



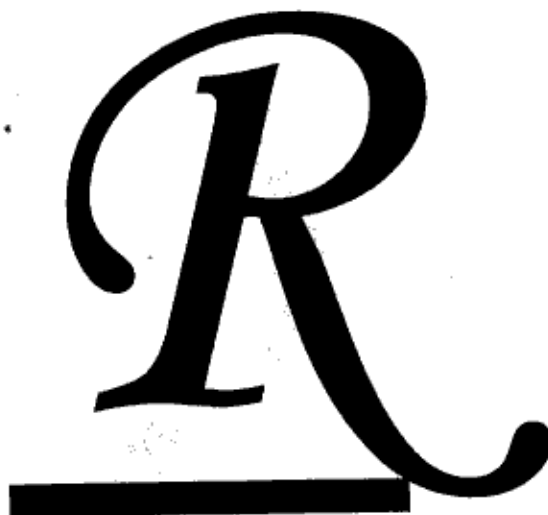
1. Quasi-lien.

*I. No. FEG.
65/69/2, dated
03/10/1969*

Sub :- Grant of Quasi-lien to persons with three years service.

A person who has put in at least 3(three) years of temporary service in a scheme which is not purely temporary or experimental in nature should be given quasi-lien in the post when he takes up appointment elsewhere as under the F. Rs. such Government servants are not entitled to get lien. This would mean that if the person wants to return to the same post and that post is still in existence, he should be allowed to join it. If the post is made permanent in the meantime, confirmation should be offered to him, even though he is on quasi-lien.

This takes effect from 1st April 1967



1. Re-employment/appointment on contract basis.

I. No. AAP.
126/67/62, dated
04/06/1968

Sub:- Re-employment of superannuated persons and appointment of persons in Government service on contract basis.

The undersigned is directed to refer to Appointment (A) Department O. M. NO. AAP. 183/62/20, dated 19/11/62 and to say that in view of the revised policy imposing restrictions on re-employment of superannuated Government servants and employment of such officers on contract services as indicated in paragraph 14 of this Department O. M. NO. AAP. 126/67/54 dated 02/04/68, the Government have been pleased to review the whole position in the context of changed circumstances. After careful consideration, it has now been decided to lay down the following principles in supersession of the Office Memoranda dated 19.11.62 and 06.12.63 quoted above in the matter of re-employment of superannuated

Government servants and employment of retired officers on contract service under the State Government.

1. No re-employment or employment on contract service of retired Government servants should, as a matter of principle, be made beyond the age of 55 years save in very special circumstances. This will not, however, be applicable to doctors belonging to the State Health Services (other than those holding mainly Administrative Posts) who may, if necessary, be re-employed for a term not exceeding one year at a time, but in no case beyond 58 years of age.
2. Under no circumstances should a retired officer of any service be re-employed on contract service beyond 58 years of age.
3. All proposals for re-employment of superannuated persons or employment on contract service beyond 55 years to a Gazetted posts should be submitted to the Cabinet in prior consultation with the Appointment (A) and Finance (E) Departments. In case of re-employment to a non-gazetted post the proposal need not be submitted to the Cabinet. The following procedures should be followed in processing a proposal for re-employment/employment on contract service of a superannuated person :-
 - (a) The proposal for re-employment/employment on contract service should clearly indicate the public interest involved and the special circumstances necessitating a departure from the policy enumerated in Government O. M. No. AAP. 126/87/54, dated 2. 4. 68 restricting retention of Government servants in service beyond 55 years.
 - (b) Such proposals should also indicate whether suitable persons other than the superannuated person is not available in the Department, or if available, the difficulties in getting the services of such other qualified person in the post.
 - (c) The period for which the re-employment is proposed and steps taken or proposed to be taken to fill up the vacancy, if necessary, after the period of re-employment or contract service is over.
 - (d) Special suitability of the person proposed to be re-employed or employed on contract service.
 - (e) Age of the officer on retirement date and the age on the date of proposed re-employment.
 - (f) Financial implication of the proposal including terms of re-employment, pay, pension etc. proposed to be allowed including any other benefit such as benefit of G. P. Funds, T. A. joining time, leave, medical facilities etc. to the officer keeping in view that the pay on re-employment including pension where allowed to be drawn separately, pension equivalent of

gratuity and the commuted portion of pension, if any, does not exceed last pay drawn immediately before retirement.

(g) A proposal with the above details should be submitted to the Appointment (A) Department after obtaining the approval of the Minister-in-charge of the respective Administrative Department and thereafter to Finance (B) Department.

(h) After obtaining views of Appointment (A) Department and Finance (E) Department the proposal in case of Gazetted Officers should be submitted by the respective Administrative Department to the Cabinet with the permission of the Chief Minister for approval. In case of non-gazetted Staff also the above procedures outlined in (a) to (g) should be followed except that such proposal need not be submitted to the Cabinet.

4. No person should be re-employed/employed on contract service in anticipation of the approval of the competent authority.

5. All such proposals should be submitted well ahead of time to enable Appointment (A) Department and Finance (E) Department to examine the proposals in their proper perspective.

6. Person re-employed should produce certificate of physical fitness before actual re-employment from the competent medical authority as in the case of regular employment of Government servants. This will be necessary also before each renewal of the term of employment on contract service.

7. The above principle should strictly be adhered to and no deviation therefrom should be made without the prior approval of the Government.

2. O. M. NO. AAP.
126/67/96, dated
05/02/1969

Sub :- Re-employment of doctors (after retirement at 55 years) upto the age of 58 years.

The Undersigned is directed to refer to Appointment (A) Department O. M. No. AAP. 126/67/54, dated 2. 4. 1968 and O. M. NO. AAP. 126/67/62 dated 4. 6. 1968 on the subjects mentioned above. The principle laid down therein is that doctors belonging to the State Health Services (other than those holding mainly administrative posts) may be re-employed after retirement on attaining the age of 55 years on year to year basis, upto the age of 58 years, if the Administrative Department consider it so necessary. The position has since been reviewed by the Government in the light of dearth of doctors in the State. After careful consideration, it has been decided by the Government to delete the expression "other than those holding mainly administrative posts" from the O. M. NO. AAP. 126/67/62 dated 4. 6. 68 referred above. It is, however, made clear that the re-employment of such doctors should not be automatic and as a matter of course, after retirement. Only efficient doctors

with good service records should be considered for re-employment beyond 55 years upto the age of 58 years as and when necessity arises. The Office Memorandum referred to above is modified to the extent indicated above.

3. O. M. NO. AAP.
143/77/52, dated
03/08/1979

Sub:- Revision of upper age limit for re-employment of superannuated persons and employment of persons in Government Service on contract basis.

The undersigned is directed to refer to the Office Memorandum No. AAP. 126/67/62, dated 4/6/1968 and to say that consequent on raising of the age of superannuation of the State Government employees from 55 years to 58 years with effect from 10.07.1977 vide O. M. No. AAP.143/77/37 dated. 18/07/1977 it has become necessary to make corresponding revision in the upper age limit for re-employment/employment of superannuated persons on contract service.

It has accordingly been decided that the upper age limit for re-employment of the retired Government servant and that for re-employment of superannuated persons on contract basis be re-fixed at 60 years of age subject to the fulfilment of other conditions laid down in this regard from time to time. The Office Memorandum dated 04/06/1968 referred to above stands modified to this extent.

In this context it is reiterated that the device of re-employment of superannuated persons or employment of such persons on contract service should not be taken recourse to as far as practicable.

4. AAP. 156/92/11,
dated 25/05/95

Sub :- Revised/consolidated instructions on re-employment/appointment on contract basis of superannuated persons.

It is reiterated that the State Government policy provides for no re-employment/extension of service of any State Government official, save limited contract service re-employment in very exceptional cases of unavoidable need in the interest of public service. However, despite clear provisions laid down by the Government in O.M. No.AAP.126/67/62, dated 04/06/1968, No.AAP.143/77/52, dated 03/08/1979, No.AAP.145/88/2, dated 02/08/1988, No.AAP.145/88/7 dated 19/04/1989 and No.AAP.156/92/7, dated 23/09/1992, certain Administrative Departments, without examination of the provisions laid down in the aforesaid Office Memoranda, submit proposals to Personnel (A) Department for extension/re-employment of superannuated persons/appointment of superannuated persons in Government service on contract basis, sometimes enclosing representation of the concerned retired employees, for approval. Such an approach to personnel management on the part of any Administrative Department is not acceptable at all.

2. The Government have since reviewed the whole matter in the context of the proposals received for filling up of vacancies in different Departments. After careful consideration of all aspects and in order to streamline the personnel management system, it has been decided to lay down the following norms and principles, in supersession of those contained in all the previous office Memoranda mentioned above, in the matter of re-employment of superannuated persons and employment of superannuated persons on contract service under the State Government / Public Undertakings / Autonomous Bodies / Boards / Corporations / Other organisations, with immediate effect.

3. The Administrative Departments/Heads of Departments/Controlling Authorities/Chief Executives of Public Sector Undertakings/Boards/ Autonomous Bodies/Corporations and other organisations of the State Government are well aware that the age of retirement of different categories of employees is 58 (fifty eight) years. On attaining the age of fifty eight years, retirement of employees is automatic and in absence of specific orders to the contrary by the competent authority, a Government servant must retire on the due date. The date of superannuation of a Government servant is known in advance and there should not be any question of failure to make arrangements for his release sufficiently in advance. It is the responsibility of the Administrative Authority concerned to ensure that the employees under their control do retire on the due dates. The Rule 95(I) of the Assam Services (Pensions) Rules, 1969 is abundantly clear in the matter for all concerned.

4. It would be appreciated that in every single case of re-employment/extension in service, it is not only the next man who misses promotion but often several people miss consequential promotions down the line and all along the hierarchical strata. Thus, one person getting re-employment/extension, means, deferment of promotion for six to seven persons particularly when eligible persons are available for the resultant vacancy. Too many cases of re-employment/extension in service are bound to cause frustration and affect the morale of the officers and staff in general. Keeping in view these implications, the following criteria/procedure should be strictly followed while submitting proposals to Personnel (A) Department for re-employment or employment on contract service of superannuated person in exceptional cases of unavoidable necessity only, for consideration of the Government.

(i) No proposal for extension in service of the employees beyond the age of superannuation will be considered as there is no provision for extension in service of the employees in the State Services or service cadres under the State Government/Public Sector Undertaking/Corporations/ Autonomous Bodies/Boards and other organisations.

(ii) No proposal for re-employment/employment on contract service beyond the age of superannuation should be made/entertained except in exceptional cases in which special

circumstances must exist and be clearly brought in the proposal by the Department after due consideration at the appropriate level.

(iii) A proposal for re-employment/employment on contract service in respect of the persons beyond the age of superannuation may be considered only in very rare and exceptional circumstances when serving officers/employees having qualifications and experience prescribed as per service Rules /Service orders are immediately not available to fill up the post(s).

5. In the event of a proposal for re-employment/employment on contract service in exceptional cases, the following conditions must be fulfilled :-

(A) That the proposal involves public interest and brings out the special circumstances necessitating a departure from the Government policy of not allowing any employee beyond the age of superannuation.

(B) That there is no suitable serving officer/employee to meet the requirement as per existing service Rules/Service Orders.

(C) That attempts were made well in advance to fill up the post through normal channels and/or by way of relaxation of minimum qualifying service, if any, where considered necessary.

(D) That the person proposed for re-employment/employment on contract service is suitable for the post in consideration of possession of special qualifications/experience which any of the existing serving officer does not possess.

6. While making a proposal for re-employment/employment on contract service on the lines mentioned above, the following information/particulars must also be furnished to Personnel

(A) Department and after obtaining the approval of the Minister-In charge of the concerned Department for examination.

(i) Designation of the post.

(ii) Duration of the post.

(iii) Scale and terms of the post.

(iv) Whether the post is permanent or temporary.

(v) Method of recruitment.

(vi) Qualifications and experience required as per Service Rules/Service Orders for filling up of the post

(vii) Name and terminal date of appointment of the outgoing incumbent of the post.

- (viii) The names of at least two serving officers immediately junior to the retiring officer with full bio-data, full service particulars from the date of appointment including qualifications, experience in different capacities, both technical and non-technical.
- (ix) Name of the officer proposed for re-employment/employment on contract basis with full bio-data, full service particulars from the date of appointment till date along with qualifications, experience, date of birth and the pay drawn.
- (x) Whether the matter has been placed before the DPC for selection of an officer for filling up of the post and if so, what is the result of the DPC.
- (xi) The up-to-date CR Dossier of the officer proposed for re-employment/employment on contract basis along with the up-to-date CR Dossier of the serving immediate two junior officers who is/are due for promotion to the post being vacated by the outgoing officer.
- (xii) The specific period for which re-employment/employment on contract service of the superannuated persons is sought.
7. No person should be re-employed/employed on contract service by any Department beyond the age of superannuation in anticipation of the approval of the personnel (A) Department, concurrence of Finance Department and approval of Chief Minister and Cabinet.
8. All such proposals should be submitted at least three months before the date of superannuation to enable Personnel (A) Department and Finance (Establishment)-B) Department to examine the proposal in its proper perspective.
9. The above provision for re-employment/employment on contract service of the persons beyond the age of superannuation are equally applicable to all Public Sector Undertakings/Corporations / Autonomous Bodies/Boards and Other Organisations.
10. Persons so re-employed/employed on contract service must produce certificate of physical fitness before actual re-employment from the competent Medical Authority as in the case of regular employment of Government servants.
11. The above provisions/principles should strictly be adhered to by all authorities and no deviation therefrom should be made under any circumstances.

5. O. M. NO. AAP.
145/88/2, dated
02/08/1988

Sub :- Need to anticipate and fill vacancies arising out of superannuation in order to avoid re-employment.

It has come to the notice of the Government that many retired officers have been given re-employment in the IAS and other services/posts without any apparent uniform policy.

2. It has been felt that such re-employment or extension in service of retired officers stand in the way of promotional and service prospects of serving officers and demoralise them. They also militate against the basic principles of inter transferability and on indispensability of officers, underlying public services. Moreover, as all the retired officers, naturally, do not get re-employment, etc. such practices appear to be discriminatory.

3. In order to bring about an end to such practices and to streamline the administration, as well as to widen the promotional prospect, etc. of the serving personnel, it is impressed upon all concerned that henceforth all departments should anticipate vacancies and make timely advance arrangements to fill them up through normal promotions, transfers, deputation, direct recruitment etc., and not propose any extensions/re-employment of retired officers in any service/Department.

6. No. AAP.
22/51/30, dated
20/10/1952

Sub:-Re-employment of persons above 60 years of age - medical fitness.

The undersigned is directed to say that if it is decided to re-employ a person above 60 years of age in any department of the State Government, he should be required to furnish the appointing authority with a medical certificate of fitness from the Civil Surgeon or the Medical Board, as the case may be, before his actual re-employment takes effect. These instructions should be strictly followed in all cases of re-employment of persons above 60 years of age henceforward.

7. No. AAP.
246/55/18, dated
19/02/1957

Sub:-Re-employment of persons above 55 years of age - annual medical examination.

In Office Memorandum No. AAP. 22/51/30, dated the 20th October, 1952, it was laid down that re-employment of a person who is above 60 years of age in any Department of the State Government is subject to the production of a fitness certificate either from the Civil Surgeon or from the Medical Board. Though it has been the practice to insist on Medical certificates from persons who are re-employed on attaining the age of 55 years, no definite instructions appear to have been issued on the subject. It is however necessary that persons who are allowed to continue beyond the age of 55 years should be subject to an annual Medical Examination to determine their physical fitness and mental alertness and their continuance in service should be subject to their being declared physically fit as per result of such examination.

8. O. M. NO. AAP.
145/88/7, dated
19/04/1989

Sub:- Termination of services of re-employed Government servants whose age has exceeded 60 years.

Attention is drawn to the O. M. NO. AAP. 126/67/62 dated 4. 6. 68, No. AAP. 143/77/52, dated 3/8/1979 and No. AAP. 145/88/2, dated 2. 8. 88 issued in the matter of re-employment of Government servants.

It has been observed that despite instructions against re-employment of retired Government servants in Government departments/Public sector Undertakings beyond the age of 60 years, a number of instances have come to Government's notice in which such persons have been retained in employment without specific approval of Government. Government have viewed this practice with serious concern and it has, therefore, been decided that the services of re-employed Government servants who have exceeded 60 years of age except those who have been appointed on contract basis should be terminated forthwith after observing necessary formalities. This decision will also be applicable to Public Undertakings, Semi-Government institutions.

The decision for termination of services of re-employed persons employed beyond the age of 60 years should be scrupulously followed forthwith. Under no circumstances should re-employed persons be retained in Government service (including services of Government undertakings) beyond the age of 60 years without specific approval of Government or in anticipation of Government approval.

9. O. M. NO. AAP.
156/92/7, dated
23/09/92

Sub :- Forthwith release of officers re-employed without cabinet approval

The undersigned is directed to refer to Office Memorandum No. AAP. 126/67/62, dated 4. 6. 1968, No. AAP. 143/77/52, dated 3. 8. 1979, No. AAP. 145/88/2, dated 2. 8. 1988 and No. AAP. 145/88/7, dated 19/04/1989 on the above subject and to say that Government after careful consideration of all aspects have decided that the officers/employees who have attained the age of 58 years on superannuation and continuing in service on extension/re-employment/employment on contract basis should be released forthwith. This is, however, not applicable in the cases of re-employment/extension in service, allowed with the approval of the Cabinet, till the extended period/re-employment period so allowed are completed.

Heads of Offices and appointing authorities will be held personally responsible for continuance of any one beyond the date of superannuation and appropriate departmental action will be taken against them for any such lapses.

Guidelines given in Government's earlier Office Memorandum referred to above may be followed strictly in case of proposal for re-employment etc. It is further stressed that without

prior Cabinet approval, no proposal for re-employment etc. will be deemed to have any effect for retention of any employee beyond the date of superannuation.

10. No. AAP.
279/54/15, dated
09/07/1954

Sub:-Re-employment of superannuated personnel who were not Government servants.

A person might not have worked under Government but if his age happens to be the age of superannuation in Government service the same considerations apply. It is, therefore, necessary that all case of re-employment of superannuated personnel or those who prematurely retired on grounds of physical or mental disability should be treated alike whether the employment was under the Government or not.

2. Retirement under FR 56(b).

1. O. M. NO. ABP.
184/75/Pu/B, dated
25/07/1975

Sub:-Compulsory retirement under F. R. 56(b)- Forms to be used.

For convenience of all concerned, two sets of Forms- one for Gazetted Officers and the other for Non-Gazetted Officers are enclosed herewith for use in the cases where it is decided to compulsorily retire any Government servant under F. R. 56 (b)

(FOR GAZETTED)

ORDERS BY THE GOVERNOR

DEPARTMENT

BRANCH

NOTIFICATION,

Dated _____

No. _____ Whereas Shri _____ has completed 25 years of service and whereas the Governor of Assam is of the opinion that Shri _____ should retire from service in the public interest.

Now, therefore, in exercise of the powers under F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs & S. Rs read with Note below Rule 99 of the Assam Services (Pension) Rules, 1969, the Governor of Assam is pleased to order that Shri _____ should retire from Government service with immediate effect.

The Governor of Assam is further pleased to order that Shri _____ be paid 3 (three) months' pay and allowances in lieu of 3 (three) months' notice.

By order of the Governor of Assam.

Secretary to the Government of Assam, _____ Department

Memo No. _____

Dated _____

Copy to:-

1. Shri _____
2. The A. G. (A&E) Assam, Guwahati _____
3. _____
4. _____

(FOR NON-GAZETTED)

GOVERNMENT OF ASSAM

DEPARTMENT

BRANCH

ORDER.

Dated _____

No. _____ Whereas Shri _____ has completed 25 years of service and whereas the undersigned is of the opinion that Shri _____ should retire from service in the public interest. Now, therefore, in exercise of the powers under F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs & S. Rs, the undersigned is pleased to order that Shri _____ should retire from Government service with immediate effect.

The undersigned is further pleased to order that Shri _____ be paid 3(three) months' pay and allowances in lieu of 3(three) months' notice.

(Signature of appointing authority with designation).

Memo No. _____

Dated _____

Copy to:-

1. Shri _____
2. Accountant General, (A&E) Assam, Guwahati _____
3. _____
4. _____

(FOR GAZETTED)

ORDERS BY THE GOVERNOR OF ASSAM

NOTICE

No. _____ Department _____
To _____

Branch _____
Dated _____

Shri _____

You are hereby informed that in the public interest, your services are no longer required by the Government of Assam. It has therefore been decided that you should retire from Government service.

Therefore, take notice as required under F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs and S. Rs that you shall be deemed to be retired from Government service with effect from the date of expiry of the period of 3 (three) months from the date of issue of this notice.

By orders of the Governor of Assam.

Secretary to the Government of Assam, _____ Department

Memo No. _____

Dated _____

Copy for information to :-

1. The Accountant General, (A&E) Assam, Guwahati
2. _____
3. _____
4. _____

(FOR NON GAZETTED)

GOVERNMENT OF ASSAM

Handbook of General Circulars

DEPARTMENT**BRANCH.****NOTICE**No. _____
To _____

Dated _____

Shri _____

You are hereby informed that in the public interest your services are no longer required by the Government of Assam. It has therefore, been decided that you should retire from Government service.

Therefore, take notice as required under F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs and S. Rs that you shall be deemed to be retired from government service with effect from the date of expiry of the period of 3(three) months from the date of issue of this notice.

Signature of the Appointing authority with designation

Memo No. _____

Dated _____

Copy to :-

- 1.
- 2.
- 3.

(FOR GAZETTED)**ORDERS BY THE GOVERNOR****DEPARTMENT****BRANCH****NOTIFICATION**

Dated Dispur, the _____

No. _____ In exercise of the powers conferred by F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs and S. Rs read with Note below Rule 99 of the Assam Services (Pension) Rules, 1969, the Governor of Assam is pleased to compulsorily retire Shri _____ from Government service with effect from _____

By orders of the Governor of Assam

Secretary to the Government of Assam
Department.

Memo No. _____ A, Dated Dispur, the _____

Copy to :

1. Shri _____
2. The Accountant General, (A&E), Assam, Guwahati
3. _____

(FOR NON-GAZETTED)

GOVERNMENT OF ASSAM

DEPARTMENT

BRANCH.

ORDER

Dated _____

No. _____ In exercise of the powers conferred by F. R. 56(b) as inserted by correction slip No. 221 Dated 22.07.75 of the F. Rs and S. Rs, the undersigned is pleased to compulsorily retire Shri _____ from government service with effect from _____

(Signature of the appointing authority with designation)

Memo No. _____

Dated _____

Copy to :-

1. Shri _____
2. Accountant General, (A&E), Assam, Guwahati. _____
3. _____
4. _____

2. O. M. NO. AAP.
156/88/13, dated
29/09/1988

Sub:- Review of cases of Secretaries and Heads/ Addl. Heads of Departments not belonging to All India Services, on attaining age of 50 years or 25 years of service under FR 56(b).

While procedures have been laid down by the State Government with reference to FR 56(b) and by the Central Government under the relevant Rules relating to the All India Services, for officers belonging to these services for screening officers after attaining a particular age

Handbook of General Circulars

or completing a particular period of service with a view to weeding out from administration, Government servants who have outlived their utility or who are of doubtful integrity, no such procedure has been laid down for Secretaries and Heads/ Additional Heads of Departments who do not belong to All India Services. Hence, Government have decided to constitute the following two screening Committees, which will screen the concerned Government servants with reference to FR 56(b) after going through the service records and other relevant information in respect of officers holding the posts of Secretaries/ Heads of Departments/ Additional Heads of Departments, who do not belong to the All India Services and have attained 50 years of age or have completed 25 years of service, whichever is earlier.

(I) Screening Committee for Secretaries, not belonging to All India Services.

- | | |
|---|----------|
| 1. Chief Secretary, Assam | Chairman |
| 2. Two Senior most IAS officers serving in Assam. | Members |

(II) Screening Committee for Heads/Additional Heads of Departments, not belonging to All India Services.

- | | |
|--------------------------------------|----------|
| 1. Chief Secretary, Assam | Chairman |
| 2. Secretary, Judicial | Member |
| 3. Secretary of Department concerned | Member. |

2. The Screening shall normally be done twice a year in January and July. The Department concerned shall place the cases of officers under their control due for review, before the concerned Screening Committee, which shall do the screening and submit its report to the concerned appointing authorities for taking appropriate action.

3. O. M. NO. AAP.
156/88/P/3, dated
04/04/1994

Sub:-Review of the cases of officers below the rank of Additional Heads of Departments not belonging to All India Services under F.R. 56(b).

While procedures have been laid down by the State Government with reference to FR 56(b) and by the Central Government under the relevant Rules relating to the All India Services, for Officers belonging to these services for screening officers after attaining a particular age or completing a particular period of service with a view to weeding out from administration, Government servants who have outlived their utility or who are of doubtful integrity, no

such procedure has been laid down for officers below the rank of Additional Heads of Departments who do not belong to All India Services. Hence, Government have decided to constitute the following screening Committee, which will screen the concerned Government servants with reference to FR 56(b) after going through the service records and other relevant information in respect of officers holding the posts below the rank of Additional Heads of Departments, who do not belong to the All India Services and have attained 50 years of age or have completed 25 years of service, whichever is earlier.

Composition of the Screening Committee

- | | |
|---|----------|
| 1. Secretary of the concerned Department | Chairman |
| 2. Secretary, Personnel Department | Member |
| 3. One officer of the rank of Secretary to be nominated by the Chief Secretary. | Member |

2. The screening shall normally be done twice a year in January and July. The Department concerned shall place the cases of officers under their control due for review, before the Screening Committee, which shall do the screening and submit its report to the concerned appointing authorities for taking appropriate action.

4. O. M. NO. AAP.
156/88/PV4, dated
06/04/1994

Sub:- Review of cases of Non-Gazetted/Technical/Non-Technical Staff of District Administration under FR 56(b).

Procedures have been laid down by the State Government with reference to F. R. 56(b) and by the Central Government under the relevant rules relating to All India Services, for screening of officers after attaining a particular age or completing a particular period of service, to weed out from administration those officers who have outlived their utility or who are of doubtful integrity. Screening Committees for this purpose have been constituted for Secretaries not belonging to All India Services and Heads/Additional Heads of Departments vide O.M.NO.AAP.156/88/13 of 29. 9. 1988. Another Screening Committee has also been constituted for officers below the rank of Additional Heads of Departments who do not belong to All India Services vide O. M. NO. AAP. 156/88/pt/3 of 04/04/1994, but no such Committee has been constituted for the Non-Gazetted/ Technical Non-Gazetted staff of the District administration.

Government, after careful consideration have decided that regular screening should be made in respect of those Non-Gazetted Technical/Non-Technical staff of the District administration who have attained 50 years of age or have rendered 25 years of service and

have outlived their utility or who are of doubtful integrity, with a view to weeding out from administration. For this purpose, a Screening Committee is constituted as, outlined below. The Committee shall do screening normally twice in a year in January and July. The Department/Office concerned shall place the cases of staff under their control due for review before the Screening Committee which shall do the screening with reference to F. R. 56(b) after going through the service records and other relevant information in respect of Technical and Non-Technical Non-Gazetted staff of the District Administration and submit its report to the concerned appointing authorities for taking appropriate action.

Composition of the Committee

- | | |
|--|----------|
| 1. Deputy Commissioner of the concerned District. | Chairman |
| 2. District Head of Office of the concerned Department | Member |
| 3. A representative of the Personnel Department to be nominated by the Secretary, Personnel Department | Member |

**5. O. M. NO. AAP.
156/88/Pt/16, dated
13/05/1994**

Sub :- Review of employees under FR.56(b) of district administration appointed by the Head of Department.

A confusion has arisen as to which Screening Committee will review the cases of employees of district administration where the Appointing Authority is the Head of Department and the employees concerned are posted either at the Headquarters itself or in different offices in the districts. It is clarified that review of cases under FR 56(b) on attainment of 50 years of age or 25 years of service whichever is earlier in respect of non-Gazetted technical and non-technical staff of district administration for whom the Appointing Authority is the Head of Department will be done by the Screening Committee constituted vide O. M. NO.AAP.156/88/Pt/3 of 04/04/1994

6. O. M. NO. AAP.
156/88/Pt/8, dated
06/04/1994

Sub:- Review of cases under FR 56(b) in respect of all ACS/AFS/APS officers and officers of the rank of Under Secretary and above belonging to Assam Secretariat Services.

Separate Screening Committees have been constituted for screening of officers/staff of different categories, who have outlived their utility or who are of doubtful integrity, with a view to weeding out from administration vide O.M.NO.AAP.156/88/13 of 29. 9. 1988, O.M.NO.AAP. 156/88/Pt/3 of 4. 4. 1994 and O. M. NO. AAP. 156/88/Pt/4 of 6. 4. 1994

In partial modification of the aforesaid Office Memoranda, Government have decided that the screening of the officers borne in Assam Civil Service/Assam Forest Service/Assam Police Service and officers of the rank of Under Secretary and above borne in Assam Secretariat Services will come under the purview of the Screening Committee comprised of-

- | | |
|--|----------|
| 1. Chief Secretary, Assam | Chairman |
| 2. Secretary, Judicial | Member |
| 3. Secretary of the Department concerned | Member |

The Committee will follow the same procedures as outlined in earlier Office Memoranda.

3. Recruitment.

1. No. ABP.
10/95/29, dated
23/03/95

Sub :- Constitution of Assam Staff Selection Board for recruitment to Class-III and Class-IV posts.

In exercise of the powers conferred by Sub-Rule (1) and (2) of Rule 3 of the Assam Staff Selection Board Rules, 1995, the Governor of Assam is pleased to constitute the Assam Staff Selection Board with immediate effect with the following for selection of candidates for appointment in Class III and Class IV posts under the State Government which do not come under the purview of the Assam Public Service Commission and the posts as mentioned at sub-rule (3) (a) (b) (c) (d) and (e) of Rule 1 of the aforesaid Rules :-

Note :- Details of members of the board are omitted as these will change from time to time.

2. No. ABP.
128/61/pt., dated
11/09/1967

Sub:- Recruitment to posts of Lower Division Assistants in the Secretariat - Committee to conduct.

The competitive examinations for recruitment to the posts of Lower Division Assistants in the Secretariat under sub-rule (1) of rule 8 of the Assam Secretariat Subordinate Service Rules, 1963 shall be conducted by a Committee consisting of two Secretaries to the Government to be nominated by the Chief Secretary, one of whom shall be the Chairman of the Committee and the Joint Secretary or Deputy Secretary to the Government in the Secretariat Administration Department, who will act as Member Secretary. The Committee will conduct the examination as per syllabus shown in Schedule II appended to the Assam Secretariat Subordinate Service Rules, 1963 and as per standard and techniques so far followed by the A. P. S. C. for the purpose. The Committee shall prepare a list of all candidates who qualify in the examination in order of merit which shall be determined in accordance with the aggregate marks, obtained by each candidate. If two or more candidates obtain equal marks, the Committee shall arrange them in order of their relative merit, which shall be determined in accordance with the general suitability of the candidates to the service. The list so prepared shall be submitted to the Chief Secretary for approval.

3. O.M. NO. ABP.
95/87/179, dated
12/09/1990

Sub :- Alternative English in lieu of Assamese in examinations for recruitment to the post of L.D.A.

After careful consideration it has been decided by the Government of Assam that Alternative English may be allowed to be offered in place of Assamese by a candidate seeking appointment to the posts of Lower Division Assistant in Assam Secretariat or in the Offices of the Heads of Departments (or any such post) under the State Government. However, a candidate, who has offered Alternative English and is selected and appointed to the post will be required to pass Assamese at the required level of proficiency within his probation period or a period specified by the State Government.

This may please be brought to the notice of all concerned.

4. No. ABP.
45/63/201, dated
26/02/1966

Sub:- Advertisement form for Assam Gazette for recruitment to Government service..

The draft advertisement form given below with necessary modifications to suit the requirements of different categories of posts will serve a model form for advertisement for the Assam Gazette.

Economy can be exercised by proper drafting, combining several advertisements into one, using small types and avoiding publication of application forms in the advertisements. It is not necessary to give the name of the office on the top and designation of the officer again at the bottom. Any deviation from the normal practices will have to be mentioned in the advertisement. The application forms should be kept ready to be forwarded on receipt of requests from the candidates. Sufficient time between the date of advertisement and the last date of receipt of applications should be allowed.

DRAFT ADVERTISEMENT-MODEL FORM

Applications are invited for about _____ (number) permanent/temporary post(s) of _____ in the scale of Rs. _____ plus other allowances as admissible under the Government of Assam.

Qualification:- _____

Age, other terms and conditions and application form:-

As mentioned in the Standard Form of Application at the beginning of this part (or as applicable in each case).

The application in the Standard Form at the beginning of this part, accompanied with a receipted challan for Rs. _____ (Rupees _____) in case of Scheduled Castes, Scheduled Tribes, Recognised Backward Classes, Political Sufferers and War Service Candidates) and attested copies of certificates should reach this office on or before _____

Note: Not to be printed

1. In case of temporary posts the period for which the posts are likely to continue may be mentioned.
2. The conditions for termination of services may be mentioned in the advertisement where the conditions are different from those in the Standard Form of Application.
3. Where the age or any other term or condition required is different from that stated in the Standard Form of Application, that may be mentioned in the advertisement. Name of the office, e. g. Executive Engineer, Construction Division, Shillong, may be given at the top and no signature is necessary at the bottom.
4. Regarding the amount of the application fees for various posts a reference is invited to Government letter Nos. AAP. 147/52/18, dated 25 March, 1954, AAP. 147/52/27, dated 15th May 1954 and AAP. 186/63/1, dated 25th May 1963.

(This Standard Application Form may be published at the first page of the Advertisement Part-IX of the Gazette in every week)

STANDARD FORM OF APPLICATION.

S. No. ABP.
82/92/10, dated
23/07/92

Sub :- Standard form of application.

To,

The _____

Name of the post _____

Department/Office _____

1. Name in full (Block letters) :-
 2. Present Address :-
 3. Father's Name and Address :-
 4. Place of birth including Police Station and District :-
 5. Are you a citizen of India and if so how ? (Copy of citizenship certificate should be enclosed where necessary) :-
 6. Educational qualification and also the name and full address of the educational institution in which read last :-
- (Copies of certificate should be enclosed).
7. Other Qualifications :-
 8. Community,
 - (A) State your religion
 - (B) Are you a member of a Schedule Caste, Schedule Tribe (Answer 'Yes' or 'No'). If 'Yes' give

- particulars supported by a certificate (copy of which should be enclosed).
9. (A) Age on the 1st January, 19
(According to H.S.L.C. certificate copy of which should be enclosed)
- (B) Exact age on the date of application
10. Present occupation if any :-
11. Previous appointment held if any :-
12. Are you a temporary or retrenched personnel of a temporary Department of the Government of Assam ? (Answer 'Yes' or 'No' State particulars). :-
13. Are you trained in or a member of the National Cadet Corps or Territorial Army or trained Home Guards and Civil Defence Volunteers, if so give particulars. :-
14. Employment Registration No. :-
15. Whether there is any Government/Semi Government Employee in your family. If any, particulars of such family members like relationship, name of the job, pay drawn, place of posting. permanent/ temporary etc. should be furnished. :-
16. Family's income certificate from the Gaon Panchayat D.C./D.D.O./Circle Officer to be furnished. :-
17. Examination Centre :-

I am a candidate for the post _____ and the facts stated above are true to the best of my knowledge and belief. In case of any false statement, I am liable to any action the Government may deem fit and proper.

A treasury challan of Rs. _____ is attached herewith.

Dated _____

Signature of the Applicant

6. No. ABP.
161/60/Pt. 1/58,
dated 19/02/1969

Sub:- Ineligibility of Stenographers in office of Deputy Commissioner for post of Revenue Sheristadar.

A Stenographer of a Deputy Commissioner is not eligible for consideration for selection to a post of Revenue Sheristadar.

4. Reservation in Government and Government institutions.

1. NO. AAP.
108/49/25, dated
11/04/1951

Sub:- Reservation is only for Direct Recruitment.

The reservation for Scheduled Castes and Scheduled Tribes laid down in the orders above is only for vacancies which are filled by direct recruitment and not for promotion vacancies which must be filled according to the principles laid down in the service rules for the particular service, such as seniority or selection strictly on merits or a combination of these two methods. The reservation does not apply to anything besides vacancies in public service under the State.

2. No. LLB.
258/54, dated
15/9/1955

Sub:- Reservation in posts and services under Local Bodies.

The reservation for Scheduled Castes and Scheduled Tribes in recruitment to posts and services under the local bodies in Assam should be on the basis of the population of each of the communities named above in the area covered by the local body without any separate quota for sub-tribes or sub-castes. It will be far more equitable than applying the percentage fixed for appointment under Government.

2. In making appointments to posts and services of the local bodies if in any year suitable candidates of the Scheduled Castes and Scheduled Tribes be not available for recruitment for any services or establishment to the extent prescribed, the deficiency should be made good in

the following year, provided that the deficiency should not be carried forward for more than one year. All Local Bodies should be instructed accordingly.

3. No. AAP.
66/63/Pt. I/221,
dated 26/12/1964

Sub:-Reservation Not applicable in Scientific services and posts.

In partial modification of the orders contained in Government Office Memorandum No. AAP. 66/63/482, dated 24. 8. 1963 there shall be no reservation of vacancies for Scheduled Castes and Scheduled Tribes to scientific services and posts in connection with the affairs of the State of Assam so far as it concern appointments to posts for conducting scientific research, or organising, guiding and directing scientific research.

4. NO. AAP.
66/63/Pt. I/231,
dated 28/04/1965

Sub:- Non application of reservation of vacancies in scientific services/post for SC/ST - conditions thereof.

In continuation of Memo No. AAP.66/62/Pt.I/221, dated 25th December 1964, the non-reservation of vacancies for Scheduled Castes and Scheduled Tribes candidates to scientific services and posts is subject to the following two conditions:-

- (1) It should be a post for which qualification in the natural/exact sciences or applied sciences or in technology is prescribed and the incumbent of which has to use that knowledge in the discharge of his duties.
- (2) It must be a post for conducting research or for organising, guiding and directing research.

2. Non-gazetted posts generally do not satisfy condition (2) above and should not, therefore, come within the purview of the aforesaid order. However, if for any particular non-gazetted post a Department considers exemption necessary on the ground that the incumbent not merely assists in the conduct of research but has himself to conduct research. Appropriate Department may be consulted before exemption is granted.

3. The above clarification shall be kept in view while considering exemption of scientific and technical posts from the purview of the orders relating to reservations of vacancies for Scheduled Castes and Schedule Tribes in public services under the State Government as laid down in Government Office Memorandum NO.AAP.66/63/482, dated 24th August, 1963.

5. No. AAP.
236/63/28, dated
18/09/1964

Sub:- Reservation in posts and services under public undertakings and Government aided institutions.

Whenever possible, the concerned departments should impress upon the public undertakings under their control to see that the contractors employ as many local candidates belonging to Scheduled Castes and Scheduled Tribes and to bring pressure upon the institutions receiving financial assistance from Government to see that principles of reservation are followed in these institutions. They are requested to see that the principle of reservation of vacancies as envisaged in Government office memorandum No. AAP. 66/63/482, dated 24/08/1963 is invariably followed in making appointments to posts under the public undertakings under their control.

Henceforward, normal administrative inspection should also give specific attention to the performance on the part of the office in filling up the reserved vacancies and the inspection report should make specific mention of the position in this regard.

Public undertakings should make a reservation in their services on the lines adopted by the State Governments, for their services. The contractors connected with the undertakings should also fall in line and adopt such principles of reservation. It would be highly desirable that such an arrangement is formalised as a condition of the agreement entered into by the undertaking with the contractor.

Government insists that every institution, receiving financial assistance from it, should observe the principle of reservation in employment under it.

6. No. AAP.
231/63/16, dated
05/02/1966

Sub :- Reservation of Public Services Vacancies - Scheduled Castes and Scheduled Tribes.

In modification of O.M. No. AAP.66/63/482, dated 24th August, 1963 it has been decided that an eligible candidate belonging to a Scheduled Caste or a Scheduled Tribe may not be appointed because the reserved quota in a particular recruitment year may be less than 0.5 on the basis of the percentage of vacancies mentioned above but taking the cadre as a whole the particular class to which the candidate belongs may be grossly under represented. In such cases further concessions to an under represented class of Scheduled Castes and Scheduled Tribes in a cadre are to be allowed to the extent indicated below, viz. :-

- (i) A fraction upto 0.4 of the vacancy to which the protected category is entitled on the basis of the reservation against the projected intake in any recruitment year shall be rounded to 1 in favour of candidate belonging to an un-represented community of the protected category.

- (ii) For the benefit of candidates belonging to such un-represented class, the reservation on account of the deficiency shall be carried forward upto two subsequent recruitment years before the reservation in respect of the protected category is finally treated as lapsed.

7. No. AAP.
78/69/9, dated
02/02/1970

Sub:- Reservation of vacancies in Public Services for Schedule Castes and Scheduled Tribes.

In supersession of O.M.NO.AAP.231/63/16 Dated 5th February, 1966 Government have decided to allow further concessions to an under represented class of the protected categories in a cadre to the extent as indicated below :-

(i) If on the basis of the percentage of vacancies, a particular class of the protected category is grossly underrepresented taking the cadre as a whole, a fraction of 0.1 and above of the vacancy to which the protected category is entitled on the basis of the reservation against the projected intake in any recruitment year shall be rounded off to 1 in favour of the candidates belonging to an under-represented community of the protected category till the requisite percentage of the posts in that cadre is filled up.

(ii) For the benefit of candidates belonging to such under-represented class, the reservation on account of the deficiency shall be carried forward till the requisite percentage of posts in that cadre is filled up.

8. Notification, No.
LGL. 120/77/55,
dated 28/05/1979

Sub :- The Assam SC and ST (Reservation of Vacancies in Services and Posts) Act, 1978.

The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT XII OF 1979.

(Received the assent of the Governor on 23rd May, 1979)

THE ASSAM SCHEDULED CASTES AND SCHEDULED TRIBES (RESERVATION OF VACANCIES IN SERVICES AND POSTS) ACT, 1978.

AN

ACT

to provide for reservation of vacancies in services and posts for the members of the Scheduled Castes and Scheduled Tribes.

Preamble WHEREAS the members of the Scheduled Castes and Scheduled Tribes who are Backward Classes of citizens are not adequately represented in the services and posts within the State;

AND WHEREAS it is expedient to provide for the reservation of vacancies in services and posts for them;

It is hereby enacted in the Twenty-ninth Year of the Republic of India, by the Legislature of Assam, as follows :-

1. Short title, extent and commencement. (1) This Act may be called the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978.
- (2) It extends to the whole of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

- (2) Definition In this Act, unless the context otherwise requires,-
- (a) "appointing authority" in relation to a service or post in an establishment, means the authority empowered to make appointment to such service or post;
- (b) "establishment" means any office of the State Government, a local or statutory authority constituted under any State Act for the time being in force or a Corporation in which not, less than fifty one percent of the paid up share capital is held by the State Government and includes Universities and Colleges affiliated to the Universities, Primary, Secondary and Multipurpose Schools and also other educational institutions which are owned or aided by the State Government and also includes an establishment in Public Sector;
- (c) "establishment in public sector" means any industry, trade, business or occupation owned, controlled or managed by-
- (i) The State Government or any department of the State Government, or

(ii) A Government Company as defined in Section 617 of the Companies Act, 1956 or a Corporation established by or under a Central or State Act, in which not less than fifty one percent of the paid up share capital is held by the State Government, or

(iii) A local or statutory authority, constituted under any State Act for the time being in force;

(d) "establishment in private sector" means any industry, trade, business or occupation which is not an establishment in Public Sector;

(e) "schedule" means the schedule appended to this Act.

3. Act not to apply in relation to certain employment.

This Act shall not apply in relation to-

(a) any employment under the Central Government,

(b) any employment in the Assam Judicial Service Grade I,

(c) any employment in domestic service

4. Reservation for Schedule Caste and Schedule Tribes in vacancies to be filled by direct recruitment-

At the commencement of this Act, all appointments to services and posts in the establishment which are to be filled up by direct recruitment shall be regulated in the following manner, namely -

(a) subject to the other provisions of this Act, seven percent of the vacancies shall be reserved for the candidates belonging to Scheduled Castes and ten percent for Scheduled Tribes (Plains) and five percent for Scheduled Tribes (Hills), in the manner set out in the Schedule

Provided that the State Government may from time to time review the implementation of the reservation policy and take adequate measures including increase of percentage, mentioned in Clause 4(a) of this Act.*

Provided further that the candidates belonging to Scheduled Castes and Scheduled Tribes who qualify for selection on merit shall be included in the general list and not against reserved quota;

Provided also that in respect of the Assam Judicial Service, the percentage shall be seven for Scheduled Castes and ten for Scheduled Tribes (Plains) and five for Scheduled Tribes (Hills) in Grade II and III of the service.

(b) Fees, if any, prescribed for any examinations for selection to any service or post shall be reduced to half in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes.

(c) The members of the Scheduled Castes and the Scheduled Tribes shall be entitled to a concession of three years over the prescribed maximum age limit for appointment to any service or post.

5. Reservation for Scheduled Castes and Scheduled Tribes in vacancies to be filled up by promotion-

Reservation for members of Scheduled Castes and Scheduled Tribes in vacancies to be filled up by promotion in any establishment shall be regulated in the following manner, namely:-

(a) There shall be reservation at seven percent for members of the Scheduled Castes and ten percent for the members of Scheduled Tribes (Plains) and five percent for the members of the Scheduled Tribes (Hills);

Provided that the State Government may from time to time review the implementation of the reservation policy and take adequate measures including increase of percentage, mentioned in clause 5(a) of this Act**

(b) A separate twenty point roster in the form given in the Schedule shall be maintained by every establishment.

* Substituted for the word "Bill" vide corrigendum No.LGL.120/77/73, Dated 8/10/80 published in Part-II-A of the Assam Gazette October 29, 1980.

** Substituted for the word "Bill" vide corrigendum No.LGL.120/77/73, Dated 8/10/80 published in Part-II-A of the Assam Gazette, October 29, 1980.

6. Power to exempt- If the State Government is of opinion that the reservation for members of the Scheduled Castes or Scheduled Tribes shall not be applied to any specialised service or post in view of the specialised qualification or experience necessary and in absence of such qualified candidates from amongst the Scheduled Castes and Scheduled Tribes the State Government may, by notification in the Official Gazette, exempt such service or post from the provisions of this Act.
7. Penalty- If an appointing authority makes an appointment in contravention of the provisions of Section 4 or Section 5, he shall be punishable with fine which may extend to one thousand rupees and the State Government may also draw up proceedings against the respective Head of the Department asking for show cause and for further punishment
- Provided that nothing contained in this Section shall apply in relation to an appointment to any service or post of which the appointing authority is the Governor.
8. Cognisance of Offences- No prosecution for an offence under this Act shall be instituted except by, or with the sanction of the State Government.
9. Protection of action taken in good faith- No suit, prosecution or other legal Proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.
10. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of this Act, as the State Government may consider necessary for removing the difficulty.
11. Power to amend the Schedule.- The State Government may, by order publish in the Official Gazette, add to, amend or alter the Schedule.
12. Submission of annual Report, maintenance of other records and inspection thereon.- (1) Every appointing authority shall maintain such records as may be prescribed by rules made in this behalf and shall furnish to the State Government in the prescribed manner an annual report on the appointments made by it, during the previous financial year.
- (2) Any officer authorised by the State Government in that behalf may

inspect any records or documents which are maintained in relation to appointments made by such appointing authority.

(3) It shall be the duty of the appointing authority to produce such records or documents for inspection by the officer authorised under sub-section (2), and furnish such information or afford such assistance as may be necessary for him to carry out his functions under this Act.

(4) Notwithstanding anything contained in the Assam Civil Services (Conduct) Rules, 1965, any member of any Scheduled Castes or any Scheduled Tribes who is adversely affected on account of non-compliance with the provisions of this Act or the rules made thereunder by any appointing authority, may bring the fact to the notice of the State Government and upon application made by him, the State Government may call for such records or take such action thereon as it may think fit.

13. Power to make rules.-

(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely :-

(a) Form in which every establishment shall submit annual report to the State Government regarding the number of persons recruited in such establishment.

(b) Any other matter which has to be or may be prescribed by rules made in this behalf

THE SCHEDULE

(See Section-4)

The reservation for the members of the Scheduled Castes and the Scheduled Tribes in services or posts in an establishment shall be given effect to in the following manner, namely-

(i) A roster of twenty vacancies will be necessary to give effect to the reservation of vacancies for the Scheduled Castes and the Scheduled Tribes. The roster given below shall be adopted for the purpose by each establishment.

1st	Vacancy	Scheduled Tribes (Plains).
2nd	Vacancy	Unreserved.
3rd	Vacancy	Scheduled Castes.
4th	Vacancy	Unreserved.
5th	Vacancy	Unreserved.
6th	Vacancy	Unreserved.
7th	Vacancy	Scheduled Tribes (Hills).
8th	Vacancy	Unreserved.
9th	Vacancy	Unreserved.
10th	Vacancy	Unreserved.
11th	Vacancy	Scheduled Tribes (Plains).
12th	Vacancy	Scheduled Castes.
13th	Vacancy	Unreserved.
14th	Vacancy	Unreserved.
15th	Vacancy	Unreserved.
16th	Vacancy	Unreserved.
17th	Vacancy	Unreserved.
18th	Vacancy	Unreserved.
19th	Vacancy	Unreserved.
20th	Vacancy	Unreserved.

Reservation points-

Scheduled Tribes (Plains).	1, 11
Scheduled Castes.	3, 12
Scheduled Tribes (Hills)	7

- (ii) A register shall be maintained for giving effect to the instructions contained in paragraph (i).
- (iii) Before making an appointment by direct recruitment, the appointing authority shall ascertain by consulting the register whether the vacancy is reserved or unreserved and if it is reserved, for whom it is so reserved. Immediately after an appointment is made the particulars thereof shall be entered in the register and signed by the appointing authority.
- (iv) The roster is a running account from year to year and shall be maintained accordingly. If recruitment in a particular year stops at a particular point of the cycle, say at the 4th point, recruitment in the subsequent year shall begin at the next point, i. e. at the 5th point.
- (v) No gap shall be left in the roster in filling vacancies, and if a reserved vacancy say at the 5th point of the cycle, has, for want of a qualified Scheduled Caste candidate to be treated as unreserved the candidate appointed shall be shown against the point. An attempt shall be made at the time of filling each successive unreserved vacancy to recruit a Scheduled Caste candidate but if a Scheduled Caste candidate can not still be found in the year in which the vacancy is filled, the reservation shall be carried forward to the following year. The first unreserved vacancy in that year shall be reserved for the Scheduled Castes in addition to any other vacancy available to them according to the cycle.
- (vi) In the absence of a qualified Scheduled Caste/ Scheduled Tribe candidate in a particular year, the vacancy shall be carried forward till the requisite percentage in that cadre is filled up.
- (vii) The roster, shall be maintained separately for permanent and temporary vacancies.
- (viii) A vacancy due to whatever cause, except termination of service during probation, shall be treated as a fresh vacancy.
- (ix) A candidate who claims to be a member of the Scheduled Castes or the Scheduled Tribes shall support his candidature by a Certificate from a Gazetted Officer or from such other authority as may be prescribed by rules made under the Act.

9. No. TAD
/Pu/565/76/191,
dated 29/6/79.

Sub :- Date (1st July, 1979) of coming into force of SC/ST Act.

In exercise of the power conferred by sub-section (3) of Section 1 of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 (Assam Act XII of 1979), the Governor of Assam is pleased hereby to appoint the first day of July, 1979 as the date on which the Act shall come into force.

10. O.M. No. ABP.
338/83/14, dated
04/01/1984

Sub:- Representation of Other Backward Classes and More Other Backward Classes in Public Services and Public Sector Undertakings.

Under the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and posts) Act, 1978, the reservation for Scheduled Castes and Scheduled Tribes in the services has been made.

After due consideration and keeping in view the maintenance of efficiency of the Administration and to provide adequate representation in the services to the Other Backward Classes (Other Backward Classes including More Other Backward Classes) who are not adequately represented in services, the Governor of Assam in pursuance of Article 16 of the Constitution of India is pleased to order reservation of 15% of Vacancies in all posts under the State and in services connected with the affairs of the State and its Public Sector Undertakings for members of the Other Backward Classes (Other Backward Classes including More Other Backward Classes). If sufficient number of suitable candidates for filling up the reserved vacancies are not available for these classes in any particular year, then such of the vacancies which remain unfilled would be available to the others. But this deficiency will be carried forward and made good in the recruitment to the services or establishments concerned from year to year till the requisite percentage is filled up, provided that in any year the total percentage of all categories of reserved vacancies shall not be considerably in excess of fifty percent.

The candidates belonging to Other Backward Classes (Other Backward Classes including More Other Backward Classes) who qualify for recruitment on merit shall be considered as general candidates and shall not be reckoned against the reserved vacancies.

A list of the Other Backward Classes (Other Backward Classes including More other Backward Classes) is appended to this Office Memorandum.

These instructions shall come into force with immediate effect. All Appointing Authorities under Government of Assam and Public Sector Undertakings will strictly follow the instructions and any departure or failure should be promptly reported by the Administrative Department to Personnel (B) Department.

LIST OF OTHER BACKWARD CLASSES (OTHER BACKWARD CLASSES INCLUDING MORE OTHER BACKWARD CLASSES)

(O. M. NO. ABP. 338/83/14, Dated 04/01/1984)

The following Tea Garden and Ex-tea Garden Tribes numbering 1 to 90 are More Other Backward Classes vide Tribal Areas and Welfare of Backward Classes Department letter No. TAD/BC/268/75/37, dated 27th November, 1975.

1. Arya Mala	24. Dandari	47. Kharwar	71. Parja
2. Asur	25. Dandasi	48. Khodal	72. Patratanti
3. Baspher	26. Dusad	49. Koya	73. Pradhan
4. Bhokta	27. Dhanwar	50. Kondpan	74. Rajwar
5. Bowri	28. Ganda	51. Kohor	75. Sawar
6. Bhuyan	29. Gonda	52. Kormakar	76. Sahora
7. Bhumij	30. Ghansi	53. Kashan	77. Turi
8. Bedia	31. Gorait	54. Lahar	78. Chamar
9. Belder	32. Ghatowar	55. Lodha	79. Barhai
10. Bharali	33. Hari	56. Lodhi	80. Ahir-Goala
11. Bhatta	34. Holra	57. Madari	81. Jolha
12. Basor	35. Keot	58. Mahli	82. Modi
13. Baiga	36. Koiri	59. Mohli	83. Telenge
14. Baijar	37. Khonyor	60. Mahato	84. Tassa
15. Bhil	38. Kurmi	61. Malpaharia	85. Bauri
16. Bondo	39. Kawar	62. Manki	86. Tantuhai
17. Binjia	40. Karmali	63. Mirdhar	87. Kalihandi
18. Birhar	41. Korwa	64. Majwar	88. Nath
19. Birjia	42. Kol	65. Nonia	89. Tehi
20. Beddi	43. Kalahandi	66. Nagasia	90. Tanti
21. Chowdhari	44. Kotwal	67. Pasi	
22. Chere	45. Kharia	68. Paidi	
23. Chick Banik	46. Kumhar	69. Panika	

The following Classes numbering 1 to 29 are Other Backward Classes, vide said letter No. TAD/BC/268/75/37, dated 27th November, 1975.

1. Ahom
2. Baria
3. Barui
4. Baroi
5. Barjubi
6. Chutia
7. Choudang
8. Gankak in Cachar only
9. Ghosh, Gop, Gowala.
10. Kumar, Rudra Paul of Cachar.
11. Kupadhar Kushiari, Rarh.
12. Mahisya Das, Mahisya
13. Manipuri including Manipuri Brahmins and Manipuri Muslims.
14. Moran and Matak.
15. Mukhi.
16. Napit
17. Nepali (i. e. Thapa, Gurung, Lama, Magar, Newar, Lohar, Dami, Gaine, Rai, Chetri, Lihu and Sarki i. e. Cobbler).
18. Rajbanshi or Koch
19. Sudra Das or Dey
20. Saloi
21. Sut.
22. S. C. Converted to Christianity.
23. Tantripal, Tanti, Tantri.
24. Tea Garden Labourers or Tribes.
25. Ex-tea garden Labourers or Tribes i. e. Gonds, Mundas, Khound, Santhals, Severas, Pans Oraons.
26. Teli
27. Yogi (Nath)
28. Maimals (Muslim Fisherman)
29. Maria.

11. NO. ABP.
131/84/18, dated
20/06/1984

Sub:- Reservation of seats for candidates belonging to Scheduled Castes/Scheduled Tribes (Plains)/ Scheduled Tribes (Hills) and Other Backward Classes (including More Other Backward Classes) in Technical Institutions etc.

I am directed to say that it has been decided by the Government that there shall be reservation of seats for candidates belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes (including More Other Backward Classes) in technical, medical etc. institutions under Education, Agriculture, Veterinary, Health & Family Welfare,

Labour & Employment etc. Departments at the same percentage at which vacancies are reserved for them in appointments to public service. It is also hereby made clear that the reservation is in addition to the seats secured by members of these communities on the basis of merit. This may please be noted.

You are aware that under the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 and under the Personnel Department O. M. NO. ABP.338/83/14, dated 04/01/1984, the reservation in favour of Scheduled Castes and Scheduled Tribes and Other Backward Classes is as follows :-

Members of Scheduled Caste	7%
Members of Scheduled Tribes (Plains)	10%
Members of Scheduled Tribes (Hills)	5%
Members of other Backward Classes	15%
(including More Other Backward Classes)	

It is requested that necessary modification of rules, orders etc. governing allotment of seats for admission to technical, medical etc. institutions may be made accordingly to be effective from the 1984 session of these institutions. Attention of the Departments of Education, Health & Family Welfare, Agriculture, Veterinary, Labour & Employment in particular are drawn in this regard.

12. O. M. NO.
AAP. 330/79/49,
dated 06/08/1981

Sub :- Reservation of Class-III and Class-IV posts for physically handicapped persons.

After careful consideration of various aspects, the Governor of Assam is pleased to make the provision for reservation in Grade (III) and Grade (IV) posts under State Government and Public Sector Undertakings for the Physically Handicapped persons listed below to the extent indicated against each :-

Category of the Handicapped	Percentage of reservation
1. The Blind	1%
2. The Deaf	1%
3. The Orthopaedically Handicapped	1%

2. The categorisation of the Physically Handicapped persons for the purpose of above reservation will be on the basis of the following definition.

(A) THE BLIND

The blind are those who suffer from either of the following conditions :-

- (a) Total absence of sight.
- (b) Visual acuity not exceeding 6/60 or 20/200(Snellen) in the better eye with correcting lenses;
- (c) Limitation of the field of vision subtending an angle of 20 degrees or worse.

(B) THE DEAF

The deaf are those in whom the sense of hearing is non-functional for ordinary purposes of life. They do not hear, understand sounds at all events with amplified speech. The cases included in this category will be those having loss more than 90 decibels in the better ear (profound impairment) or total loss of hearing in both ears.

(C) THE ORTHOPAEDICALLY HANDICAPPED.

The orthopaedically handicapped are those who have a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

3. The reservation of posts should be made separately for each of the aforesaid three categories of the Physically Handicapped persons but provision may be made for inter-exchange of vacancies if candidates belonging to a category of persons are not available or if the nature of vacancies in an office is such that a given category of persons cannot be employed. If in any year, the vacancies reserved for these categories are not filled the reservation should be carried over for a period upto two recruitment years. In order to implement this reservations order, the jobs which can be performed by various categories of Physically Handicapped persons without loss of productivity, should be identified by the Department concerned.

4. In case a particular Department is not in a position to implement the Office Memorandum, a reference should be made for exemption to Personnel Department which will decide such exemption in consultation with Department of Welfare of Plains Tribes & Backward Classes.

5. In the categories of jobs which are identified by the concerned Department as being particularly suitable for Handicapped persons, other things being equal, preference should be given to Handicapped persons for such jobs even in excess of the quota reserved for them in accordance with the instructions contained in paragraph 1 of this Office Memorandum.

6. All Administrative Departments should bring the contents of this Office Memorandum to the notice of the offices under their control for implementation of these orders.

7. This Office Memorandum will come into force from the date of its issue.

5. Relaxation of Rules.

1. No. AAP.
142/55/11, dated
02/09/1955

Sub :- Relaxation of rules of service.

Where the State Government is satisfied that the operation of any rule regulating the conditions of service of State Government servants, or any class of such Government servants, causes undue hardship in any particular case, it may be ordered to dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

In this rule, the expression 'State Government servants' means all persons whose conditions of service may be regulated by rules made by the Governor under proviso to Article 309 of the Constitution.

2. No. AAP.
142/55/12, dated
02/09/1955

Sub :- Procedure for considering relaxation of service rules.

The power of the State Government to relax a rule as and when considered necessary to deal with any particular case in a just and equitable manner is, to be invoked only in rare and exceptional cases. Such action should only be taken in accordance with the accepted procedure followed. Before an order of relaxation is passed in any case, the Department, which made the rule proposed to be relaxed and other Departments, e. g. Appointment Department or Finance Department, as may be appropriate with reference to the facts and circumstances and subject-matter of each case should be consulted and any existing rules of business or procedure of the Assam Secretariat (including P. W. D.) having a bearing on the subject should be complied with.

In any case in which it is agreed by the Department or Departments concerned that it is a fit case in which the power to relax any rule should be exercised by the State Government, the reasons for such relaxation should be placed on record on the appropriate file, but these should not form part of the formal order itself to be issued by the State Government in this behalf.

Any order of the State Government which may be issued dispensing with or relaxing the requirements of any rule in any particular case should be authenticated as an order of the Governor in accordance with the requirements of Article 166 of the Constitution.

At the beginning of each set of new regulations relating to the terms and conditions of service of Government servants, a general rule should be made empowering the Governor to relax the provisions of the various rules contained therein in any particular case provided that the case shall not be dealt with in a manner less favourable than that provided in these rules.

3. No. ABP.
35/63/3, dated
14/06/1963

Sub:- Relaxation of typing qualification for physically handicapped persons.

Physically handicapped persons who are otherwise qualified for appointment as lower division assistants should be exempted from the typing qualification. All appointing authorities are requested not to insist upon typing qualification for such persons.

6. Retention of Posts.

1. No. FEB.
95/77/40, dated
06/03/1978

Sub:- Delegation of power of sanctioning permanent retention of temporary posts.

In pursuance of Government assurance, the Governor of Assam is pleased to delegate the powers of sanctioning permanent retention of temporary posts continuing for 5 years or more in the manner prescribed below and subject to fulfilment of the conditions indicated thereafter.

POWERS DELEGATED

1. In case of any post for which the appointing authority is at the District level, the power of permanent retention of temporary post is delegated to the District Authority.
2. In case of any post for which the appointing authority is the Head of the Department, the power of delegation of permanent retention of temporary post is delegated to the Head of the Department.
3. In case of any non-Gazetted post for which the Government is the appointing authority, the power of permanent retention of temporary posts is delegated to the Administrative Department.

4. In case of Gazetted post like Registrar in the Heads of Departments the power of permanent retention of such temporary post is delegated to the Secretary of the Administrative Department of the respective Heads of Departments.

5. In case of some Gazetted posts, namely :-

- (i) Administrative Officer in the Heads of Departments;
- (ii) Superintendent in Assam Secretariat;
- (iii) Stenographer Grade I in the Assam Secretariat,

the power of permanent retention of such temporary post is delegated to the Chief Secretary to the Government.

6. In case of any other Gazetted post for which the Governor is the appointing authority, the existing procedure of the Administrative Department making the post permanent with the approval of the Finance Department may continue.

CONDITIONS TO BE FULFILLED

The above delegations are subject to fulfilment of the following conditions:-

- (1) The Department/ Office itself must be a permanent one.
- (2) The posts to be retained permanently must have continued for 5 years or more from the date of their original sanction.
- (3) The posts should not be of a temporary nature sanctioned for specific work and for a specific period.
- (4) The posts are not against any scheme which is taken up purely on an experimental measure or on ad-hoc basis.
- (5) A copy of the orders sanctioning permanent retention must be endorsed to the Head of Department (if the appointing authority is subordinate to him), to the Administrative Department (if the Appointing Authority is the Heads of Department), to the Finance Department (if the Appointing Authority is the Governor) together with a statement as per proforma given below:-

Sl No.	Category of posts	No. of posts	No. and date of the letter / letters under which the post / posts was / were originally created.	Remarks.
1	2	3	4	5

This will take effect from the date of issue.

2. No. FEB.
95/77/55, dated
15/02/80

Sub :- Delegation of powers of sanctioning permanent retention of temporary Gazetted posts-

In pursuance of the Government assurance, the Governor of Assam is pleased to modify the provision of para 6 of this Department letter No. FEB. 95/77/40 dated 06/03/78 in the matter of delegating the powers of sanctioning permanent retention of temporary Gazetted posts continuing for 5 (five) years or more in the manner prescribed below and subject to fulfilment of the conditions indicated in this Department letter No. FEB. 95/77/40 dated 06/03/78.

POWERS DELEGATED

6: In case of any other Gazetted posts for which the Governor is the appointing authority the power for sanctioning permanent retention is delegated to the Administrative Departments of the Government subject to fulfilment of the conditions as indicated in Finance (Estt-B) Department's letter No. FEB. 95/77/40 dated 06/03/78 and submission of the report as per proforma given below as and when such posts are permanently retained".

PROFORMA

Sl. No.	Category of posts	No. of Posts.	No. & date of the letter / letters under which the post / posts was / were originally created.	No & date of the letter of the last renewal.	Remarks, if any.
1	2	3	4	5	6

This will come into force from the date of issue of this Office Memorandum.

3. No. ABP.
246/81/6, dated
16/07/81

Sub :- Permanent retention of temporary posts and confirmation of incumbents against such posts.

I am directed to say that from time to time Government have been drawing attention of all concerned to the urgency for making the temporary posts permanent in accordance with the instructions issued by the Finance Department and also confirming the incumbents against such posts subject to fulfilment of the required conditions.

Now, it has been brought to the notice of the Chief Secretary by the State Employees Federation that there are a number of cases in various Departments/Offices where these instructions are yet to be fully complied with. It is, therefore, once again requested that, this may kindly be looked into personally so that necessary action in the matter is taken immediately, if not already done so. Receipt of this letter may kindly be acknowledged.

4. No. ABP.
246/81/28, dated
20/01/82.

Sub :- Making posts permanent and confirming employees - submission of quarterly reports.

I am directed to say that despite instructions issued under the above noted letters and also those from the Finance Department for making the temporary posts permanent and confirming the incumbents against such posts subject to fulfilment of the required conditions, it appears from the representations received from various Associations of the State Government employees that the instructions in this behalf are yet to be fully implemented.

It is accordingly requested that follow up action may be taken to ensure its implementation by the appointing authorities under your administrative control.

It is further requested that a consolidated quarterly report as per proforma enclosed in respect of your establishment and all establishments under your administrative control may be furnished to this Department regularly to reach by the 15th day of the month following the close of the quarter starting from the quarter ending on 31st December, 1981.

PROFORMA

PERMANENT RETENTION OF TEMPORARY POSTS AND CONFIRMATION OF INCUMBENTS

Name of the Administrative Department _____

Report for the quarter ending _____

Designation of the Temporary Post	No. of Post.	No of Posts continuing for more than 5 years.	No of posts which were made permanent till the end of the last quarter.	No of persons confirmed against permanent posts.	No of persons not confirmed.	Reason for delay in confirmation against permanent post, if any.	Reasons for non retention of the posts permanently.	Reasons for non confirmation of the incumbent.
1	2	3	4	5	6	7	8	9

[Note: Reminders for implementing the decisions contained in the OM No. FEG. 95/77/40 dated 06/03/78 were issued vide OM No. ABP 246/81/77 dated 23/06/86 and No. ABP. 36/86/pt/87 dated 03/04/90]

7. Re-organisation of Departments .

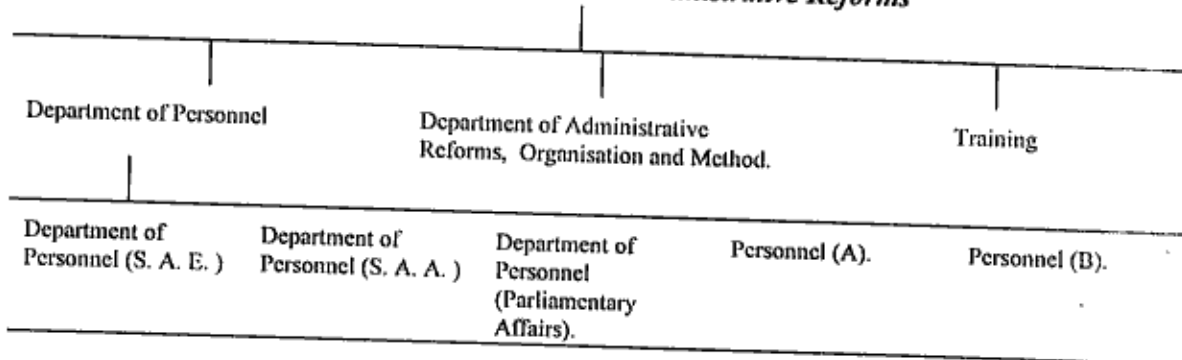
I. No. ABP.
133/76/Pt. IV/3,
dated 20/07/1976

Sub:-Re-organisation of the Appointment Department to that of Personnel and Administrative Reforms .

In the context of the 20-Point Programme, it is necessary to strengthen and streamline the administration of the State. With that end in view and in the light of the recommendation of the Conference of Chief Secretaries held on 7th and 8th May, 1976, the Governor of Assam is pleased to reorganise the existing Appointment (A), Appointment (B), Secretariat Administration Departments and the Administrative Reforms Department under one Department with the name and style "Department of Personnel and Administrative Reforms." It has been decided that this Department shall be under the direct charge and control of the Chief Secretary and its functions, duties and responsibilities should be included within the portfolio of the Chief Minister.

2. The organisational structure of the Department after the reorganisation will be as given below and the subjects allotted to each unit shall be as shown in the annexures :-

Department of Personnel and Administrative Reforms



**Subjects Allotted To Department Of Personnel
(Secretariat Administration Estt.)**

1. All Service matters (such as appointment on regular/ad-hoc basis after holding recruitment examinations, fixation of pay, granting of increments, leave, officiating arrangement wherever necessary, posting and transfer, promotion, fixation of seniority, confirmation, release, deputation and disciplinary matters, creation and retention of temporary posts and permanent retention, pension cases etc. and allied matters for each item) relating to Assam Secretariat Subordinate Services, Subordinate Grade-II and III Stenographers (Non-gazetted) Service, Record Suppliers, Typists and permanent Grade IV Employees.
2. Sanction of advance, e. g. House Building Advance and Cycle and R/R Advances, G. P. Fund Advance etc. to Secretariat non gazetted Staff.
3. Sanction of reimbursement of medical bills, honorarium and overtime allowances etc. to Secretariat non-gazetted staff including Grade-IV staff.
4. Issue of Identity Cards to all Government servants posted in the Secretariat and also to other Government servants of other offices who are required to visit the Secretariat building frequently and matters relating thereto.
5. Sanction of pre-audit bills.
6. Purchase of typewriters, duplicating machines, alteration, arrangement for repair, condemnation etc.
7. Census of Government employees of Assam Secretariat.
8. Matters relating to :-
 - (i) Assam Sectt. Subordinate Service Rules, 1963.
 - (ii) Assam Sectt. Grade IV and III Record suppliers Rules, 1963.
 - (iii) Subordinate Grade II and III Stenographers Service Rules.
9. Matters relating to employees' Associations.
10. Matters relating to Issue Branch & Dak Section.
11. Implementation of the scheme for training of apprentices Act, 1961.
12. Allied matters relating to non-gazetted staff of Assam Secretariat.

13. Condonation of overage.
14. Special Pay.
15. Verification of periodical increments
16. Matters relating to Budget provision etc., Governor's Speech, Public Accounts Committee relating to S. A. D. (E).
17. Assets and Liabilities of Secretariat Staff.
18. Training of L. D. Assistants and U. D. Assistants. and Typists in the Secretariat Training School.

ANNEXURE II

SUBJECTS ALLOTTED TO DEPARTMENT OF PERSONNEL

(SECRETARIAT ADMINISTRATION ACCOUNTS)

- (1) Pay bills of the following officers and staff:-
 - (a) Pay bill of Ministers
 - (b) All IAS Officers
 - (c) All ACS officers
 - (d) All Deputy Secretaries of Secretariat Services
 - (e) All Under Secretaries of the Sectt. Services
 - (f) Research Officers and Assistant Research Officers
 - (g) Superintendent
 - (h) Assistant Superintendents
 - (i) U. D. Assistants
 - (j) L. D. Assistants
 - (k) All Grade I Stenographers
 - (l) Stenographer Grade II and III
 - (m) Typists
 - (n) All Grade IV Employees

- (o) Special Attendants
- (p) Drivers
- (q) Loka Kanyas
- (r) Pay Bills of the officers and Staff of the Planning Board
- (s) Pay Bills of casual employees etc.
- 2. Arrears Increment/ Officiating arrears etc. of the above officers and staff etc. H. R. Allowance of Ministers etc.
- 3. Advance T. A. /Final T. A Bills of the above officers and staff etc. and also Non-official Members of various Committees and Council etc.
- 4. All kinds of Advances viz. G. P. F. Advance, House Building Advance, Motor Car/ Motor Cycle Advance, Flood Advance, Festival Advances of the above Officers and Staff and maintenance of accounts and records thereof.
- 5. Maintenance of individual records of the 50% Addl. Deposit of all the officers and staff mentioned above.
- 6. All kinds of contingency bills of the Secretariat including Planning Board.
- 7. Budget estimates of the Secretariat/ Appropriation Accounts/ Verification of Accounts etc.
- 8. Audit Reports of the A. G. Assam etc.
- 9. Telephone bills of all Ministers/ Officers and Deptts. etc.
- 10. All kinds of Cash transactions of the above.

ANNEXURE III*PARLIAMENTARY AFFAIRS*

- 1. Assumption of office by the Governor.
- 2. Co-ordination between administrative and legislative Wings.
- 3. Assurance Committee matters. Scrutiny and implementation reports.
- 4. Instructions/ guidance to Departments on procedural matters with regard to assembly matters.

5. Follow up actions in respect of recommendations of various House Committees e. g. P.A.C., Estimate Committee etc.
6. Compilation and submission of weekly returns in respect of disposal of Assembly questions.
7. Matters relating to the assumption and relinquishment of offices by the Ministers, Ministers of States and Deputy Ministers.
8. Reimbursement of Medical bills of Ministers.
9. Matters relating to pre-audit of pay bills, T. A bills etc. of the Ministers.
10. Officially sponsored visits of members of Assembly to places in the interest of Public Service.
11. Work connected with the All India Whips' Conference.
12. Precedents, decisions and rulings of speakers on different matters.
13. Advice on Parliamentary matters.

ANNEXURE IV

<i>PERSONNEL (A)</i>	<i>PERSONNEL (B)</i>
1. Matters relating to Rules / Regulations of ICS, IAS and ACS.	1. Initiating the scheme of joint consultative machinery on the pattern existing at the centre.
2. Assam Civil Service Conduct Rules.	2. Matters relating to service Associations other than IAS and ACS.
3. All Service matters relating to ICS, IAS and ACS.	3. Matters relating to DCs amalgamated establishment.
4. Matters relating to IFS Probationers.	4. Budget estimates in respect of D. C. establishment and all matters connected thereto, letter of credit.
5. Matters relating to IAS & ACS. (I & II) Associations.	5. Audit objection, Public Accounts Committee matters, draft paras.
6. Promotion of ACS officers to IAS.	6. Supply of equipment in D. Cs and S. D. Os Office.
7. Manpower Planning.	7. All matters relating to pension in respect of

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|---|--|
| 8. Periodical Cadre review. | the Gazetted Officers from Sectt. Service and employees of the D. Cs amalgamated Estt. |
| 9. Recognition of University degree and diplomas. | 8. Rules and Procedure, regarding the fixation of seniority promotion, and all matters relating thereto. |
| 10. Re-employment, extension of Super-annuated Government servants and contract service | 9. All matters relating to the Departmental Proceedings- Advising other Departments in matters where necessary. |
| 11. General rules relating to application fees and instruction regarding advertisement of posts. | 10. Quarterly statement of Proceedings cases, maintenance of records in respect of officers- dismissed, removed and compulsorily retired |
| 12. Reservation of posts for SC/ST and reserved categories. | 11. All matters relating to service Associations, convention, co-ordination, including the grant of recognition. |
| 13. Matters relating to special pay, additional pay, compensatory allowance, honorarium etc. to Gazetted Officer. | 12. All matters relating to service rules of various services. |
| 14. Matters relating to Ex-Service personnel (concessions) | 13. All matters relating to the Assam Public Service Commission. |
| 15. Investiture of Magisterial power. | 14. All matters relating to the Governor's Sectt. |
| 16. Inspection notes of the Commissioners of Divisions. | 15. Grant of Indian Citizenship |
| 17. Matters relating to Commissioners and their establishments. | 16. All matters relating to the State Enquiry Officer. |
| 18. Assam Civil Services (Class I) Rules. | 17. Assam Sectt. Service Rules. |
| 19. Assam Civil Services (Class II) Rules. | 18. Assam Sectt. Subordinate Service Rules. |
| 20. Condonation of over-age for appointment to Government service/posts. | 19. Assam Services Discipline and Appeal Rules. |
| | 20. Absorption of retrenched personnel of temporary Departments. |
| | 21. Preferential Treatment in the matter of |

- settlement of ferries, fisheries etc. to SC/ST and Other Backward Classes.
22. All matters relating to the Gazetted officers from Sectt. Services- Posting, Transfer, grant of leave etc.
23. All matters relating to Administrative Officers.
24. All matters relating to the Stenographers Grade I
25. General rules governing appeals and memorials.
26. The Assam rules of Executive Business.
27. Matters relating to debarring persons from Government service.
28. Condonation of educational deficiency in appointment to Government service.
29. State Emblem.

ANNEXURE V

<i>Administrative Reforms</i>	<i>Organisation and Method</i>	<i>Training</i>
1. Research in Personnel Administration.	1. Work study	1. Departmental Examinations relating to I.C.S., IAS and ACS
2. Institutionalising arrangement for selection of officers at the Senior and Middle levels in the State.	2. Matters relating to Civil list.	2. Survey and settlement Training.
3. Ensuring by inspection and continuous review, implementation of policy on personnel administrative reforms.	3. Processing of Economy Committee's Report.	3. Matters relating to Administrative Staff College.

<p>4. Staff Welfare General Policy.</p> <p>5. Creation of Districts and Sub-divisions.</p> <p>6. Matters relating to grant of gazetted status.</p> <p>7. Allotment of the subjects to the departments, creation, re-organisation and amalgamation of Departments.</p> <p>8. Conference of D. Cs. and S.-D. Os.</p> <p>9. Matters relating to Chief Secretaries Conference.</p> <p>10. Senior Administrative Co- ordination Committee meeting.</p>	<p>4. Simplification of procedures.</p> <p>5. Mechanisation of Administration.</p>	<p>4. Arrangements for examinations conducted by the U. P. S. C.</p> <p>5. All other training matters.</p> <p>6. All matters relating to Training Institutions.</p> <p>7. Deputation of Officers for training within India as well as abroad.</p> <p>8. Training of Secretariat Staff.</p> <p>9. Talent hunting.</p> <p>10. Career Planning.</p>
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2. No. ABP.
133/76/Pt. IV/43,
dated 11/08/78

Sub :- Separation of Administrative Reforms Department from Personnel Department.

In partial modification of this Department Notification No. ABP. 133/76/Pt. IV/3 dated 20/07/76, the Governor of Assam is pleased to re-organise the existing Department of Personnel and Admn. Reforms into the two separate Departments with the names and styles as "Department of Personnel" and "Department of Administrative Reforms" with effect from 08/08/78. The Department of Administrative Reforms will consist of the present wings viz. "Administrative Reforms and Organisation and Methods".

3. No. ABP.
133/76/Pt. IV/46,
dated 04/05/79

Sub :- Tagging of 'Training Wing' of Personnel Department with Administrative Reforms Department.

In partial modification of this Department Notification No. ABP. 133/76/Pt. IV/43 dated 11/08/78, the Governor of Assam is pleased to tag the 'Training' wing of the 'Department of Personnel' with the Administrative Reforms Department with immediate effect. Administrative Reforms Department will consist of the following wings :-

'Administrative Reforms', 'Organisation and Methods' and 'Training'.

8. Retrenched employees of Census operation.

1. O. M. No. ABP.
265/91/15, dated
06/01/92.

Sub:-Giving preference to the retrenched employees of census operation in the matter of recruitment.

Consequent upon the likely retrenchment of employees of Census Operation in the near future, the question of absorption of these personnel has arisen. After careful consideration, Government have decided that while filling up equivalent posts of Grade-III and Grade-IV in the offices under the State Government, the cases of absorption of such retrenched personnel should be considered giving them preference in the matter of recruitment, subject to observance of the provisions of Assam Schedule Castes and Schedule Tribes (Reservation of Vacancies in Services and Posts), Act. 1978.

Further, it has been decided to relax the age limit of this category of candidates to the extent of the length of their service under Census Operations beyond the permissible upper age limit. 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 such deficiencies.

2. O. M. No. ABP.
265/91/27, dated
30/06/92.

Sub :- Absorption of retrenched employees of the census operation.

State Government have already issued directives under O.M.No. ABP. 265/91/15 dated 06/01/92 for giving preference to the employees of Census Operation who are likely to be retrenched in the near future in the matter of appointment to Class-III and Class-IV posts in the offices of the State Government.

Instances have come to the notice that proper importance has not been given to this instruction by some of the appointing authorities. Such employees will, however, have to

go through the usual recruitment procedure, including tests/interviews as may be laid down and there shall be no scope for reservation of posts for their absorption in State Government service.

Further, it is clarified that the aforesaid categories of candidates will be equally entitled to get consideration as per the "one family one job", policy accepted by the Government vide Clause (c) of letter No. ABP. 255/91/11 dated 07/11/91 and also to relax the age limit of this category of candidates to the extent of the length of their service under Census Operation beyond the permissible upper age limit, allowed vide O.M. No. ABP. 73/89/17 dated 04/01/92. 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 such deficiencies.

It is, therefore, once again impressed upon all concerned to bring these directives to the notice of all their Field Officers and Appointing Authorities under their administrative control immediately for compliance, if not already done.

9. Redress of grievances of Government servants.

*I. No. ABP.
367/56/24, dated.
09/05/592, and
No. ABM.
41/62/80, dated
31/12/63.*

Sub :- Government servants seeking redressal of grievances in courts of law.

Government servants seeking redress of their grievances arising out of their employment or conditions of service should, in their own interest and also consistently with official propriety and discipline, first exhaust the normal official channels of redress before they take the issue to a court of law.

Where, however, permission to sue Government in a court of law for the redress of such grievances is asked for by any Government servant either before exhausting the normal official channels of redress or after exhausting them, he may be informed that such permission is not necessary.

10. Resignation.

I. No. ABP.
398/78/1, dated
17/11/1978

Sub :- Procedure relating to resignation from Government service.

I am directed to say that the State Government have adopted the procedure as laid down by the Government of India in their O. M. NO. 39/6/57-Est(A), dated 6/5/58 and OM NO. 39/17/69-Ests(A), dated 18/6/70, copies of which are sent herewith for information and guidance. These provisions should henceforth be followed by all the Appointing Authority.

**Copy of O.M. No.39/6/57-Est(A) dated 06/05/58 from Government of India,
Ministry of Home Affairs**

Resignation from Service-Procedure in respect of-

Questions have been raised from time to time regarding the authority competent to accept a resignation, the circumstances under which resignation should be accepted, the date when a resignation becomes effective, and the authority competent to permit a Government servant to withdraw a resignation which he has already tendered. The following instructions are, therefore, issued for information and guidance of all Ministries.

(a) *Authority competent to accept resignation* - The appointing authority in respect of the service or post in question is the authority competent to accept the resignation of the Government servant.

(b) *Circumstances under which resignation should be accepted* - It is not in the interest of Government to retain an unwilling officer in service. The general rule, therefore, is that a resignation from service should be accepted except in the circumstances indicated below :-

(i) Where the officer concerned is engaged on work of importance and it would take time to make alternative arrangements for filling the post, the resignation should not be accepted straightway, but only when alternative arrangements for filling the post have been made.

(ii) Where a Government servant who is under suspension submits a resignation, the competent authority should examine, with reference to the merit of the disciplinary case pending against the Government servant, whether it would be in the public interest to accept the resignation. Normally, as officers are placed under suspension only in cases of grave delinquency, it would not be correct to accept a resignation from an officer under suspension. Exceptions to this rule would be where the alleged offences do not involve moral turpitude or where the quantum of evidence against the accused officer is not strong enough to justify the assumption that if the departmental proceedings were continued, the

officer would be removed or dismissed from service, or where the departmental proceedings are likely to be so protracted that it would be cheaper to the public exchequer to accept the resignation.

(c) *Date when a resignation becomes effective* - The competent authority should decide the date with effect from which the resignation should become effective. In cases covered by (b)(i) above the date should be that with effect from which alternative arrangements can be made for filling the post. Where an officer is on leave, the competent authority should decide whether he will accept the resignation with immediate effect or with effect from the date following the termination of the leave. Where a period of notice is prescribed which a Government servant should give when he wishes to resign from service, the competent authority may decide to count the period of leave towards the notice period. In other cases also, it is open to the competent authority to decide whether the resignation should become effective immediately or with effect from some prospective date. In the latter case, the date should be specified.

(d) *Authority competent to permit withdrawal of resignation*, - A resignation becomes effective when it is accepted and the officer is relieved of his duties. Where a resignation has not become effective and the officer wishes to withdraw it, it is open to the authority either to accept the resignation or to refuse the request for such withdrawal. Where however, a resignation has become effective the officer is no longer in Government service and acceptance of the request for withdrawal of resignation would amount to re-employing him in service after condoning the period of break. As this would involve financial commitments, concurrence of the Ministry of Finance should be obtained before a request for withdrawal of resignation which has already become effective is accepted.

**Copy Of O.M. No. O. M. No. 39/17/69/Ests(A) Dated 18/6/70 Government Of India,
Ministry Of Home Affairs,**

The undersigned is directed to invite attention to para 1(b) (ii) of the Ministry of Home Affairs Office Memorandum No. 39/6/57 Est. (A) dated May, 6, 1958 in regard to officers under suspension. It has been provided in para 1(b)(ii) thereof that as officers are placed under suspension only in cases of grave delinquency, it would not be correct to accept resignation from an officer under suspension except where the alleged offence(s) do not involve moral turpitude or where the evidence against the delinquent officer is not strong enough to justify the assumption that if the departmental proceedings were continued, the officer would be removed or dismissed from service or where the departmental proceedings are likely to be so protracted that it would be cheaper to the public exchequer to accept the resignation.

2. The Estimates Committee in their 87th Report (Fourth Lok Sabha) on the Ministry of Foreign Trade have recommended inter alia that where investigation whether preliminary or regular are pending against a Government employee, he should not be allowed to resign till he is cleared of the charges. This recommendation has been considered and it has been decided that in case an officer against whom an inquiry or investigation is pending (whether he has been placed under suspension or not) submits his resignation, such resignation should not normally be accepted. Where, however, the acceptance of resignation in such a case is considered necessary in the public interest, because one or more of the conditions laid down in paragraph 1 above are fulfilled the resignation may be accepted with the prior approval of the Head of the Department in the case of holders of Class III and IV posts and that of the Minister-in-charge in respect of holders of Class I and Class II posts.

11. Rewards.

I. No. ABP.
130/90/Pt/2, dated
02/01/1991.

Sub :- Grant of rewards and issue of appreciation letters to Government servants for outstanding work etc.

With a view to encourage efficiency, integrity and devotion to duty and to promote the spirit of public service the Government has decided to introduce a system of recognition of these qualities by way of conferment of awards, rewards and distinction amongst the State Services coupled with corresponding effect on the promotional avenues without, in the least, meaning to cast any aspersion on those not selected for the said distinctions :

1. Categories of distinctions :

- (a) Outstanding service Gold Medals.
- (b) Meritorious service Silver Medals.
- (c) Commendable service Certificates.
- (d) Cash awards.

2. Criteria

The aforesaid distinctions will be conferred on such of the Government servants as have been selected by the Committee constituted under paragraph 5 of this order on the basis of integrity, devotion to duty, merit and ability. The number of medals, letters of commendation and cash awards shall be determined by the Government from time to time.

The distinction conferred will be regarded as part of the service records.

3. *The recipient of a distinction would be entitled to an advance increment instantly.*

4. *Disqualifications*

No Government servant will be eligible for consideration for an award if (i) a departmental proceeding is either pending or contemplated against him or (ii) his conduct is under investigation by the Anti-Corruption Organisation or (iii) a criminal proceeding is pending against him or (iv) he is under suspension or (v) his last ACR reflects a doubt about his integrity.

5. *The Selection Committee :*

The Committee to select the recipients of awards will be as follows :-

- | | |
|--|-------------------|
| 1. Chief Secretary to the Government of Assam | Chairman. |
| 2. The Commissioner and Secretary to the Government of Assam, Personnel Department. | Member Secretary. |
| 3. Commissioner/ Secretary and the Head of the Department of the Department concerned and the Deputy Commissioner of the District would be co-opted for the selection. | |

6. *Procedure to be followed by the Committee :*

(a) The Secretary of the Committee will write to all Controlling officers in the State asking for the bio-data of Government servants who, in their option, deserve a reward. The controlling officer will submit proposals specifying the nature of the award and detailed reasons justifying its conferment. He will forward his recommendation together with the personal record of each government servant recommended for consideration. The number of government servants who can be recommended by each controlling authority will be indicated by the Secretary of the Committee with the approval of the Chairman. Ordinarily, recommendations will not exceed the number specified.

(b) The Committee will sit from time to time and make selection from amongst the names received from various controlling authorities. Ordinarily, the consensus of the members of the Committee will form the basis of selection but in case of disagreement, the Chairman's decision will prevail.

(c) No person will be entitled to the same award more than once in five years. But he will be eligible for a higher award than the one granted to him on any earlier occasion.

(d) The selection made by the Committee will be final and no appeal or representation against it will lie with any other authority.

7. Issue of Orders :

All orders for conferment of a reward will be issued under the signature of the Commissioner and Secretary/ Secretary to the Government of Assam in the Personnel Department. The necessary budget provision for cash awards will be made in the budget of the Secretariat Administration (SAD).

8. Existing Incentives :

The rewards conferred under this Office Order will be in addition to any other awards or rewards ordinarily available under any existing rules or circulars of Government.

9. These instructions will come into force at once and will apply to all Government servants other than those working in Police organisation.

2. O. M. NO. AAI.
18/80/pv/21, dated
31/08/1984

Sub:- Issue of appreciation letters to Government Servants.

It has come to the notice of the Government that some Administrative Department or Heads of Departments issues letters of appreciation to Government employees in respect of any outstanding/commendable work they feel had been done by such employees in the name of the Government without obtaining necessary authority/approval from the Government. The following guidelines on the subject are, therefore, circulated for information and guidance of all concerned.

1. As appreciation of an employee's work should more appropriately be recorded in the annual confidential report, the general policy should be to discourage issue of appreciation/commendation letters which do not give a complete picture of the performance of any employee including his good and bad points.

2. If however, in any exceptional case it is intended by any Secretary or Head of Department to issue an appreciation/ commendation letter to any employee, it may be issued in their capacity as Secretary or Head of Department as the case may be, but not in the name of the Government. When it is intended to convey the commendation on behalf of the Government, it should be conveyed only with the approval of the Minister-in-charge of the Department. It may also be noted that no appreciation letter issued without the Government approval will find a place in the C. R. Dossier.

3. In case of an IAS or ACS officer, the letter of appreciation should be conveyed with the approval of Chief Minister in addition to the Minister-in-charge of the Department and approval of Chief Minister in this regard should be obtained through Personnel (A) Department.

It is requested that the above guide-lines be kept in mind by all concerned while considering the issue of any appreciation letter to Government employees and the procedure laid down is strictly adhered to.