of the observation made in the report, keeping in view the criteria indicated above.
- (11) While forwarding the particulars of the candidates to District Authorities for verification of character and antecedents the enclosed proforma may be used.
- (12) The authorities who make enquiries into the character and antecedents of candidates are being requested to specifically cover the above points in their reports on character and antecedents of candidates.
- (13) In all cases of adverse reports which are confusing and controversial the appointing authority concerned should refer the matter for decision of the Government in the Political Department.
- (14) All the Departments of the Secretariat/All Heads of Departments are requested to bring the above instructions to the notice of all Department/offices under their control including the quasi Government organisations, public undertakings, autonomous bodies etc. where the scheme of verification has been extended and instruct all the appointing authorities to scrupulously observe the above principle in making future appointments in their respective offices.
- (15) Cases decided in the past need not be reopened.

PROFORMA

- | | SURNAME | NAME |
|--|----------------|-------------|
| 1. Name in full (in Block Capitals) with aliases, if any (Please indicate if you have added or dropped in any stage any part of your name or surname). | | |
| 2. Present address in full (i.e. village, Thana and district or house number, lane/road and town). | | |
| 3. (a) Home address in full (i.e. village, thana and district or house number, land/street/road and town and name of district head quarters). | | |

(b) If originally a resident of Pakistan or Bangladesh the address in that country and the date of migration to Indian union.

4. Particulars of places (with periods of residences) where you have resided for more than one year at a time during the preceding five years. In case of stay abroad (including Bangladesh or Pakistan) particulars of all places where you have resided for more than one year after attaining the age of 21 years should be given.

From	To	Residential address in full (i.e. village, thana and district or house no./lane/street/road and town.	Name of the district head quarters of the place mentioned in the preceding column.
------	----	---	--

5. Name	Nationality by birth and or by domicile.	Place of birth.	Occupation s if employed, give designation and official address.	Present Postal Address, if dead, give last Address.	Permanent home address.
---------	--	-----------------	--	---	-------------------------

(i) Father (Name in full) aliases if any.

(ii) Mother

(iii) Wife /
Husband

6. Nationality :

7. (a) Date of birth (a)

(b) Present age (b)

(c) Age at matriculation (c)

8. (a) Place of birth, district and state (a)
in which situated

(b) District and State to which you (b)
belong

(c) District and State to which your (c)
father originally belongs.

9. (a) Your religion. (a)

(b) Are you a member of SC/ST ? (b)
Answer "YES" or "NO" and if the
answer is "YES" state the name
thereof.

10. Educational qualifications showing
place of education with years in
schools and colleges since fifteen years
of age.

Name of School / College with full	Date of entering	Date of leaving	Examination passed.
---------------------------------------	------------------	-----------------	------------------------

address.

11. Were you ever :

(i) Arrested :

(ii) Prosecuted :

(iii) Convicted :

I certify that the foregoing information is correct and complete to the best of my knowledge and belief. I am not aware of any circumstances which might impair my fitness for employment under Government.

Signature of Candidate

Date

Place

5. Appointment on contract basis

I. No. AAP.
212/63/1, dated
06/12/63.

Sub :- Consolidated instructions for appointments on contract basis.

The following consolidated instructions should be strictly adhered to. These do not apply to persons re-employed by Government

1. No person should be appointed on contract basis except when it is clearly in the public interest and when all other means for filling up of the post according to the normal rules are exhausted.
2. The appointing authorities are competent to appoint a person on contract basis to a sanctioned post, other than Head of a Department, or an equivalent sanctioned post carrying the scale of pay, the minimum of which is Rs. 800/- and above or a post carrying fixed pay without a reference being made either to Appointment Department or to Finance Department provided the person proposed to be appointed as such has got the requisite qualifications for the post and his appointment does not involve any additional financial implication such as higher initial pay, benefit of C. P. F. beyond the age of 55 years, joining time pay and allowances and T. A. for himself and his family members and the like.

3. Appointment of a Head of a Department or to a sanctioned post equivalent to that of a Head of Department carrying the scale of pay, the minimum of which is Rs. 800/- and above on contract basis is subject to the conditions laid down in rule 31 (1) and 31(2) of the Rules of Executive Business. The appointing authorities should also consult Appointment (A) Department in such a case before putting up the same to Chief Minister for his approval. Where it is intended to fill up such a post on contract basis on special terms involving additional financial implications such as higher initial pay, benefit of C. P. F. beyond the age of 55 years, joining time pay and allowances and T. A. for himself and his family members and the like, prior concurrence of Finance Department will also be necessary.

4. Period of appointment on contract basis should not normally exceed five years at a time. The Assam Public Service Commission shall have to be consulted for appointment of an officer on contract basis for a period exceeding five years as well as for extension of the existing term of contract beyond five years under rule 3(h) (i) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951 in regard to all gazetted posts and also to the non-gazetted posts mentioned in the Schedule of the aforesaid Regulation.

5. 1. Retired officers should not normally be appointed on contract basis beyond the age of 60 years unless there are overriding considerations in the public interest justifying the term of appointment for a longer period, but under no circumstances it should exceed 63 years of age. In appointing a retired officer on contract basis the terms "re-employed on contract basis" should be avoided. He may simply be appointed on contract basis [and his pay fixed as negotiated between him and the Government.]

5. 2. It should also be noted that retired persons appointed on contract should not [normally], be granted more pay and allowances than what they would have got had they been re-employed. [In case more pay and allowances are intended to be given, Finance Department should invariably be consulted]. Appointment of a retired officer on contract basis should be made strictly on merit on the basis of his past service records and it should be subject to production of fitness certificate from the Civil Surgeon or Medical Board as the case may be.

6. In all cases of appointment of retired officers on contract basis to gazetted posts, Appointment (A) Department should invariably be consulted.

7. In all cases of appointment on contract basis the contract deed may be executed according to the model form of agreement given below.

MODEL FORM OF AGREEMENT

ARTICLES OF AGREEMENT Made the _____ day of _____ of one thousand nine hundred and _____ BETWEEN _____ of the first part and the Governor of Assam of the second part.

WHEREAS the Governor of Assam (hereinafter referred to as "the Government") has engaged the party of the first part and the party of the first part has agreed to serve the Governor of Assam on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS and the parties hereto respectively agree as follows :-

1. The party of the first part shall submit himself to the orders of the Government and of the officers and authorities under whom he may from time to time be placed by the Government and shall remain in the service for the term of _____ years commencing from the _____ day of _____ one thousand nine hundred and _____ and subject to the provisions herein contained.

2. The party of the first part shall devote his whole time to his duties and at all times obey the rules including the Government Servants Conduct Rules prescribed for the time being for the regulation of the branch of the public service to which he may belong and shall, whenever required, proceed to any part of Assam and perform such duties as may be assigned to him.

3. The service of the party of the first part may be terminated as follows :-

(1) By the Government without previous notice if the Government is satisfied on the report of the standing medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in Assam. PROVIDED always that the decision of the Government that the party of the first part is likely to continue unfit shall be conclusively binding on the party of the first part.

(2) By the Government or their officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the branch of the public service to which he may belong.

(3) By three calendar months' notice in writing given at any time during service under this agreement (except the first year thereof) either by him to the Government or by the Government or their authorised officer to him without cause assigned.

PROVIDED always that the Government may in lieu of any notice herein provided for, give the party of the first part a sum equal to the amount of his pay for three months or shorter

notice than three months if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of three months.

[The term 'pay' for the purpose of this clause shall mean the pay as defined in F. R. 9(21) (a) (i) the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay in which case it shall mean pay of his substantive appointment.]

4. If the party of the first part be suspended from duty during investigation into any charge of misconduct mentioned in clause 3 (2) hereof he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him.

5. The scale of pay attached to the post to which the party of the first part is appointed shall comprise the following monthly rates of pay in successive stages of twelve months' service:-

Scales of Pay

Rs.

1. _____
2. _____
3. _____

[The concluding portion of clause 5 beginning from "He shall from the date of his" and ending with the words "regarding deputation" deleted.]

6. The party of the first part shall be eligible subject to the exigencies of the public service to leave and leave salary under the rules which may from time to time be applicable to him.

7. If the party of the first part is required to travel in the interests of the public service he shall be entitled to travelling allowance on the scale provided for in the rules supplementary to the Fundamental Rules for the time being in force and applicable to his case.

8. The party of the first part shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by Government for the class of officers serving in the same station to which Government may declare the party of the first part to correspond in status or conditions of service.

9. During his service under these presents the party of the first part shall be permitted to subscribe to the Contributory Provident Fund (India) and shall be subject to the rules of that Fund for the time being in force.

Note :- The inappropriate words should be struck out at the time the agreement is entered into. [Second line of the Note below clause 9 deleted.]

10. Notwithstanding anything herein before contained the party of the first part shall unless otherwise decided by the Government, be entitled to receive in whole or in parts as may be authorised by the Government the benefits of any improvement that may be sanctioned by the Government subsequent to the date of these presents in the terms and conditions of service of members of the branch of the Public Service to which he may for the time being belong and the decision of the Government in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

[Clause 11 deleted as per Government letter No. AAP. 212/63/1, dated 06/12/63]

12. Notwithstanding anything herein before contained, the pay and leave salary admissible under these presents, whether payable in India or elsewhere, shall be subject to any emergency cut that may be ordered by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.

13. In any matter in respect of which no provision has been made in this agreement the provisions of the Assam Services (Discipline and Appeal) Rules, 1964 any rules made there-under and any other rules made or deemed to be made under Article 309 of the Constitution of India shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Government as to their applicability shall be final.

In witness whereof the party of the first part and _____ Secretary to the Government of Assam in the _____ Department by the order and direction of the Governor of Assam and on behalf of the Governor of Assam have hereunto set their hands the day and year first above written.

Signed by the party of the first part in presence of _____

Signed by the said Secretary to the Government of Assam in the _____ Department by the order and direction of the Governor of Assam and on his behalf in the presence of _____

6. Appointment of under qualified persons.

1. OM. No. AAM.
17/53/76, dated
28/05/53.

Sub :- Prior Approval of Government required for appointment of under qualified persons.

The Government of Assam decided in supersession of all previous orders in the subject that there would hence forward be no concession of relaxation as regards minimum educational qualification for appointment to various posts under the State Government It has since come

to the notice of Government that some of the Head of Establishments have occasionally entertained educationally under qualified persons in contravention of the declared policy of Government

The undersigned is therefore directed to say that in the interest of efficient administration, no posts should henceforward be filled up, even as a temporary measure, without prior approval of Government in the appointment Department. by a person who does not, possess requisite educational qualification for the post.

2. No. ABM.
29/60/Part II/3,
dated 21/08/61.

Sub :- Bar on Appointment of under qualified persons.

In the interest of efficient administration no post should henceforward be filled up by a person who does not possess the prescribed qualification for the post. Entertainment of any educationally under qualified person contrary to instructions will entail disciplinary action against the officer responsible for his appointment.

3. No. ABM.
29/60/Pt-II/150,
dated 22/02/65.

Sub :- Reiteration of bar on appointing under qualified persons.

In continuation of OM. NO. AAM. 17/53/76 Dated 28th May, 1953, it is reiterated that no post should be filled up, even as a temporary measure, without prior approval of Government in the Appointment Department by a person who does not possess requisite academic qualification for the post. Each vacancy should be properly advertised in the Assam Gazette, and if no suitable candidate is available for the post and the question of filling up the same by an under qualified person comes in, the matter should be first referred to Government for a decision.

7. Appointment to Government Services and Government Undertakings through Employment Exchange.

1. No. GLR. 96/53,
dated 07/04/59

Sub :- Obligation to fill up posts in Government services/PSUs/Local Bodies through Employment Exchange.

1. Government. have decided to make appointment to State Government. vacancies (except those to be filled by promotion or through the Assam Public Service Commission) and vacancies under State-owned enterprises, Quasi Government. Establishments, Statutory Bodies/Local Bodies through the Employment Exchanges in the State obligatory in future and for the purposes the following procedure is laid down.

2. All vacancies which are not required to be filled by promotion or through A. P. S. C. should be notified to the local Employment Exchanges indicating therein the number of vacancies, the qualification required and the mode of recruitment etc. The Employment Exchanges in their turn will submit within a reasonable time, say a fortnight, the applications of suitable candidates borne on their register in prescribed forms, if any, together with treasury chalang for fees which, the applicants may be required to pay. For the purpose of realisation of fees from candidates coming through the Employment Exchanges, the Employment Exchanges will ask candidates to deposit fees by a treasury chalan and to submit a copy thereof to them.
3. The candidates applying direct may be asked to state in their applications if they are registered with the Employment Exchanges and give the registration number. This point should invariably be inserted in the advertisements issued by the employing authorities.
4. The employing authorities should invariably communicate to the Employment Exchanges concerned, within a reasonable period of time, their selection or appointment of all such candidates as are registered with the Employment Exchanges so as to enable the Employment Exchanges to maintain statistics of placements.
5. In case an authority uses printed forms of applications the employment exchanges should be allowed to maintain a reasonable stock of such forms.
6. All concerned should issue necessary instructions to all officers and establishments under their administrative control and to State owned enterprise Quasi Government establishments, Statutory/Local Bodies with which they are concerned to notify vacancies to the nearest employment exchanges.

8. Appointment to a post.

I. No. AAP. 22/51,
dated 02/03/51.

Sub :- Implication of holding Permanent/Temporary posts.

1. An officer can be appointed to a permanent post as well as a temporary post in two capacities :-
 - (a) He can be appointed to 'officiate', as defined in the Fundamental Rules which means he performs the duties of a post on which another person holds a lien. Government may also appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.

(b) In substantive capacity, i. e. when the post in which he is appointed is vacant and no other person holds a lien on it.

(i) PERMANENT POSTS

When an officer is appointed to officiate in a permanent post, he can be reduced in rank without attracting the provision of Art. 311 of the Constitution and of Rule 9 of Assam Services (Discipline and Appeal) Rules 1964. If he is appointed in a substantive capacity, however, the reduction of an officer would amount to reduction from substantive rank and the procedure prescribed by Rule 9 of the Assam Services (Discipline and Appeal) Rules 1964 and Art. 311 of the Constitution would have to be gone through. Even if the permanent post is vacant in the sense that no one holds a lien on it, it would be desirable to make the appointment officiating in the first instance and to confirm that officer in the post after he has given proof of his being able to fill it to the satisfaction of Government. In a service with a large cadre, officers have to officiate in a superior post for a considerable time in leave and other vacancies before these posts fall vacant without any lien on them and the purpose of appointing an officer in officiating capacity to a permanent post is automatically served; but where these conditions are not satisfied it would be desirable to appoint an officer only in an officiating capacity in a permanent vacant post, which would amount to keeping him on probation in that post.

(ii) TEMPORARY POSTS

A temporary post is a post carrying a definite rate of pay sanctioned for a limited time and can be held, as stated above, either in an officiating capacity or a substantive capacity. An Extra Assistant Commissioner who is appointed as Deputy Commissioner in a leave vacancy should be notified officiating as Deputy Commissioner and not as "appointed to hold the post of Deputy Commissioner in a temporary capacity". If an outsider not holding any lien on a permanent post is appointed to a temporary post, then the notification should be in conformity with the provision regarding temporary Government servants in Government Order No. AAP. 22/51, dated the 8th February 1951. If an officer holding a lien on a permanent post is appointed to a temporary post, it would be desirable to appoint him to officiate in the temporary post and to word the notification accordingly so that there is no difficulty in reverting him without formal proceedings under Article 311 of the Constitution if he is found subsequently unfit for that post.

Note :-Quoting of the Assam Services (Discipline and Appeal) Rules, 1964 in the text of the circular showing issue date of 02/03/51 is incorrect. Correction could not be made for want of the original file.

9. Appointment to selection posts.

**1. No. G.O.I. NO.
F. 1/4/55-RPS,
dated 16/05/57.**

Sub :- Giving due regard to merit and seniority in appointment to selection posts

**2. No. ABI.
27/57/4, dated
12/07/57**

Sub :- Procedure for preparing select list for promotion

1. Appointments to the selection posts and selection grades should be made on the basis of merit, with regard to seniority only to the extent indicated below.

2. The Departmental Promotion Committee or other selecting authority should first decide the field of choice, i. e. the number of eligible officers awaiting promotion who should be considered for inclusion in the "select list" provided, however that an officer of outstanding merit, may be included in the list of eligible even if he is outside the normal field of choice.

Note :- The field of choice, wherever possible, should extend to five or six times the number of vacancies expected within a year.

3. From among such officers those who are considered unfit for promotion should be excluded.

4. The remaining officers should be classified as 'outstanding', 'very good' and 'good' on the basis of merit, as determined by their respective record of service. The "select list" should then be prepared by placing the name in the order of these three categories, without disturbing the seniority inter se within each category.

5. Promotions should normally be made from the "select list" in the order in which the names are finally arranged.

6. The "select list" should be periodically reviewed. The names of those officers who have already been promoted (otherwise than on a local or purely temporary basis) and continue to officiate should be removed from the list and the rest of the names along with others who may now be included in the field of choice should be considered for the "select list" for subsequent period.

10. Appointment of persons to the State Sailors', Soldiers' and Airmen's Board.

*1. GAG. 192/61/98,
dated 13/08/63.*

Sub :- Eligibility of persons other than ex-servicemen for appointment to the State Sailor's Board.

Government have relaxed the condition for confining recruitment among ex-servicemen only in case of replacement of any of the existing employees or of future employment under the organisation of the Sailors', Soldiers' and Airmen's Board in Assam. While making advertisements for direct appointment to various posts, the following clause may be inserted.

"Applications are invited from ex-service personnel for the post of. in the scale of pay of Rs. plus D. A and other allowances as admissible under the Rules. "

"Persons other than ex-servicemen may also apply, but their cases will be considered only if suitable ex-servicemen are not available. "

11. Appointment of deaf persons to Government service.

*1. No. G.O.I.
60/137/50-ESTS,
dated 28/07/50*

Sub :- Appointment of deaf people in certain kinds of posts.

*2. No. ABP.
57/60/4, dated
18/04/64.*

In certain kinds of employment, viz., Class III or Class IV posts of the artisan class or those involving manual or skilled labour or a routine type of work, deaf muteness or deafness by itself need not be regarded as a disqualification against appointment provided that the person concerned is otherwise fit and qualified to hold the post and subject to the condition mentioned and subject to any other rules and orders in force the possibility of affording avenues of employment to deaf or deaf-mute persons should be examined at the time of making recruitment to any posts.

12. Appointment of District Ministerial & Grade IV staff - Delegation of powers.

*I. No. ABP.
29/68/4, dated
02/07/68*

Sub :- Constitution of separate cadres for Grade-III and Grade-IV employees and delegation of powers for appointment.

To finalise the relevant Service Rules the following principles are laid down as the main guidelines in this regard :-

(a) According to Rule 5 read with the Schedule appended to the Assam Services (Discipline and Appeal) Rules, 1964, as amended vide Notification No. ABP. 60/67, Dated 2nd March 1968, 'the Head of the Office' has been made the appointing authority in respect of all the non-gazetted staff including the Grade IV employees. The ministerial assistants in a district should, therefore, be constituted into a district cadre and the respective Head of Office should be the appointing authority in respect of those staff except the post of Head Assistant, the power of appointment of which should vest with the next higher authority, i. e. the Head of Department. This is to be strictly complied with.

(b) According to the Assam Ministerial District Establishment Service Rules, 1967, the Head of the Office (Deputy Commissioner) is the appointing authority in respect of the (a) L. D. A. (b) U. D. A. /Sub-divisional Nazir, (c) Sadar Nazir, and (d) Supervisory Assistant. Likewise, the appointing authority in respect of the said grades in other offices/establishments should be the respective Head of the District office.

(c) Similarly, the power of making appointment is to be vested in the regional officers such as the Joint Director of Health, Inspector of Schools, etc. in respect of Ministerial staff and Grade IV employees of their respective Offices, as indicated in (a) and (b) above.

It is, therefore, directed to organise the cadres and delegate financial powers downwards accordingly as expeditiously as possible and in any case within three months from the date of issue of this circular.

The instructions contained herein will not, however, be operative in respect of the staff of those offices where there are already up-to-date service rules.

13. Appointment - Exchange of.

*I. Para 272
Executive Manual.*

Sub :- Criteria for allowing exchange in appointments.

Appointments should be exchanged or transfers between those officers only who draw equal salaries, or who belong to the same grade of ministerial employee in the sanctioned scale of the establishments to which they severally belong (vide Fundamental Rule 22). Transfers are not to be made without definite reasons in each case. This rule applies to compulsory transfers as well as to voluntary exchanges.

14. Age - Raising the age of retirement.

I. OM. No. AAP.
143/77/37, dated . .
18/07/77.

Sub :- Raising the age of Retirement from 55 years to 58 years.

Government have been considering for sometime past the question of raising the age of superannuation of State Government employees from 55 years to 58 years. After very careful consideration of all relevant aspects it has now been decided that the age of retirement on superannuation of State Government employees other than Grade IV employees, should be 58 years.

This decision will be applicable to all State Government employees who retired or will retire on or after 10th July, 1977. Those employees who were on leave preparatory to retirement on the 10th July 1977 will be entitled to this benefit but those who were enjoying the refused leave after retirement from a date prior to the 10th July, 1977 will not be entitled to the same. This will also not apply to those Government servants who having attained the age of 55 years on a date prior to the 10th July 1977 have been allowed extension of service and were continuing as such on the said date.

The age of retirement of Grade IV employees who are at present entitled to serve upto the age of 60 years including the new entrants, will continue to be 60 years.

This decision will take effect from 10th July 1977 and action is being taken to amend the relevant provision of rules in this regard accordingly.

15. Age - Raising of the age limit for entry into Government service.

I. OM. No. AAP.
115/72/1, dated
15/05/72.

Sub :- Raising of age of entry to Government service from 25 years to 30 years.

The undersigned is directed to draw attention to the provisions under S. R. 6 of Assam. Fundamental Rules and Subsidiary Rules under which the age limit for entry into Government service has been fixed at 25 years on the first January of the year in which the

recruitment is made. The Government have reviewed the position and have decided in the context of the present condition to raise the upper age limit for all categories of candidates for entry into State Government service irrespective of qualification from 25 years to 30 years. Candidates belonging to Scheduled Castes/Scheduled Tribes, Ex-Serviceman, etc. for whom there is special relaxation at present will however continue to enjoy that relaxation upto the age of 32 years only. There will be no relaxation for candidates for any category who have attained the age of 32 years. It has further been decided that a candidate for Service in Government would be required to pay once only an application fee of Rs. 2/- (Rupees two) only. Once this fee is paid with an application for any post in the Government, a candidate will not be required to pay any more application fee with his subsequent applications for posts to be filled up otherwise than through the Assam Public Service Commission. The provision for payment of application fee levied by the Assam Public Service Commission in connection with recruitment made through the Commission would, however, continue as at present.

2. O.M. No. AAP.
115/72/4, dated
20/06/72.

Sub :- Date of effect of order raising age of entry to 30 years.

The undersigned in directed to invite a reference to the O. M. NO. AAP. 115/72/1 Dated 15. 5. 72 on the subject indicated above and to say that the Government have been pleased to issue the following clarifications :-

1. The order will be effective from the date of its issue i. e. 15. 5. 72 in the sense that in respect of advertisements issued on or after this date, the new age limit will apply. As before the age limit will be with reference to the age on 1st January of the year.
2. For advertisements which were issued prior to 15. 5. 72, the new age limit will not be applicable but if any candidate had applied in response to advertisement issued prior to 15. 5. 72, their cases may be considered provided their age is within the new age limit.
3. The reduced rate of application fee will be admissible only in respect of advertisements issued on or after 15. 05. 72. For advertisement issued and applications submitted prior to 15. 5. 72 the reduced rate of application fee will not be admissible.
4. Candidates belonging to Scheduled Castes and Scheduled Tribes who prior to 15. 5. 72 had to pay an application fee of less than Rs. 2/- (Rupees two) shall continue to pay the same lower amount as application fee on or after 15. 5. 72.

3. OM. No. AAP.
115/72/39, dated
29/08/77.

Sub :- Lowering the maximum age of entry to non-gazetted levels of the Police from 30 years to 24 years.

The upper age limit for entry in to State Government Services was fixed at 30 years with relaxation in case of candidates belonging to SCs/STs, Ex-Servicemen etc. up to the age of 32 years vide Government O. M. No. AAP. 115/72/1 dated 15/05/72.

The above upper age limit for recruitment to the non-gazetted ranks in the police force has not however been found suitable as persons recruited at such age could not conform to the needs of the police force requiring to be mentally and physically fit and alert with high standard of morale, discipline and good conduct which can best be inculcated if such recruits are relatively of young age i. e. of the age group of 18 to 24 years.

After careful review of the matter, Government have therefore decided to lower the upper age limit for recruitment to non-gazetted ranks in police force to 24 years from 30 years with the minimum entry age at 18 years with relaxation up to the age of 26 years in case of candidates belonging to Schedule Castes and Schedule Tribes. For Ex-Servicemen and similar category of personnel, the existing upper age limit of 32 years will however remain as before.

The contents of this Department O. M. No. AAP. 115/72/1 dated 15/05/72 may be treated as modified to the extent indicated above only in so far as entry in to Non-Gazetted ranks of Police force is concerned.

4. OM. No. AAP.
115/72/114, dated
06/09/80.

Sub :- Increase in the Upper age limit for ST/SC Candidates for entry into Government Service from 32 years to 35 years.

The undersigned is directed to invite attention to the instructions contained in this Department's Office Memoranda No. AAP. 115/72/1 dated Shillong, the 15th May, 1972 and No. AAP. 115/72/4 dated Shillong, the 20th June, 1972 and to state that after careful consideration of all aspects of the matter the Government have decided to further relax the upper age limit for entry into State Government service of candidates belonging to the scheduled Castes/Scheduled Tribes (Plains and Hills) from 32 years to 35 years. Ex-Servicemen etc. for whom there is special relaxation at present will continue to enjoy the relaxation upto 32 years of age.

The order will be effective from the date of its issue. In respect of advertisements issued on or after this date the revised age limit will apply. As is the practice the age will be computed with reference to the date of reference i. e. 1st January of the year in which the recruitment is made.

For advertisements which were issued prior to this date the revised age limit will not be applicable but if any candidate belonging to the Scheduled Castes/ Scheduled Tribes (Plains and Hills) has applied in response to such advertisements, his case may be considered, provided, he is within the revised age limit.

*S. O. M. No. AAP,
115/72/P/70, dated
29/10/91.*

Sub :- Raising of the upper age limit for entry into the State Government service from 30 years to 36 years for general and to 41 years for SC/ST candidates.

The undersigned is directed to invite attention to the instructions contained in this Department's O. M. No. AAP. 115/72/1, dated 15/05/72, No. AAP. 115/72/4, dated 20/06/72 and No. AAP. 115/72/114, dated 60/09/80 and to state that after careful consideration of all aspects of the matter, the Government have decided to further raise the upper age limit for entry into the State Government services from 30 years to 36 years. The Government have also decided to further raise the upper age limit by 5 years over the general age limit, i. e. upto 41 years for entry into State Government services in respect of candidates belonging to Scheduled Caste and Scheduled Tribe and by 2 years i. e. upto 38 years in respect of Ex-servicemen.

(2) The contents of the aforesaid O. Ms. may be treated as modified to the extent indicated above only in so far as upper age limit for entry into the State Government services is concerned.

(3) This order will be effective from 18th July, 1991.

(4) This Department's O. M. No. AAP. 115/72/39, dated 29/08/77 with regard to age limit of non-gazetted ranks of police Department remains unchanged.

16. Age - Guidelines for dealing with cases relating to relaxation of age limit.

*I. No. ABM.
104/66/50, dated
21/08/67*

Sub :- Approval of Assam Public Service Commission for relaxing the age limits required in case recruitment is through Assam Public Service Commission.

In the case of recruitment through the Commission where it is considered necessary to allow relaxation of age limit in respect of a class or category of candidates like Government servants or departmental candidates, etc. over and above the age limit fixed for the

candidates in general, the authorities concerned should do so with the approval of the Commission. In such cases, Appointment Department need not be consulted.

2. OM. No.ABP.
513/79/9, dated
27/03/80

Sub :- Principles and instructions for considering cases of relaxation of age limits for entry to Government service.

Government have had under consideration for some time past the exercise of powers by the competent authorities under Notification No. AAP.34/50/27, dated 03/05/1951 in respect of relaxation of the age limit for recruitment to Civil Services or Civil posts in connection with the affairs of the State.

2. Government after due consideration are pleased to lay down the following revised principles for guidance in dealing with the cases for relaxation of age limit under the said Notification :-

- (1) Relaxation from the fixed age limit is to be granted only in the interest of fair dealing or in the public interest and one of these conditions must be satisfied before the age limit can be relaxed in favour of an individual candidate.
- (2) The relaxation is to be granted under the powers conferred in the Notification by the appointing authority.

In the case of appointments made by the Governor, the appropriate Administrative Department will be responsible for granting the relaxation. In cases in which appointment is made by the Head of Department such Head will grant the relaxation.

(3) In case of direct recruitment to the lowest cadre or post through the Assam Public Service Commission as per provisions of the Service Rules regulating recruitment to the various services and posts relaxation upto the age of 40 years may be granted in accordance with the procedure prescribed in sub-para (4) below.

Such relaxation may be allowed only in case of those who are in the services of this State Government.

In cases where the direct recruitment is not made through the APSC the relaxation may be allowed to those also who are not in the services of this State Government.

(4) In cases in which recruitment is made through the Assam Public Service Commission, the Commission should be consulted before the rules are relaxed in the following manner :-

The appointing authority when approached by a candidate for granting exemption, if it is satisfied that the case deserves consideration shall refer the case to the Assam Public Service

Commission to consider it on merits notwithstanding the candidate exceeding the age limit and the Commission shall then not reject the candidate merely on the grounds of his being over-age. The commission shall make its final recommendation having regard to the fact of the candidate being overage and will state whether in its opinion this makes the candidate unsuitable for the appointment in question.

3. No reference to Personnel Department in individual cases either by the Administrative Department or Heads of Departments is necessary provided that the principles laid down above are followed by them.

This supersedes Government O. M. No. AAP-34/50/26, dated 03/05/1951, O. M. No. AAP.135/61/1 dated 26/10/1961 and O. M. No. AAP 200/70/79 dated 15/3/73.

3. OM. No. ABP.
73/89/1, dated
29/08/89.

Sub :- Upper age limits relaxation only upto 40 years and bar on relaxing lower age limit.

It has been observed that inspite of the Government instructions in respect of relaxation of upper age limit for recruitment to Civil Services or Civil posts in connection with the affairs of the State under Government O. M. No. ABP. 513/79/9 Dated 27/03/80, proposals from various authorities for relaxation of upper age limit beyond 40 years are referred to the Personnel Department.

The Administrative Departments were already empowered to grant relaxation of upper age limit up-to the age of 40 years in terms of above mentioned O. M. It is clarified that henceforth no request for relaxation of upper age limit beyond 40 years in any case should be entertained and no such case should be referred to the Personnel Department.

In case of lower age limit also no request for relaxation should be entertained and no such case should be referred to Personnel Department.

4. OM. No. ABP.
73/89/17, dated
04/01/92.

Sub :- Increase in power to relax upper age limit to 45 years.

The undersigned is directed to invite attention to the instructions contained in this Department's O. M. No. ABP. 513/79/9 Dated 27. 3. 80 and to state that after careful consideration of all aspects of the matter Government have further decided that the relaxation may be granted up-to the age of 45 years instead of 40 years as mentioned in sub-para (3) of para 2 of the aforesaid O. M. in accordance with the procedure prescribed in the said O. M.

And consequent upon the above decision the age limit of 40 years indicated in O. M. No. ABP. 73/89/1 Dated 29. 8. 89 may also be treated as raised to 45 years.

5. No. AAP.
50/49/1, dated
17/05/49.

Sub :- Temporary Government servants whose over-age was condoned earlier is eligible for direct recruitment.

1. In case of direct recruitment, candidates who are already in temporary Government service as a result of previous condonation of their over-age should be considered as eligible for such appointments provided they are otherwise suitable and qualified. Advertisements when issued should be made accordingly.

6. No. AAP.
25/58/7, dated
28/08/59.

Sub :- Age concessions for possessing higher qualifications.

Government. have decided that the concession at present given to the Sub-Deputy Collectors to appear at the examination for recruitment to ACS Class-I till they attain 30 years of age should be withdrawn forthwith. Sub-Deputy Collectors will have the same opportunity of appearing at the examination as any other Government servants, provided they are within the prescribed age limit including such concessions as are allowable to special categories.

It has also been decided that for all services the relaxation in age allowed to candidates from Scheduled Castes/Tribes, Political Sufferers and War Service candidates will be limited to a maximum of five years and no cumulative benefit will be allowed to any person who fulfil more than one condition.

The following further relaxation in age will be generally applicable to be candidates for the combined ACS and APS examination over and above other concessions as may be applicable :-

- | | |
|-----------------------|---------|
| (a) For Passing M. A. | 3 years |
| M.Sc. and M. Com. | |
| (b) For passing | 3 years |
| B L Degree. | |

Note :- Para 1 of the letter has now become inoperative consequence upon the merger of ACS-II with ACS-I.

7. No. AAP. 20/51,
dated 11/08/51

Sub :- General limits of exemptions for SC/ST/Political Sufferers/ war service candidates and for higher qualifications.

Government have granted general exemption from age limit to the three classes to the extent detailed below for appointment to Government posts and services :-

- | | |
|---|--|
| (a) Candidates from Scheduled Castes and Scheduled Tribes | Five years. |
| (b) Political Sufferers | Five years. |
| (c) War Service candidates | Actual period of continuous war service in World War II not exceeding five years |

Note : The above circular is as modified by circulars Nos. AAP. 34/50/47 dated 28/11/52 and AAP. 171/55/23 dated 06/04/56.

8. No. AAP.
171/55/23, dated
06/04/56

Sub :- Relaxation in age for higher qualifications.

Where it is specifically notified that for higher educational qualification such as M. A. M. Sc. B.L. M. Com. Overseas Training, etc. there will be relaxation of the age limit by prescribed number of years, this concession will also be admissible in addition, to a candidate belonging to any one or more of the categories stated above.

9. No. AAP.
115/72/12, dated
11/09/72.

Sub :- Raising of the upper age limit for entry into State Government service and procedure for payment for application fee.

The undersigned is directed to invite a reference to the second para of the Office Memorandum NO. AAP. 115/72/1 Dated 15. 5. 72 and to say that the application fee may be deposited by the candidates through a Treasury Challan under the head "XXI-Misc. Department Examination fee, etc." and the number and date of the Challan should invariably be quoted by the candidate in the application Form as and when he applies for any post under the State Government On the basis of the Challan No. and date furnished by the candidate in the application form he will be allowed to appear in the test/ interview etc. as the case may be and the candidate must produce the original copy of the Challan at the time of test/interview to the authority conducting such test/interview and the authority concerned must satisfy themselves as to the authenticity of the Challan. The candidate should preserve the Challan till such time he gets appointment under the State Government

The provision for payment of application fees levied by the Assam Public Service Commission in connection with recruitment made through the Commission would however continue as at present.

Note :- Changed Head of Account from 01/04/87 onwards is "0051-Application fees etc. - Receipt of the".

17. Application Fees.

*I. OM. No. AAP.
144/86/95, dated
03/08/89.*

Sub :- Abolition of the system of fees for applying for employment under the State Government.

Government have been considering the question of doing away with the present system requiring the candidates to pay application fees in connection with various examinations for recruitment under the State Government offices. Government have now decided that the educated unemployed youths will no longer be required to pay application fees through treasury challan or otherwise while submitting applications for employment under the State Government offices. This decision has been taken so that the applicants can take advantage of whatever opportunities are available to them for getting employment.

18. Applications for posts elsewhere.

*I. No. ABP.
8/56/18, dated
09/08/56.*

Sub :- General policy guidelines and principles.

No hard and fast rules can be laid down in dealing with the applications of Government servants applying for posts and appointments elsewhere and that the final decision whether a particular application should be forwarded must rest with the authority through whom the application has to be forwarded. In taking the decision the authority has to balance the interests of the State against the necessity of avoiding hardship to the individual. The general principles to be observed in dealing with such applications are stated below :-

(i) Applications from permanent Government servants

When a person has been offered and has voluntarily accepted a permanent post or a permanent appointment to a regular service, he cannot justly complain of hardship or harsh treatment if his application for any other post or employment is withheld.

(ii) Applications from purely temporary employees

Applications from temporary employees should be readily forwarded unless there are compelling grounds of public interest for withholding them.

(iii) *Applications from temporary employees who may have good prospect of being made permanent in due course*

An employee of this type, falls somewhere between the types mentioned under (i) and (ii) above, and an application from him should therefore be dealt with on its own merits, with reference to the circumstances in each case.

(iv) *Applications of employees who have been given some special technical training at Government expense after commencement of service.*

The State is justified in demanding that, in return for the training given to him at the State expense, an employee of this category should continue to give his service to the State in the post or service in which such training was given. Withholding of application in such a case is therefore justifiable.

(v) *Applications of Government servants for employment in private business and industrial firms, etc.*

It is highly improper for a Government servant to apply, without permission, for employment in a private business of industrial firm, etc. Where a Government servant seeks permission to apply for such employment, he should first offer to resign or retire from Government service. When a person remains in Government service, the state can legitimately refuse or surrender its claim on his service in favour of a private employer.

(vi) Notwithstanding anything contained in the preceding paragraph in a case in which a particular employee cannot be spared without serious detriment to important work in hand, public interest would justify withholding of his application even if otherwise the application would have been forwarded.

2. No. ABP.
80/59/13, dated.
12/11/59.

Sub :- Applications for posts in Industrial Organisations.

In all cases of candidates applying for posts in Industrial Organisations under the Public Sector outside the State of Assam, the Head of the Department, or Office is to use his discretion in the light of the instructions contained in Appointment Department Office Memorandum No. ABP. 8/56/18, dated 9th August, 1956 keeping in view the interest of the Department or Office as well as the future of the applicant. Liberalisation was made in the case of Assam Oil Refinery as a special measure and the same criterion cannot be applied to every enterprise in the Public Sector.

3. No. PLA.
287/62/5, dated
14/09/62.

Sub :- Applications for joining the Indian Naval Reserve.

Application for permission to join the Indian Naval Reserve and Indian Naval Volunteer Reserve from State Government employees, who can be released in an emergency without effecting the essential function of an office, should not be withheld.

4. No. AAP. 1/63/7,
dated 22/01/63.

Sub :- Applications for joining the Armed Forces.

All State Government employees who would like to join the armed forces are allowed to do so. In all cases the respective appointing authorities should forward their applications to the appropriate authorities without delay.

5. No. ABM.
8/63/81, dated
03/09/66.

Sub :- Forwarding of applications for posts under Union Public Service Commission.

All concerned should ensure that wherever it is decided to forward applications of persons who apply for any posts in response to the advertisement issued by the Commission for recruitment by selection, such applications should be forwarded to the Commission within a fortnight of the closing date indicated in the advertisement.

6. No. AAP. 46/
64/6, dated
01/04/64

Sub :- Release of Government servants selected by Union Public Service Commission and whose applications were forwarded.

The ordinary practice should be that when a Department or Office allows its employees to apply for posts advertised by the Union Public Service Commission they should be released on their selection by the Commission provided that no unusual circumstances have arisen in the meantime.

7. No. ABP.
80/59/(P)/9, dated
26/11/60.

Sub :- Recruiting authority to correspond with concerned department for release of selected official.

In the event of selection of the person whose application was forwarded, the recruiting authority should communicate with the Department under which the person selected may, for the time being, be working and the question of the release should be taken up with the appropriate Department rather than the person concerned direct.

S. No.
S(E).64/61/31,
dated 03/02/62

Sub :- Secretariat Assistants to wait for formal release before joining posts in other departments/organisations.

Assistants of the Assam Secretariat should not join the new appointments offered by other authorities without being formally released from the Secretariat.

19. Absorption of contract personnel.

J. No. ABM.
30/58/26, dated
09/05/58.

Sub :- Absorption of persons from outside Assam employed on contract basis.

1. Government have decided to accept the recommendations at para 2(g)(i) & (ii) of the State Development committee meetings held on 31. 08. 1957 and 04.09.1957 as they are in regard to absorption of Engineers and other Technical personnel coming from outside Assam.

2 Extract from the Proceedings of the State Development Committee held on 31. 8. 1957 and 4. 9. 1957 :-

(g) It was decided that -

(i) Outside personnel at present working on contract may be given an option to join the ordinary cadres on the ordinary pay scales, the service so far put in being counted towards increment and seniority, etc. Once they join the ordinary cadre, such personnel would be entitled to absorption against permanent vacancies in the ordinary manner.

(ii) All outside personnel joining on contract, hereafter, should be allowed after completion of one year's service, if found suitable, also to exercise the option as in (i) above.

20. Absorption of temporary/retrenched personnel - General Policy.

J. No. ABP.
150/61/161, dated.
05/05/64.

Sub :- General policy for absorption of retrenched personnel.

It has been decided that the following concessions shall be granted to the Government servants who are retrenched due to reduction of Establishment from one State Government Office and re-appointed in another State Government Office :-

(i) If the orders of appointment to the new post are received by the Government servant concerned while in his old post, or while on terminal leave :-

Joining time with pay and travelling allowance on transfer scale will be admissible in all cases where the appointing authority certifies that the transfer is in the public interest and the previous service rendered under Government is one of the considerations justifying his appointment to the new post. In cases where this certificate is not forthcoming, the Government servant shall be allowed only joining time without joining time pay and transfer travelling allowances.

(ii) If the orders of appointment to the new post are received by the Government servant concerned soon after retrenchment from his post, or after the expiry of terminal leave, and the Government servant joins his new post without delay, no travelling allowance will be admissible but the period of break may be converted into joining time without pay by the Heads of Departments under whom the Government servant concerned is presently employed, provided that the period of break does not exceed 30 days and that the Government servant has rendered not less than three years continuous service on the date of his retrenchment.

(2) In all cases in which there is no break or the break, if any, is converted into joining time with or without pay, the past services will count for pension and carry forward of leave will be permissible.

(3) In case where the period of break in service exceeds 30 days, the question of condoning the break in service either for purposes of pension or for carry forward of leave will have to be examined under the orders issued on the subject from time to time and may be decided by the Administrative Department in consultation with Finance (A. P. F.) Department.

(4) In all cases in which the break in service is condoned, an entry to that effect will be made in the Service Book of the person concerned, by quoting reference to the authority condoning the break.

(5) The benefit of previous service will not be allowed for fixation of seniority in the new post, even if the break in service, if any, is condoned.

The State Government's decision will come in force with effect from the date of issue of orders.

2. No. ABP.
150/61/174, dated
02/02/65.

Sub :- Absorption of retrenched Government servants - Condonation of break in service.

On the principles laid down in Government Office Memorandum No. ABP. 150/61/161, Dated 5. 5. 64, the following decisions are taken.

- (i) A temporary Government servant continues in service during that part of terminal leave only which runs concurrently with the notice period and ceases to be in Government service on the expiry of the notice period the leave to the extent it goes beyond the notice period being treated as a terminal benefit only.
- (ii) If the orders of appointment to the new post are received by the Government servant concerned :
 - (a) during the period of notice which runs concurrently with terminal leave, his case should be regulated as per para 1(i) of the Office Memorandum No. ABP 150/61/161 Dated 5. 5. 64 and if they are received
 - (b) after the expiry of the period of notice which runs concurrently with the terminal leave, his case should be regulated as per para 1(ii) of the aforesaid Office Memorandum.

Past cases already decided otherwise will not be re-opened.

3. No. ABP.
47/78/16, dated.
30/06/79.

Sub :- Absorption of retrenched personnel of settlement operations.

Consequent upon the closure of the Settlement Operation in the Districts a large number of Grade-III and Grade-IV staff under the Settlement Officers have been retrenched and some more are likely to be retrenched soon. Quite a large number of these persons have been in service for a fairly long period. It has, therefore, been decided that in the matter of appointment of Grade III and Grade IV staff including Land records staff, top-priority should be given to the retrenched employees of the settlement operation in all Departments under the State Government.

While absorbing these employees, if any deficiency is detected with regard to their age necessary proposal may kindly be sent to Government for condonation of the deficiencies.

21. Assets and liabilities.

1. No. C. 70/54/35,
dated 17/02/54.

Sub :- Submission of Annual Return.

All gazetted and non-gazetted officers including ministerial service officers

should submit their declaration of assets and liabilities annually in future in the form as prescribed by the Government from time to time. If however there is no change in the assets and liabilities of an officer during the year he may only report that the return for the previous year holds good. Grade IV establishments are exempted from submitting such returns unless ordered to do so. Gazetted officers will submit their returns to the Chief Secretary and non-gazetted officers to their appointing authorities.

The name, designation and address of the officer should be noted on the cover which should be marked at the top "Declaration of Assets". Such return, in the prescribed form, should be submitted within the month of January.

2. No. PLA.
106/64/1, dated
18/05/64.

Sub :- Non-submission of return - Violation of Rule 11 of the Conduct Rules.

Non-submission of the annual return of assets and liabilities will be considered a violation of the provisions of the amended Rule 11 of the Assam-Government Servants' Conduct Rules, 1937.

3. No. AAP.
20/59/80, dated
06/05/61.

Sub :- Reporting acquisition of immovable property.

All purchases of land and houses by Government servants except with Government advance for the purpose for which they had already applied and also any loan they have raised from private parties other than recognised banks, insurance companies, etc. should be reported to Government immediately for approval. Any case where approval has not been obtained will be followed by proceedings against the officers concerned.

4. No. PLA.
720/67/120, dated
07/04/72.

Sub :- Reiteration of requirement of submitting annual return of assets and liabilities.

1. Under the instructions issued from time to time on the subject noted above, all Government servants, both gazetted and non-gazetted, including ministerial service officers (except the IV grade employees) are required to submit a statement in the prescribed form ending 31st December every year, within January of the following year declaring their assets and liabilities to Government but it has been observed that these returns are not furnished regularly in time by many officers. Government would be forced to take a serious views if the statement of assets and liabilities are not submitted in time.

2. All Heads of Departments are, therefore requested to make contents of this circular letter known to all the employees serving under them and to see that all gazetted Government servants submit their returns in sealed covers to the Chief Secretary and other non-gazetted and

ministerial officers to the to their respective appointing authorities. It may also be made known to all concerned that non-submission of this return in time will be considered a violation of provisions of the amended rules of the Assam Government Servants' Conduct Rule, 1937.

3 In order to facilitate finding out the defaulters, they are further requested to furnish a list showing the names of all Gazetted Officers serving under them to Political (A) Department.

5. No. PLA.
174/72/25, dated.
10/10/73.

Sub :- Submission of Gradation List to Political Department for scrutinising assets and liabilities returns by committee.

1. Reference letter No. PLA. 174/72/22, dated 12/02/73. It has become invariably necessary for Political Department. to have a gradation list of all Gazetted officers of different Services and Cadres for scrutiny of the assets and liabilities returns by a Committee to be constituted by Government in due course Political Department has got no list/gradation list of any categories of different Gazetted Officers and as a result the Department finds it difficult to scrutinise the same.

2 In the cases of all new appointments in different services, all the Administrative Departments must obtain a statement of Assets and Liabilities of movable and immovable property as on the date of joining, in duplicate and one copy of the same may be sent to Political (A) Department. for records.

3. It is therefore, requested to take necessary steps accordingly and to furnish a copy of gradation list as stated above.

Note :- Another circular was issued vide No. PLA.170/75/9, dated 08/01/76 which reiterated what had been stated in the earlier circulars dated 07/04/72 and 12/02/73 above.

6. PLA (V)
12/92/pv8, dated
06/07/93.

Sub :- Submission of returns of assets and liabilities on first appointment.

With reference to Rule 11 of the Assam Civil Service (Conduct) Rules, 1965, I am directed to forward herewith a copy of revised proforma of Assets and Liabilities Statement for use by all employees of the State Government covered under the said Rules.

PROFORMA

Name (in full) of the Officer

Present post held

For the period ending _____

Present pay and allowances per
month _____

Basic pay _____

Allowances
(Details) _____**A IMMOVABLE PROPERTY****1. Lands.**

Sl. No.	Precise Location	Area	Nature of Land	Extent of interest	Value	In whose name (Wife, Child, dependent, other relation or benamdar) the asset is.	Date & manner of all acquisition	Remarks
1	2	3	4	5	6	7	8	9

2. House.

Sl. No.	Precise Location	Extent of interest	Value	In whose name (Wife, Child, dependent, other relation or benamdar) the asset is.	Date and manner of acquisition	Remarks
1	2	3	4	5	6	7

3. Immovable properties of other description including mortgages and such other rights.

Sl. No.	Brief Description	Extent of interest	Value	In whose name (Wife, Child, dependent, other relation or benamdar) the asset is.	Date and manner of acquisition	Remarks
1	2	3	4	5	6	7

B. MOVABLE PROPERTIES

1. Cash, Bank, Balances, Credit, Insurance Policies.

Sl. No.	Description of items	Value	In whose name (Wife, Child, dependent, other relation or benamdar) the asset is.	Date and manner of acquisition	Remarks
1	2	3	4	5	6

Other movables (Every transaction in respect of National Savings Certificate or such things, share, jewellery, motor vehicles, motor cycle, scooter, refrigerator, colour television, air conditioner etc. If the value of such property exceeds Rs. 10,000/- in case of a Government servants holding any Class-I post or Rs. 5,000/- in the case of Government servant holding any Class-II post or Rs. 1,000/- in the case of Government servant holding any Class-III or Class-IV posts.

Sl. No.	Description of Items	Value	In whose name (Wife, Child, dependent, other relation or benamdar) the asset is.	Date and manner of acquisition	Remarks
1	2	3	4	5	6

--	--	--	--	--	--

C. EXPENDITURE

G.P. Fund Account No. _____ Monthly contribution _____ Insurance
 Policy : Annual Premium Paid _____ Policy No. _____ Amount _____.

Dependants :- Number _____

Number of those in course of education with monthly expenses
 thereon _____

Monthly cost of maintaining family _____

I hereby declare that the declaration made above is complete, and correct to the best of my knowledge and belief.

Date _____

(Signature)

Instruction :-

(i) The year ending the month should be indicated on the top. The present post held and gross monthly emoluments with details should also be indicated, as is done in respect of members of All India Services.

(ii) Under item B Movable property, all kinds cash income should be indicated including cash in hand. Mere declaration of income to the income tax authority should not be considered to be an extenuating circumstances in case of failure to reflect in the property returns of incomes including cash in hand.

(iii) Some of the income of (ii) above may go into bank deposits, purchase of shares, debentures, NSS Mutual Fund, NSCs fixed deposits and other savings certificates/schemes, payment of insurance premia etc. full description all these should be given in the property returns.

Note :-

(1) The categories of assets noted in brackets in above heads are only illustrative and not meant to be exhaustive.

(2) In filling the forms endeavour should be made to provide Government with a complete picture as far as possible of the Government servants' assets and no assets of appreciable value should be omitted by reason or any literal interpretation of the direction given.

7 OM. No. ABP
52/92/27, dated
27/10/94.

Sub :- Reiteration of requirement of submitting returns of assets and liabilities.

As per Rule 11 of the Assam Civil Services (Conduct) Rules 1965, every State Government servant shall on first appointment to any service or post and thereafter at such intervals as may be specified by the government submit a return of his assets and liabilities in such form as may be prescribed by the Government from time to time and shall not acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family without the knowledge of the prescribed authority. But inspite of these specific provisions in the Assam Civil Services (Conduct) Rules, 1965 it has come to the notice of the State Government that large number of the State Government employees are not submitting their annual return of assets and liabilities in the form circulated by the political (A) Department vide No. PLA (V)12/92/Pt/8 Dated 06/07/93 regularly or keeping the Government or prescribed authorities informed about acquisition of immovable property and thereby violating the provisions of the Assam Civil Services (Conduct) Rules.

It is therefore reiterated that :-

(1) Every Government servant on first appointment to any service or post and thereafter at such intervals as may be specified by the Government shall submit a return of his assets and liabilities in such form as may be prescribed by Government giving the full particulars regarding :-

- (a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person ;
- (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him;
- (c) other movable property inherited by him or similarly owned, acquired or held by him;
- (d) debts and other liabilities incurred by him directly or indirectly.

(2) No Government servant shall, except with the previous knowledge of the prescribed authority acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family :

Provided that the previous sanction of the prescribed authority shall be obtained by the Government servant if any such transaction is :-

(i) with a person having official dealings with the Government servant ; or residing, possessing immovable property or carrying on business within the local limits of his official authority; or

(ii) otherwise than through a regular or reputed dealer.

(3).Every Government servant shall report to the prescribed authority every transaction entered into by him either in his own name or in the name of a member of his family in respect of movable property, if the value of such property exceeds Rs.10,000/- in the case of a Government servant holding any Class-I post or Rs.5,000/- in the case of a Government servant holding any Class-II post or Rs.1,000/- in the case of a Government servant holding any Class-III or Class-IV post.

If any Government servant or any other person on his behalf or by any member of his family is found in possession of pecuniary resources or property which appears to the Government to be disproportionate to his known sources of income, the Government shall presume, unless the contrary is proved that the Government servant acquired such property by dishonest means and the Government shall take such action against the Government servant concerned as it deems necessary. Besides any Government servant concealing any of his assets and/or liabilities which he is liable to declare under the provision of above Rule shall be considered liable to such disciplinary action as the Government may deem proper.

The Secretary of the Administrative Department/Heads of Department/Heads of Offices must ensure before closing of the financial year that all the Officers/Staff working under him have compulsorily submitted their annual return of assets and liabilities in the prescribed form. The Secretary of the Administrative Department/Heads of Department/Head of Offices while initiating/ reviewing the ACRs of the Gazetted Officers under them will also take into account these property returns and any non-submission of such return will be recorded against the column "integrity" in the ACR besides initiating disciplinary action against the officer concerned for violating provision of the Assam Civil Services (Conduct) Rules, 1965.

The above instructions shall be brought to the notice of all concerned by circulating the relevant extracts of the Assam Civil Services (Conduct) Rules, 1965 regarding submission of annual property returns and obtaining of prior permission from the State Government/Prescribed authority before acquisition of immovable property etc.

22. ACR - Annual Confidential Reports.

**1. O.M. No. AAP.
164/94/1, dated
02/09/94.**

Sub :- Filling up of Self Assessment Report of the ACR, Recording, Reviewing and Accepting thereof.

The importance of the ACR being recorded/reviewed and accepted by concerned authorities in respect of all categories of employees needs no emphasis. Detailed procedures have been laid down in the Assam Services (CR) Rules, 1990 regarding the mode of recording/reviewing and accepting of ACRs.

It has of late been observed that the procedures as laid down in the aforesaid Rules are not being followed scrupulously by all concerned which has resulted in huge accumulation of arrears of ACRs. It is needless to emphasise here that valuation of ACR is needed in almost every important aspect of one's service career viz. promotion/confirmation/crossing of EB/deputation etc. Unless the ACR of an officer is complete in all respects there is every chance of such an officer being deprived of consideration for such service benefits.

So far as an individual officer is concerned it is his/her ardent duty to submit the self assessment part of the CR to the concerned Recording Officer for the relevant time for which he/she serves under such a Recording Officer in due time so that his/her ACR is not left out/lapsed. It is also observed that in many a case individual officers do not submit the self assessment part of the CR to the concerned Recording Officer for which their ACRs remain incomplete for years together.

It is impressed upon all concerned that if the ACR of an officer remains incomplete for non-submission of Self Assessment part of the CR thereof to the Recording Officer in time, deprivation of such officers to otherwise due service benefits cannot be construed as penal action and such officers are liable to be held responsible personally for such a state of affairs.

It is desired that the Recording Officer/Reviewing Officer/ Accepting Officer will also do their part of the job in time so that an officer is not subjected to harassment and deprivation of service benefits due to him/her if he/she does the allotted part of the job in time.

**2. No. AAP.
164/94/30 dated
17/05/95**

Sub :- Filling up of the ACR by the Recording, Reviewing and Accepting Authorities - Need for timely action.

It is a matter of grave concern that due importance is not being given on writing of ACRs of Government Officials by concerned Authorities particularly in respect of the case where self assessment is involved, inspite of clear instructions contained in the Assam Services (CR) Rules, 1990 followed by O.M. No. AAP. 164/94/1 dated 02/09/94. It is needless to mention that ACRs are the most important documents to decide the quality of

Government Officials for deciding their suitability or otherwise for service benefits like promotion, confirmation, etc. While reiterating the earlier Government instructions in the matter, all concerned are hereby impressed upon to comply with the following further instructions :-

1. Where self assessment is required, the officials concerned should be very careful in their own interest to prepare such assessment as intended in the ACR format and submit the same so as to reach their respective Administrative Departments within 15th April of every year positively. In the event of transfer of such officials at any time before close of the financial year, self assessment should be submitted within 15 days of handing over of charge. Failure by any officer in submitting self assessment in time will be at the cost of his own career. The concerned Administrative Department will make the requisite number of ACR forms to each officer within the 31st March of the preceding year.
2. The Recording Officer on receipt of self assessment in respect of officials serving under their control from the Administrative Department concerned should look into the same and make their observation as intended in the relevant columns of the ACR format within 30th April every year, without using omnibus expression like "outstanding" "very good" "good" etc. against every column in Part-II/III of the ACR format.
3. It is expected that the Reviewing/Accepting Authorities will complete reviewing/accepting of the ACRs of concerned officials and submit them within 30th June of every year.

3. OM. No. AAP.
28/59/152, dated
01/11/60.

Sub : Communication of adverse remarks in ACRs.

It is most important that all adverse remarks that will help the officer in remedying the defects, if those defects are remediable, should be communicated without fail to the officer concerned. This will also give him an idea as to what impression he makes on the superior officers. A substance of an unfavourable report should be communicated either orally or in writing as may be considered appropriate by the reviewing officer (not the recording officer) and the fact of such communication noted on the report before it is sent to the departments/officers responsible for its custody. In exceptional cases, if the reviewing officer feels that communication of unfavourable remarks will serve no useful purpose and may only discourage the officer reported upon, he should submit the matter for orders to the next level, unless he himself is an accepting officer.

The annual report being a record of the impressions formed by his superior about his work and conduct, Government will not ordinarily entertain representation against adverse entries communicated to an officer merely on the ground that the officer feels that he does not deserve the entry which has been recorded on him. Any evidence, however, that the entry has

been made malafide will be examined and will be the only ground for consideration of representations. Officers who make representations on this ground should, however, be careful and do so only after taking into account the consequence which would ensue if they are unable to establish the points raised in their representation. It is expected that malafide as well as subjective entry would in the normal course be eliminated at the level of the reviewing and accepting officers.

Government have decided that instead of having a negative certificate in regard to integrity, the recording officers should specifically note on the character of the officer with particular reference to reliability and integrity. Before making any adverse entry under this head the recording officer should make sure that their remarks will stand the test of further investigation.

4. No. AAP.
28/59/273, dated
19/02/65.

Sub :- Responsibility of Recording Officer to ensure ACRs of subordinates are complete.

It is the personal responsibility of all Recording Officers to ensure that no gaps remain in character rolls of the officers under their control and the same are complete and up-to-date in all respects.

5. No. AAP.
48/71/P1-1/32,
dated 28/04/72

Sub :- Filling in the Column "integrity" in the ACR.

Instructions were issued in this department office Memorandum No.AAP/28/59/152, dated 01/11/60 that instead of having a negative certificate in regard to integrity, the recording officer should specifically note on the character of the officer making any adverse entry under this column the recording officers should make sure that their remarks will stand the test of future investigation.

But instances have come to the notice of the Government that such adverse entries are made on the integrity of the officer on the basis of rumours etc. without making confidential enquiries departmentally or taken up with the competent authority for referring the matter to the anti corruption branch of police. Further there is no system of maintaining a confidential diary in which instances which create suspicion about the integrity of the subordinate may be noted from time to time and action taken to verify the truth of such suspicions.

It has, therefore, been decided that every Government servant holding a supervisory post shall take all possible steps to ensure integrity and devotion to duty of all Government servants serving under his control and authority. The following instructions are issued for observance in the cases where because of unconfirmed suspicion integrity cannot be immediately certified.

1. All the Reporting/Recording Officers should maintain a confidential diary in which instances which create suspicion about the integrity of a subordinate should be noted from

time to time and action to verify the truth of such suspicion should be taken up expeditiously by making confidential enquires departmentally or by referring the matter to the Secretary to the Administrative Department of Government with a copy to the Chief Secretary in the Political (A) department. At the time of recording the annual confidential report this diary should be consulted and the material in it utilised for filling the column about integrity. If the column is not filled up on account of the unconfirmed nature of the suspicion, further action should be taken as indicated in the following paragraphs.

2. The column pertaining to integrity in the annual confidential report should be left blank and a separate secret note about the doubts and suspicions regarding the officer's integrity should be recorded simultaneously and followed up.
3. A copy of the secret note should be sent together with the confidential report to the next higher officer who should ensure that the follow-up action is taken with due expedition.
4. If, as a result of the follow-up action, an officer is exonerated, his integrity should be certified and an entry made in the confidential report. If suspicions regarding his integrity are confirmed, this fact should also be recorded in the confidential report.
5. There are occasions when a reporting officer cannot in fairness to himself and to the officer reported upon, either certify integrity or make an adverse entry. In all such cases, the reporting officer should make an entry in the integrity column to the effect that he has not watched the officer's work for sufficient time to be able to make any definite remark or that he has heard nothing against the officer's integrity as the case may be. This would be a factual statement to which there can be no objection. But it is necessary that a superior officer should make every effort to form a definite judgement about the integrity of those working under him, as early as possible, so that he may be able to make a positive statement.
6. There may be cases in which after a secret report/note has been recorded expressing suspicions about an officer's integrity, the enquiries that follow do not disclose sufficient material to remove the suspicions or to confirm it. In such a case the Officer's conduct should be watched for a future period and, in the meantime, he should as far as practicable, be kept away from positions in which there are opportunities for indulging in corrupt practices.

23. Associations.

*I. No. ABP.
345/81/30, dated.
16/09/82.*

Sub :- Time frame for Disposal of Demands of Service Association.

I am directed to say that it has been observed that the demands put forward

by the different Service Associations to the Government are not being promptly looked into and also inordinate delay occurs in taking decision thereof, giving scope to the Associations to repeat the same demands from time to time. This undue delay in processing the matters and taking decision in pursuance of discussions held between the Government and the Association. After considering all aspects of the matter it has been decided that from now onwards, the demands of the Service Associations should be examined promptly and the following time schedule should be observed strictly in the matter of taking decision on the various demands of the Service Associations :-

- (a) When the demand can be disposed of by any particular department. without requiring any reference to any other department. 1 Month.
- (b) When it requires reference to another department 2 Months
- (c) When it requires action/concurrence by more than 2 department 3 Months.
- (d) In all cases involving complex issues/reference to Commissions, etc. 3 Months.

2. No. ABP.
51/86/3, dated
24/03/86.

Sub :- Responsibility of Office-bearers of Service Associations to discharge their official duties.

It has been brought to the notice of Government that some Office-bearers of Service Associations devote their full time in association work and do not attend to the official duties entrusted to them.

The rules governing the conduct and conditions of service of the Government employees enjoin inter-alia that every Government servant shall at all times maintain devotion to duty and that the whole time of a Government servant is at the disposal of the Government.

Office-bearers of Service Associations who are also Government servants, have not been allowed any privilege with regard to the general conduct and discipline expected of Government servants and like any other Government servants, it is incumbent on them to discharge their official duties conscientiously and to the satisfaction of their superiors. If the office-bearers of Service Associations are required to do any work on a particular occasion pertaining to their Associations, they should invariably seek and obtain the specific permission of the appropriate authority which, before according the permission, must satisfy itself that official duties do not in anyway suffer thereby.

Administrative Departments will bring the above instructions to the notice of all service Associations with which they are concerned for strict compliance.

**J. O.M. No. ABP.
157/86/139, dated
19/09/91.**

Sub :- Procedure for recognition of Associations, grant of special casual leave for attending association's meeting.

With the amendment of Rule 23 of the Assam Civil Services (Conduct) Rules, 1965 it has become necessary to lay down the procedures for recognition of Associations, grant of special casual leave for attending Association's meeting etc. and accordingly the following procedures are laid down after careful consideration.

Every Association representing or purporting to represent Governments servant shall have to be duly recognised by Government and no official recognition shall be given to such Association which does not comply with the conditions set out below :-

(1) Membership of the service association and recognition of association of non industrial Government Servants.

(i) Membership of the Association or Association shall be confined to Government servants only; its office bearers including the president, shall be selected or elected from among its members.

(ii) The Association shall not be in any way connected with or affiliated to :-

(a) any Association which does not or

(b) any Federation of Associations which do not satisfy the condition mentioned at (a) above.

(iii) The Association shall not be in any way connected with any political party or organisation, or engaged in any political activity.

(iv) The Association shall not in respect of any election to a legislative body whether in India or elsewhere or to a local authority or body.

(a) Pay or contribute towards any expenses incurred in connection with his candidature by a candidate for such election.

(b) by any means support the candidature of any person for such election ; or

(c) undertake or assist in the registration of electors or the selection of a candidate for such election ;

- (d) maintain or contribute towards the maintenance of any member of legislative body, whether in India or elsewhere or of any member of a local authority or body.
- (v) The Association shall not :-
- (a) issue or maintain any periodical publication except in accordance with any general or special order of the State Government only on condition that writing in the publication is confined to the members of the Association only and that no letters or articles under a nom de plume or pseudonym or criticisms or comments on any Government communiqué, individual grievances against orders passed by a competent authority, notices of strikes, or of organised action with a view to discrediting Government are published;
 - (b) except with the previous sanction of the State Government publish any representation on behalf of its members, whether in the press or otherwise.
- (vi) The Association shall not :-
- (a) allow any outsider to attend its meeting ; or
 - (b) pay or contribute towards the expenses of any Trade Union which has constituted a fund under Section 16 of the Indian Trade Union Act, 1926 (XVI of 1926).
- (vii) The procedure for recognition shall be as follows :-
- (a) the employees of a department or an office who desire to form an Association shall convene a meeting and pass a resolution to form themselves into an Association and seek Government's recognition. The Resolution signed by all the members present at the convention together with a copy of the Constitution of the Association shall be forwarded to the Head of the office or department who shall scrutinise the Constitution to ensure that it does not contain any provision contrary to the instruction issued by State Government in the matter. If any amendments in the Constitution are necessary, he shall ask the convenors to have them carried out. He shall then forward the Resolution and proposed Constitution to the Chief Secretary to the Government of Assam in the Personnel Department, who shall be the competent authority in this regard ;
 - (b) subject to fulfilment of conditions of (vii)(a), the Chief Secretary may grant recognition to the Association subject to such conditions as are considered necessary.

(viii) The Association shall submit the copies of the rules of the Association and the annual statement of its accounts and list of its members to the Government in the Personnel Department, through proper channels :-

- (a) all communications as well as representations shall be addressed and submitted to the Chief Secretary through the Head of Department or office and to no other authority ;
- (b) any amendment of a substantial character proposed to be made in the rules of the Association shall be first communicated through proper channel to the Chief Secretary to the Government of Assam in the Personnel Department and made only with his concurrence. Any other amendment of minor importance shall be communicated through proper channel to the Chief Secretary to the Government of Assam.

(2) Grant of Special Casual Leave

The officer who is empowered to grant leave to a Government employee shall, so far as possible, grant special casual leave to an employee who is an office bearer of a recognised Association to attend the Annual Conference of the Association subject to five days per annum depending on the duration of the conference and the period of the journey involved. The grant of such leave shall be subject to the exigencies of public service of which the officer in question shall be the sole judge.

4. No.ABP.
255/76/67, dated
05/08/78.

Sub :- Association meetings to be held on holidays/after office hours.

It has been observed that different service Associations frequently approach Government for granting permission to leave office during office hours or request for half holidays in order to hold Annual General Meetings of the Associations. Since acceding to such requests leads to dislocation of office work and causes hardship to the public, it has been decided that henceforth such requests will not be entertained. It is, therefore, requested that in view of the facts stated above the Service Associations do not approach Government with such requests and Annual General Meetings of Association are fixed on holidays, Sundays, or after office hours, so as not to disrupt normal functioning of office and for the convenience of the public.

24. Assam movement - Review of action taken against employees.

*I. O.M. ABP.
179/85/pt. III/16,
dated 22/08/86.*

Sub :- Revised guidelines for withdrawal of disciplinary cases in the context of the Assam Movement.

The Central and the State Government have agreed through the Memorandum of Settlement to review with sympathy and withdraw cases of disciplinary action taken against the employees in the context of the Assam Movement and to ensure that there is no victimisation. Accordingly, the State Government considered the matter and laid down guidelines from time to time for the guidance of all authorities for dealing with the cases of the employees in this regard. These guidelines have been carefully reviewed by the State Government and the following consolidated and revised guidelines are issued for implementation within the time specified :

1. Treatment of period of absence.

The periods of absence of the State Government employees including retired employees on account of the agitation shall be treated as on duty for all purposes inclusive of pay and allowances, leave, increment, pension, eligibility for promotion, etc.

2. Suspension cases.

All suspension orders against the employees involved in cases including criminal cases relating to the agitation shall be revoked and the employees concerned, if there be any even now reinstated within 7 days from the date of issue of this instruction.

3.1. Departmental proceedings cases.

All departmental proceedings including those for indulging in acts of criminal nature which are pending for more than 6 months from the date of initiation for want of substantial evidence in support thereof shall be dropped forthwith and the period of suspension, if any, treated as on duty for all purposes inclusive of pay and allowances, leave, increment, pension, eligibility for promotion, etc.

3.2 All departmental proceedings which were initiated for indulging in acts of criminal nature and have been pending for six months or less from the date of issue of this instruction will be disposed of within 15 days on the basis of substantial evidence, if any. In case of non-availability of substantial evidence in support of the cases such proceedings shall be dropped forthwith and the period of suspension, if any, shall be treated as on duty for all purposes inclusive of pay and allowances, leave, pension, increment, eligibility for promotion, etc.

3.3. All departmental proceedings excepting those initiated for indulging in acts of criminal nature which have already been disposed of with penalty will be treated as dropped and the period of suspension, if any, be treated as on duty for all purposes inclusive of pay and allowances, leave, pension, increment, eligibility for promotion, etc.

3.4. All departmental proceedings initiated for indulging in acts of criminal nature which have already been disposed of with penalty will be referred by the concerned authorities direct to the Administrative Department within 10 days from the date of issue of these instructions, or within 7 days from the expiry of 15 days as referred to in para 3.2. for review.

4. Cases of discharge, dismissal, removal and termination from service.

All employees who have been discharged, dismissed, removed and whose services were terminated will be reinstated to the post that they would have held had they not been discharged, dismissed, removed from their services or their services were not terminated provided that no person has been appointed in their places and posts are still vacant. The period of discharge, dismissal, removal, and termination from service including any period covered by suspension, if any, will be treated as on duty for all purposes inclusive of pay and allowances, leave, increment pension, eligibility for promotion, etc.

5. Case of compulsory retirement.

Employees who have been compulsorily retired from services as a penalty will be reinstated in the posts that they would have held had they not been compulsorily retired. The period of compulsory retirement including any period covered by suspension, if any will be treated as on duty for all purposes inclusive of pay and allowances, leave, increment, pension, eligibility for promotion, etc.

6. Promotion.

An employee falling under any of the categories mentioned in paras 1 to 5 above, will be treated as promoted to the post that they would have been promoted had they not been charged for unauthorised absence, suspended, discharged, dismissed, removed or compulsorily retired from service.

7. Motivated transfer

After review of cases of transfer of employees made during the period of Assam agitation if the Administrative Departments are convinced of any motivated transfer the same will be cancelled and the person concerned will be re-transferred to his earlier place of posting.

8. Retired employees.

The cases of retired employees falling under the categories mentioned in paras 1 to 7 above, will be treated in accordance with the above decisions. All such cases will be disposed of within 15 days from the date of issue of these instructions.

9. Public Sector Undertaking etc.

The cases of the employees including retired employees of the State Government, Public Sector Undertakings, Companies, Corporations and other bodies like Mahkuma Parishads, Municipalities/Town Committees, Panchayats etc. are to be treated on the same line as in the case of the State Government employees as stated above.

10. This supersedes the following O.Ms. orders etc.

- | | |
|------------------------------------|----------------|
| (i) Order No. ABP 194/85/2 | dated 11.09.85 |
| (ii) Letter No. ABP 194/85/5 | dated 19.09.85 |
| (iii) Letter No. ABP. 200/85/6 | dated 05.10.85 |
| (iv) O. M. No. ABP. 208/85/5 | dated 09.10.85 |
| (v) O. M. No. ABP 208/85/6 | dated 19.10.85 |
| (vi) O. M. No. ABP. 179/85/Pt-1/17 | dated 19.10.85 |
| (vii) O. M. No. ABP 208/85/40 | dated 06.11.85 |
| (viii) O. M. No. ABP 208/85/41 | dated 06.11.85 |
| (ix) O. M. No. ABP 208/85/53 | dated 26.12.85 |
| (x) O. M. No. ABP. 179/85/Pt/38 | dated 04.01.86 |

25. Assam Gazette.

I. PSP. 7/83/Part-1/3, dated 29/09/83

Sub :- Discontinuance of requirement to publish specified types of orders etc. in the Assam Gazette.

The question of making the Assam Gazette streamlined and economical has been engaging the attention of the Government for quite some time. After careful consideration of the different aspect about the necessity and actual purpose of publication of such items as notifications, orders, resolutions and other materials in the Assam Gazette in their proper perspective, it has been decided by the Government to discontinue publication in the Assam

Gazette of the following matters, which are non-statutory in character, with immediate effect :-

- (1) Notifications of non-statutory nature in respect of transfers, postings, leave and deputation of officers. (However, appointments, promotions, confirmations, premature retirements, suspensions and punishment of Gazetted Officers may continue to be published in the Gazette).
- (2) Award of stipends and scholarships and results of examinations of non-statutory nature.
- (3) Advertisements for posts and vacancies other than those issued by the Assam Public Service Commission. (Newspaper publication of such posts and vacancies are considered to be sufficient for information of the general public.)
- (4) Constitution of non-statutory Boards, Councils and Committees. (Arrangements may be made by concerned Departments to issue suitable Press Notes giving minimum details of such Boards etc., whenever they are constituted/re-constituted.)
- (5) Registration of Co-operative Societies. (Only liquidation and merger of Societies may continue to be published in the Gazette, if it is mandatory under the Co-operative Societies Act.)

2. If there are any legal or other difficulties in following these instructions, they may please be reported.

26. Advertisements for posts through Assam Public Service Commission.

*I. No. ABP. 6/82/2,
dated 06/03/82.*

Sub :- Educational qualifications to be clearly stated in the advertisement for posts through Assam Public Service Commission.

It has been observed that the appointing authorities while sending draft advertisements to the APSC for recruitment to services did not, in certain cases, lay down the requisite qualification with sufficient clarity and precision.

It is, therefore, requested that in future all departments should take care to ensure that qualifications are carefully laid down by them as well as by the authorities under their administrative control, as the case may be, while sending draft advertisements to the APSC.

27. Attendance.

1. U/O ABP.
68/92/32, dated
25/08/92.

Sub :- Observance of Punctuality in Attendance - Extract from Manual of office procedure (Secretariat).

Please find herewith an extract of para 216. 6. 1 of the Manual of Office Procedure, Secretariat dealing with penalty for late attendance.

It is requested that the provisions of the aforesaid para should be brought to the notice of all concerned under your control to ensure that these provisions are strictly followed by all. In the case of habitual late-comers, the matter should be brought to the notice of the Secretary of the Department concerned who may take disciplinary action against such habitual late-comers in accordance with para 226 (copy enclosed) of the said manual, with due regard to O. M. ABP. 27/92/1 dated. 23/06/92 (copy enclosed).

226. DISCIPLINARY PROCEEDINGS.

226. 1 The disciplinary proceedings are governed by the Assam Services (Discipline and Appeal) Rules, 1964. Detailed instructions have been issued by Appointment Department for conduct of these proceedings. Full powers of disciplinary action vest in the Appointing Authority. The power to impose any one or more of the specified minor penalties, namely, censure, withholding of increment and recovery from pay of loss to Government have been delegated to the secretaries of Departments with regard to ministerial staff up to the level of superintendent and grade IV employees under them in the Secretariat Departments.

226. 2 Before a final order is passed, if the Secretary is of the opinion that any of these minor penalties is inadequate, he will forward a record of the proceedings with his opinion to the Appointing Authority.

226. 3 The power of minor punishment mentioned above does not include the power to suspend an officer which will be exercised only by the Appointing Authority.

226. 6. 1. Penalty for late attendance : Forfeiture of a day's casual leave will ordinarily be the penalty for three days late attendance consecutively. If the late attendance is habitual, the matter will be brought to the notice of the Secretary of the Department who may award such minor punishment as he considers necessary according to paragraph 226 in the interest of discipline besides an adverse entry in the Character Roll.

2. O.M. ABP.
68/92/44, dated
17/08/93.

Sub :- Detailed instructions on ensuring attendance in office.

Instructions have been issued from time to time stressing the need for

ensuring punctuality in attendance and application to duty on the part of officers and employees in the State Government offices. It has, however, been noticed that of late there has been a further deterioration of punctuality in attendance in Government Offices and laxity of supervision by Heads of Offices to ensure timely attendance by officers and employees. This continued lack of observance of office timings in respect of arrival and departure at the end of the day will naturally affect the overall performance level of all Departments causing delay in all matters especially in the implementation of various development schemes and projects for the welfare of the public. This has been viewed seriously by Government and it has been felt that the prevailing state of indiscipline should be put to an end ruthlessly. It is necessary to reiterate fully at all levels the basic tenets of efficient administration which are discipline, integrity, efficiency and devotion to duty.

Therefore, with a view to bringing about a visible improvement of the prevailing situation the following comprehensive instructions are circulated. It is emphasised that these instructions should be followed by all and followed meticulously :-

(1) Attendance should be strictly enforced for all categories of personnel including Commissioner/Secretaries and Heads of Departments. All the offices should start functioning at 10 AM sharp.

(2) Attendance Registers should be properly maintained. It should be the responsibility of each Head of offices to ensure that the employees attend office punctually. Senior Officers, particularly Commissioners/Secretaries, Heads of Departments and Heads of Offices, must make it a point to be in their seats at least 10 minutes before 10 A.M.. They should in general set an example for others to follow their conduct relating to observance of office timings.

(3) An officer should be nominated in each Department/ Office who will be responsible for strict enforcement of office timings. Those coming late i. e. after 10 minutes of the commencement of the office hour, should approach the officer so nominated to allow him/her to sign the Register.

(4) The officer so nominated should not only make it a point to be in the office well before 10 a.m. but should carry out frequent checks of the Attendance Register, surprise checks of actual presence of all categories of staff and officers and note down absentees and report to the Commissioner & Secretary/ Secretary/Heads of Departments or Heads of Office, as the case may be. The Head of offices should also call for the Attendance Register, check them and carry out surprise checks to verify the actual presence of all categories of staff and officers in the office.

(5) Sometimes officers and employees loiter about and they are not found at their desk. Secretaries/ Head of Offices should take effective steps including disciplinary action to stop such practice.

(6) Whenever an officer leaves his seat for official or non-official purpose, he should leave information with PS/PA or the officer next to him indicating his whereabouts and the likely time of his return.

In case of office staff, they must obtain prior permission from the Superintendent/Sectional Head to leave office even on duty.

(7) Forfeiture of a day's Casual Leave will ordinarily be the penalty for three days late attendance irrespective of whether such late attendance is consecutive or not. Names of those who come late for more than five times a month should be put-up to the Secretary of the Department/Head of Office who will issue necessary warning to the employees concerned. If the late attendance is habitual matter should be brought to the notice of the Secretary of the Department/Head of Office for taking disciplinary action against such habitual late comers after drawing departmental proceeding in accordance with the provision of Assam Services (Discipline & Appeal) Rules, 1964, besides making an adverse entry in the Annual Confidential Report at the time of recording the Confidential Report.

(8) No meeting/discussion for Secretariat Officers should be fixed before 1 PM so that the officer is available in his office in time.

(9) Heads of Department/Field Officers/C. E. Os. of State Public Sector Undertakings must not be called for any meeting or discussion before 1 PM so that he can attend the office in time and remain in the office for some time. These officers on their own also should not visit Assam Secretariat prior to 1 PM.

(10) Time earmarked for meeting visitors should be strictly complied with. This time should be in the forenoon so that the visitors coming from distant places can go back on the same day. When an officer meets a particular visitor, he should make a sincere effort to understand and appreciate the visitor's problems and try to attend to the genuine grievances promptly. In matters where immediate action is not possible the officer should indicate the time-frame within which action is proposed to be taken. In case of unfounded grievances, instead of disposing of such visitor summarily, the officer should explain the correct position to the visitor, which any rational person is bound to appreciate.

(11) Punctuality in attendance would be one of the criteria to be considered for suitability for promotion.

(12) A specific mention about punctuality should be made in the C. R. of all the officers and staff.

(13) Any one found absent from 10.15 onwards should be given a written warning.

(14) Formal charge sheets and departmental proceedings should be initiated against habitual late comers. The power to impose any one or more of the specified minor penalties, other than the power to suspend of the officer, has been delegated to the Secretaries of Departments, Commissioners of Divisions, Heads of Departments, all Deputy Commissioners and Sub-Divisional Officers (Civil) (who are not appointing authority) in respect of certain categories of officers vide Government Notification No. ABP. 58/62/228 Dated 5.12.67 [See section D, Serial 18 - 'Departmental Proceedings - Delegation of power to impose minor penalties under Rule 7 of the Assam Services (Discipline and Appeal) Rules, 1964]

(15). All Secretaries and Heads of Offices are requested to bring these instructions to the notice of officers and employees under their administrative control and ask them to strictly maintain punctuality of attendance and application to duty.

28. Appeals in service matters.

I. Para 165 of Assam Executive Manual.

Sub :- Period of limitation for appeals for which period is not regulated by law.

In cases in which the period within which the Local Government or a Commissioner or Deputy Commissioner is authorised to receive appeals against the order of sub-ordinate officers is not regulated by law, such appeals will ordinarily be rejected if not made within one month from the date of the order appealed against.

29. Allocation of officers and staff to Meghalaya.

I. FEA. 45/70/p/21, dated 06/11/73.

Sub :- Pending finalisation, employees serving Government of Meghalaya to be treated as employees of Meghalaya.

Pending final allocation, those employees who are presently serving in Meghalaya and all liabilities concerning such employees should be treated as liabilities of the Government of Meghalaya. This will also apply to the employees who have already retired while serving the Autonomous State of Meghalaya or Meghalaya State.