



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
PERSONNEL (A) DEPARTMENT

NOTIFICATION

The 2nd July, 2015

No. AAP.138/2009/Pt.46.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules regulating the recruitment and the conditions of service of the persons appointed to the Assam Land and Revenue Service, namely : -

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| Short title and commencement | 1. (1) These rules may be called the Assam Land and Revenue Service Rules, 2015.
(2) They shall come into force on the date of their publication in the Official Gazette. |
| Definitions | 2. In these rules, unless the context otherwise requires; <ul style="list-style-type: none"> (a) 'Appointing Authority' means the Governor of Assam ; (b) 'Board' means the Selection Board constituted under Rule 14; (c) 'Commission' means the Assam Public Service Commission ; (d) 'Constitution' means the Constitution of India ; (e) 'Government' means the Government of Assam ; (f) 'Governor' means the Governor of Assam ; (g) 'Member' means a member of the Assam Land and Revenue Service ; (h) 'Select List' means the list referred to in rule-6 and 12; (i) 'Service' means the Assam Land and Revenue Service ; (j) 'Year' means the calendar year ; and (k) "Schedule" means the schedule appended to these rules. |

- Class and Cadre** 3. (1) The service shall consist of the following Cadres : -
- (a) Selection Grade:- It shall include the cadre of Additional Director Land Records, Additional Director Land Reforms, Additional Director Survey, Senior Research Officer, Revenue Department, Principal, Survey and settlement Training Centre.
 - (b) Senior Grade:- it shall include the cadre of Senior Circle Officer.
 - (c) Junior Grade :- It shall include the cadre of Circle Officer.
- (2) The members of the service in different cadres shall hold the posts as shown in Schedule-I.

- Strength of service** 4. The strength of each cadre in the service shall be such as determined by the Governor from time to time. The strength of the cadres of the service on the date of commencement of these rules shall be as shown in Schedule-II:

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

Provided further that the Governor may review the strength of service once in every five years.

- Method of recruitment** 5. Recruitment to the service shall be made in the manner prescribed hereinafter :
- (1) Recruitment to the cadre of Junior Grade (Circle Officer) shall be made by the following method, namely ;-
- (a) By direct recruitment through Competitive Examination to be conducted by the Commission, and
 - (b) *By selection through Departmental (Promotion) examination to be conducted by the Commission, from the members belonging to the cadres of Sub-ordinate Revenue Service which shall not exceed 10% of the cadre of Junior Grade:*
Provided that a member of the service shall be eligible for Departmental (promotion) examination who is a graduate from any recognized University and has rendered at least 10 years of service in Assam Sub-ordinate Revenue Service, on the first day of the year in which Departmental (Promotion) examination is held, and who does not cross the age of fifty years on the first day of the year in which Departmental (Promotion) examination is held:
 - (c) *The Competitive examination for direct recruitment and departmental examination for promotion shall be conducted by the Commission in accordance with such syllabus as the Governor may from time to time make in consultations with the Commission.*
- (2) Recruitment to Senior Grade and Selection Grade shall be made by promotion in accordance with rule 13.

- Direct recruitment**
6. Direct recruitment shall be made on the basis of recommendation made by the Commission in accordance with the procedure hereinafter provided : -
- (a) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled by direct recruitment during the next year and shall intimate the same to the Commission together with the details about reservation for candidates belonging to Scheduled Castes, Scheduled Tribes and any other category as laid down by the Government as provided in rule 15.
 - (b) The Appointing Authority shall simultaneously request the Commission to recommend a list of candidates for direct recruitment, in order of preference;
 - (c) The Commission shall make the selection in accordance with the scheme of selection prescribed by the Government in consultation with the Commission. The Commission shall conduct competitive examination and interview and undertake scrutiny of documents as may be considered necessary.
 - (d) The Commission shall prepare a list of all candidates who qualify in order of merit in accordance with the aggregate marks obtained by each candidate. The number of candidates to be recommended for appointment may be as per the indent given by the Government. The Commission shall furnish such list to the Government for appointment to the post of service.
 - (e) The Commission shall publish the list in the Assam Gazette and such other places as the Commission may consider proper.
 - (f) The list mentioned in Clause (d) of this rule shall remain valid for twelve calendar months from the date of recommendation.
- Qualification for direct recruitment**
7. A candidate for direct recruitment to the service shall not be less than 21 and not more than 38 years of age on the first day of January of the year in which the advertisement is made with relaxation in the case of candidates belonging to special categories like scheduled Caste, Scheduled Tribes or any other category as laid down by the Government from time to time.
- Academic Qualification**
8. The Academic qualifications of a candidate for direct recruitment shall be as prescribed by the Government from time to time. The qualification and experience prescribed, as on the date of commencement of these rules, are given in Schedule-III.
- Physical fitness**
9. A candidate for direct recruitment shall be;-
- (1) of sound health, both mentally and physically and free from organic defects or bodily infirmity likely to interfere with the efficient performance of his duties; and
 - (2) required to undergo medical examination before final approval for appointment to the service.
- Character**
10. The candidate for direct recruitment shall produce to the Commission certificates of good character from;-
- (a) The Principal Academic Officer of the University or College in which the candidate last studied, and
 - (b) two respectable persons (not related to the candidate) who are well acquainted with him.

Disqualification

11. (1) No person shall be appointed to the Service :-

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

(b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living, provided that the Governor may, if he is satisfied that there are special grounds for doing so exempt any person from the operation of this clause.

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

General Procedure of promotion

12. (1) At the beginning of each year, the Appointing Authority shall make an assessment of the likely number of vacancies to be filled up in the following year in each cadre by promotion.

(2) The Appointing Authority shall then furnish to the Board the following documents and information with regard to as many officers in order of seniority as are eligible for promotion, subject to maximum of four times the number of actual vacancies as assessed under sub-rule (1):-

(a) information about the number of vacancies ;

(b) list of officers in order of seniority, eligible for promotion indicating the cadre to which the case of promotion is to be considered ;

(c) Character rolls and personal files of the officers listed ;

(d) details about reservation as per provision of law in force.

(e) any other documents and information as may be considered necessary by the Appointing Authority or required by the Board.

(3) The Appointing Authority shall simultaneously request the Board to recommend within one month list of officers, found suitable for promotion in order of preference, in respect of cadre in which recruitment is to be made;

(4) The selection shall be made on the basis of seniority with due regard to merits:

Provided further that an officer who is under suspension or against whom Departmental proceeding or criminal proceeding is pending shall not be selected .

(5) The Board, after examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a list of officers equal to the number of vacancies in order of preference, found suitable for promotion:

Provided that an officers shall be eligible for promotion only if he is previously confirmed in the service.

- (6) The Appointing Authority on receipt of the lists along with character rolls and personal files of the officers concerned recommend by the Board, shall consider it for promotion to the next cadre and approve the list unless it considers any change necessary.
- (7) The inclusion of a candidate's name in a Select List shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (8) The Select Lists shall remain valid for twelve calendar months from the date of recommendation by the Board.
- (9) The promotion shall be in accordance with the lists finally approved by the Appointing Authority.
- (10) The select list as finally approved shall be published by the Appointing Authority within 15 days from the date of approval in the Assam Gazette.

**Recruitment by
Promotion**

13. Appointment by promotion in the cadre of Senior Grade of the Service shall be made in the manner prescribed hereinafter :-

- (1) A member of the service in the Junior Grade shall be eligible for promotion to the Senior Grade time scale on completion of 10 years of service in the Junior Grade time scale on the first day of January of the year in which the selection is made and has passed the Survey and Settlement Training examination and other in-service trainings and the Governor is satisfied about his ability, integrity and character.
- (2) A member of the service in the Senior Grade shall be eligible for promotion to the Selection Grade time scale on completion of total period of 20 years of service in combination of both the Junior Grade and Senior Grade cadres of the service on the first day of January of the year in which the selection is made, has attended mandatory in service training and the Governor is satisfied about his ability, integrity and character.
- (3) A member of the service shall not be considered for promotion if he defaults in submission of Immovable Property Return as prescribed by the Government.
- (4) The promotion shall be made in accordance with the list finally approved by the Appointing Authority.

Selection Board

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

- (i) Senior Most Secretary to the : Chairman
Government of Assam,
Personnel Department .
- (ii) Senior Most Secretary to the : Member
Government of Assam, Revenue
and Disaster Management
Department
- (iii) One Divisional Commissioner as : Member
may be nominated by the
Government.
- (iv) Director of Land Records, : Member
Assam-
- (v) Joint Secretary or in his absence : Member
the Deputy Secretary to the Secretary
Government in the Personnel
Department :

Provided that presence of at least three members including the Chairman in each meeting of the Boards referred to in sub-rules (1) shall form a quorum.

Reservation

15. In all cases of appointment under these rules, there shall be reservation in case of candidates belonging to the Scheduled Castes and the Scheduled Tribes as per provision of the Assam Scheduled Caste and Scheduled Tribes (Reservation of vacancies in Services and Posts) Act, 1978 (Assam Act No.XII of 1978) as amended and the Rules framed there under. There shall also be reservation for candidates belonging to Other Backward Classes as per Government instructions contained in O.M. No. TAD/OBC/1/2004/55 dated 31-5-2005 for direct recruitment only. Reservation in favour of women as per the Assam Women (Reservation of Vacancies in Services and Posts) Act, 2005 (Assam Act No.XXIX of 2005) and Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation Act, 1995 (Central Act No.1 of 1996) shall also be followed in direct recruitment.

Appointment

16. (1) All appointments to the service shall be made by the Governor and shall be notified in the Official Gazette.
- (2) Subject to the provision of rule 15 and sub-rule (3) of this rule, appointment under rule 6 shall be made in accordance with the order of preference determined in the list referred to in Clause (d) of rule 6.

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

(4) Appointment under Clause (1) of rule 5 shall be made in the order in which the names of the candidates appear in the list approved by the Commission under clause (d) of rule 6.

Joining Time

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

Training

18. A member of the service shall be required to undergo such training and pass such departmental examinations as the Government may prescribe from time to time.

Probation and Confirmation

19. (1) A member of the service shall be placed, according to seniority on probation for a period of 2 years, provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority in individual cases for any specified period not exceeding a period of 2 years:

Provided that the period of probation may be curtailed or dispensed with in any case for good and sufficient reasons by the Appointing Authority.

(2) A member of the service placed on probation under sub-rule (1) shall be confirmed against the permanent vacancy subject to the following conditions : -
(a) he has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-rule (1) ;
(b) he has successfully undergone the training and passed the departmental examination, prescribed by Government under rule 18 ;

(3) Every probationer shall during the period of probation successfully undergo the Survey and Settlement Training and such other training as the Government may from time to time prescribe and shall appear and pass the departmental examination conducted by the Commission.

- Seniority** 20. (1) The seniority of a member in a cadre appointed by direct recruitment and promotion shall be determined according to the order of preference in the respective list recommended by the Commission or Board as the case may be, under rule 6 and rule 13 and also in the respective list finally approved by the Appointing Authority under rule 13, if he joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in rule 17.
- (2) If a member fails to join the appointment within the initial 15 days of receipt of the order or within the extended period as mentioned in rule 17, but joins later, his seniority shall be determined in accordance with the date of joining.
- (3) If the confirmation of a member of the service is delayed beyond two years of probation on account of his failure to qualify for such confirmation, he shall lose his position in the order of seniority viz-a-vis such of his juniors as may be confirmed earlier than him. His original seniority shall, however, be restored on his subsequent confirmation.
- Discharge of Probationer** 21. A member shall be liable to be discharged from service : -
- (a) if he fails to make sufficient use of the opportunities given during the training or otherwise fails to function satisfactorily, during or at the end of the period of probation, or
- (b) if he fails to pass the departmental examination unless the Governor permits him to sit for re-examination in the subject or subjects in which he failed, or
- (c) if any information is received relating to his integrity, age, health, character and antecedents and the Governor is satisfied that the probationer is ineligible or otherwise unfit for being a member of the service, or
- (d) if he fails to comply with any of the provisions of these rules, or
- Gradation List** 22. There shall be prepared and published once in a year a gradation list containing the names of all the members of the service cadre wise in order of seniority and such other particulars as date of birth, date of appointment etc.
- Pay** 23. All appointment in the service shall be made in the time scale of pay as may be prescribed by the Government from time to time. The scale of pay of the posts in the cadres of the service on the date of commencement of these rules, are as shown in Schedule-II.

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- Increment** 24. (1) The first increment admissible to a member of the service in the Junior Grade shall accrue on the expiry of one year from the date of his joining the service subject to the provision laid down in the Assam Services (Revision of Pay) Rules, 2010, but further increments due shall be allowed only on his confirmation in the service.
- (2) The pay of a member of the service on confirmation shall be fixed at such a stage in the Junior scale as if he has been allowed his usual increments due but he shall not be entitled to any arrear in pay on account of withholding due increment for the period to the date of his confirmation.
- Mode of Employment** 25. (1) Members of the service shall be employed in such manner as the Appointing Authority may decide.
- (2) A member of the service shall be liable to be posted anywhere within the State of Assam, or any Autonomous District Council, if so required in the interest of public service.
- Other conditions of service** 26. (1) Except as provided in these rules all matters relating to pay and allowances, leave, pension discipline and other conditions of service shall be regulated by the general rules and/or orders of the Government for the time being in force.
- (2) The conditions of service of the members, in respect of matters, for which no provision has been made in these rules, shall be the same, as are, for the time being, applicable to other officers of the Government of the corresponding status and having similar functions.
- Relaxation** 27. Where the Appointing Authority is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may, dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in just and equitable manner :
- Provided that the case of any member of the service shall not be dealt with in any manner less favourable to him than that provided in these rules.
- Interpretation** 28. If any question arises as to the interpretation of these rules the decision of the Government shall be final.

S. C. DAS,

Additional Chief Secretary to the Govt. of Assam,
Personnel Department.

SCHEDULE - I(RULE 3(2))

List of posts equivalent to and included in the cadre of the service.

Sl. No.	Name of Cadres	Name of posts equivalent to and included in the Cadre	Remarks
1	2	3	4
1	Junior Grade	Circle Officers	
2	Senior Grade	Senior Circle Officer	
3	Selection Grade	Additional Director land Records, Additional Director, Land Reforms, Additional Director of Survey, Senior Research Officer, Revenue Department, Principal, Survey & Settlement Training Centre	

SCHEDULE - II(RULE 4 and 23)

Strength of each cadre of the service and the time scale.

Category of Post	Scale (Pay Band-4)	Grade pay	Number of Post
1. Junior Grade	Rs.12,000/-- Rs.40,000/-	Rs. 5,400/-	154
2. Senior Grade	Rs.12,000/-- Rs.40,000/-	Rs. 5,900/-	70
3. Selection Grade	Rs.12,000/-- Rs.40,000/-	Rs. 6,600/-	5
Total =			229
Deputation Reserve	6% of total strength		13
Leave Reserve	4% of total strength		9
Training Reserve	4% of Junior Grade		6
Authorised Strength =			Total- 257

SCHEDULE - III(RULE 8)

Academic qualification prescribed for direct recruitment.

A candidate shall hold a degree from any of the Universities incorporated by an Act of the Central or State Legislature in India or any other Educational Institutions established by an Act of Parliament or declared to be deemed as a University under Section 3 of the University Grants Commission Act, 1956 or possess such qualification as may be declared equivalent by the Government to a degree of a recognized University of India.

S. C. DAS,

Additional Chief Secretary to the Govt. of Assam,
Personnel Department.