

The Assam Civil Services (Class I) Rules, 1960

ASSAM

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Rule THE-ASSAM-CIVIL-SERVICES-CLASS-I-RULES-1960 of 1960

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The Assam Civil Services (Class I) Rules, 1960Published vide Notification No. A BP 174-58/123, dated 8th August, 1960Last Updated 11th February, 2020No. A BP 174-58/123, dated 8th August, 1960. - In exercise of the powers conferred by the proviso to Art, 309, of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating recruitment and the conditions of service of persons appointed to the Assam Civil Service (Class I).

1. Short title and commencement.

(1)These Rules may be called the Assam Civil Service (Class I) Rules, 1960.(2)They shall take effect from the date of the notification.

2. Designation.

- The members of the Assam Civil Service (Class I) while holding posts in the Junior Grade shall be designated as Extra Assistant Commissioners.

3. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context-(a)"Constitution" means the Constitution of India;(b)"Commission " means the Assam Public Service Commission;(c)"Committee" means a committee constituted in accordance with sub-rule (1) of Rule 6;(d)"Government" means the State Government of Assam;(e)"Governor" means the Governor of Assam;(f)"Member of the Service" means a member of the Assam Civil Service (Class I) recruited to the Service either before or after the commencement of these Rules;(g)"Recommending authority" means the Head of the Department under whose administrative control a person is serving for the time being;(h)"Service" means the Assam Civil Service (Class I); and(i)"Year" means calendar year.Recruitment

4. Method of recruitment to the service.

(1) Recruitment to the service after the commencement of these Rules, shall be by the following methods, namely: (a) by competitive examination conducted by the Commission; (b) by promotion of confirmed members of the A. C. S. (Class II) who have passed the prescribed departmental examination and successfully completed the prescribed training under sub-rule (3) of Rule 14 of A. C. S. (Class II) Rules, 1962, and (c) by selection, in special cases from among persons, other than members of the Assam Civil Service (Class II) serving in connection with the affairs of the Government; Provided that the number of persons recruited under Clause (b) shall be 50 per cent of the total number of vacancies to be filled in a year and the persons recruited under Clause (c) shall not in any year exceed two : provided further that the persons recruited under Clause (c) shall not at any time exceed 5 per cent of the total strength of the cadre. (2) Notwithstanding anything contained in sub-rule (1), if in the opinion of the Governor, the exigencies of the service so require, the Governor may, after consultation with the Commission, adopt such method of recruitment to the service other than those specified in the said sub-rule, as he may, by regulations made in this behalf, prescribe: Provided that the number of persons recruited under sub-rule (2) shall be determined by the Governor from time to time. (3) Notwithstanding anything contained in sub-rules (1) and (2) all existing numbers of ACS (Class II) as on such date as the Governor may specify in a Notification in this behalf shall be deemed to have been appointed to the Junior Grade of ACS (Class I) with effect from such date as the Governor may specify in such Notification. ,

5. Recruitment by competitive examination.

(1) A competitive examination for recruitment to the service shall be held at such intervals as the Governor may, in consultation with the Commission, from time to time, determine. (2) The examination shall be conducted by the Commission in accordance with rules and syllabus as the Governor may from time to time make in consultation with the Commission. (3) Of the number of vacancies to be filled up on the results of each examination there shall be reservation in favour of candidates belonging to Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) to the extent not exceeding 5 per cent, 10 per cent, and 12 per cent, respectively. (4) If a sufficient number of suitable candidates with minimum qualifications belonging to the Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) referred to in sub-rule (3) is not available for filling up all the vacancies reserved for them the remaining vacancies shall be filled from among other candidates and an equivalent number of additional vacancies shall be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) or the next examination; Provided that if a sufficient number of suitable candidates is not available at the next examination to fill all the reserved vacancies including the additional vacancies, the additional vacancies or such of them as are not filled shall lapse. (5) The Commission shall prepare a list of all candidates who have qualified in the examination in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate, and if two or more candidates obtain equal marks, the Commission 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 shall be forwarded to the Governor and be published in the Assam Gazette. (6) The inclusion of a candidate's name in the list shall confer no right to appointment unless the Governor

is satisfied after such enquiry as may be considered necessary, that the candidate is suitable in all respect for appointment to the service.

6. Recruitment by promotion.

(1) There shall be a Selection Committee consisting of the following, namely: (a) Chairman, Assam Public Service Commission or, where the Chairman is unable to attend, a Member, Assam Public Service Commission nominated by him. (b) Chief Secretary to the Government of Assam. (c) Commissioners of—(i) Lower Assam Division, (ii) Upper Assam Division, and (iii) Hills Division. (d) Director of Land Records, Assam. (e) Secretary to the Government, Revenue Department. (f) Commissioner for Agricultural Production and Rural Development and Special Secretary, Agricultural etc. Department. (g) Secretary to the Government Personnel Department or any other officer of the Personnel Department nominated by the Chief Secretary, Member-Secretary. The Chairman, Assam Public Service Commission or the Member, Assam Public Service Commission shall preside at the meetings of the Selection Committee at which he is present; [to transact any business in a meeting of the Selection Committee, there shall be present at least five members including the Chairman to form a quorum]. (2) The Governor shall call upon the Committee to select, from amongst the confirmed members of the Assam Civil Service (Class II) who on the first day of the January of that year had completed not less than eight years of service in Assam Civil Service (Class II), persons considered suitable for promotion to the service indicating the number of vacancies to be filled by such promotion and shall simultaneously forward to the Committee the character rolls, personal files and other relevant papers of eligible members of that service. Explanation. - In computing the period of service in Assam Civil Service (Class II) the period taken into account in the determination of seniority of a member under sub-rule (2) of Rule 17 of Assam Civil Service (Class II) Rules, 1962, shall be included. (3) The selection shall be based on merit and suitability in all respects with due regard to seniority and the following aspects of a candidate, namely: (a) personality and character; (b) tact, energy and general intelligence; (c) integrity, and (d) previous record of service. (4) The Committee shall prepare a list of such persons in order of preference, as far as practicable equal to double the number of vacancies to be filled up by promotion. In every case, where a junior member of the Assam Civil Service (Class II) is selected in preference to his senior in that Service, the Committee shall record in writing the reasons for such supersession.

7. Recruitment of selection.

(1) The Governor may from time to time for the purpose of recruitment to the service under Clause (c) of Rule 4 call upon the Recommending Authorities to submit recommendation in respect of persons who, (a) are of outstanding merit and ability; and (b) have completed not less than eight years' continuous service under the Government in a post involving duties comparable in importance and responsibility to that of the Assam Civil Service (Class I) and/or (Class II). (2) The Governor shall refer the cases of persons recommended under sub-rule (1) to the Committee. The Committee shall on initial scrutiny of the recommendation and the character rolls, call such persons, as if may consider prima facie suitable for interview and prepare a list of selected candidates not exceeding four, in order of preference with a note against each candidate: Provided that no person shall be

recommended under sub-rule (1) nor shall the Committee select any such person unless the recommending authority and the Committee, as the case may be, has taken into consideration the requirements, of sub-rule (3) of Rule 6 and is further satisfied that-(a)he has executive ability;(b)his service can more profitably be utilised by appointment to the service; and(c)he possesses the academic and other qualifications except that of age referred to in Rule 10 necessary for a candidate to appear at a competitive examination.

8. Preparation of a combined list for recruitment by promotion and by selection.

(1)The Committee shall consolidate the list prepared under sub-rule (4) of Rule 6 and under sub-rule (2) of Rule 7 into a combined list in order of preference.(2)On receipt of the list as aforesaid, the Governor shall forward the same to the Commission together with the character rolls and other relevant papers.(3)The Commission shall consider the list prepared by the Committee along with other document received from the Governor or on receipt of other documents as may be called for by the Commission, and, unless it considers any change necessary, approve the list.(4)If the Commission considers it necessary to make any changes in the list received from the Governor, the Commission shall inform the Governor of the changes proposed and after taking into account the commencements, if any, of the Governor, may approve the list finally with such modification, if any, as may, in its opinion, be just and proper.(5)The list as finally approved by the Commission shall be forwarded to the Governor along with all the papers received under sub-rule (2) and sub-rule (3), if any.Cadre

9. Strength of the service.

(1)The strength of the service and nature of posts therein shall be as determined by the Governor from time to time.(2)On the commencement of these Rules, the strength of the service and nature of posts therein shall be as given in Schedule I.Qualification for Recruitment by Competitive Examination

10. Age.

- The candidate shall belong to the age group of 21- 25 years of the first of January of the year in which the competitive examination is held with relaxation in the case of candidates belonging to special categories in accordance with the general order issued from time to time by the Governor.

11. Academic qualifications.

(1)A candidate shall hold a degree in Arts, Science or Commerce of a University recognised by the Governor for this purpose.(2)On the commencement of these Rules, the Universities recognised shall be as given in Schedule II.

12. Character.

- A candidate shall produce to the Commission certificates of good character in the manner prescribed under the rules made under sub-rule (2) of Rule 5 from-(a)the Principal Academic Officer of the University or College in which he last studied, and(b)two respectable persons (not related to the candidates) who are well acquainted with him.

13. Physical fitness.

(1)A candidate shall be of sound health, both mentally and physically, and shall be free from organic defects or bodily infirmity likely to interfere with the effect performance of his duties.(2)A candidate shall be required to undergo a medical examination before final approval for appointment to the service in accordance with the rules framed under sub-rule (2) of Rule 5.

14. Disqualification for appointment.

(1)No person shall be qualified for appointment for the service unless he is a citizen of India.(2)No person who has more than one wife living shall be eligible for appointment to the service:Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person the operation of this sub-rule.(3)No married woman shall be entitled as of right to be appointed to the service, and where a woman appointed to the service subsequently marries, the Governor may, if the maintenance of efficiency of service so requires, call upon her to resign.(4)No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the service.

15. Appointment to the service.

(1)All appointment to the service shall be made by the Governor and shall be notified in the official Gazette.(2)A person shall join within 15 days of the date of receipt of the order of appointment, failing which unless the Governor extends the period, which shall not in all exceed three months, the appointment shall be cancelled.(3)Subject to the provisions of sub-rules (3) and (6) of Rule 5 appointment under Clause (a) of Rule 4 shall be made in the order the names appear in the list prepared and forwarded by the Commission.(4)Appointments under Clauses (b) and (c) of Rule 4 shall be made in the order the names appear in the list approved by the Commission under Rule 8.

16. Probation.

(1)All persons recruited to service shall be on probation for a period of two years ; provided that a member of the Assam Civil Service (Class II), so recruited who has already successfully undergone the Survey and Statement training and passed all the Departmental Examinations as prescribed for the service shall be subsequently appointed to the service:Provided that the member of the Assam Civil Service (Class II) recruited to the service who has not passed the Departmental Examinations completely and successfully undergone the Survey and Settlement training prescribed for the service

shall be on probation up to the date of his passing the Departmental Examination completely and successfully undergoing the said training or for two years, whichever is earlier; Provided further that the period of probation may for good and sufficient reasons be extended by the Governor in individual cases by a period not exceeding two years. (2) Every probationer shall during the period of probation successfully undergo the Survey and Settlement training and such other training as the Governor may time to time prescribe and shall appear at and pass the Departmental Examination conducted by the Commission.

17. Discharge of a probationer.

- A probationer shall be liable to be discharged from the service-(a) if he fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfaction, during or at the end of the period of probation; or (b) if he fails to pass the Departmental Examinations unless the Governor permits him to sit for re-examination in the subject of subjects in which he failed; or (c) if on any information received relating to his nationality, age, health, character and antecedents, 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.

18. Confirmation.

- Where a probationer has completed his period of probation to the satisfaction of the Governor, he shall be confirmed in the service if-(a) he has passed the Department Examination completely and has successfully undergone the Survey and Settlement training, and (b) he is considered otherwise fit for confirmation by the Governor: (1) Provided that where a probationer is not given an opportunity for undergoing the prescribed Survey and Settlement training during the period of probation, his confirmation shall not be held up for reason of not successfully undergoing the said training but such a probationer shall, when called upon by the Governor and opportunity given, successfully undergo the said training failing which he shall be liable to removal from service unless the Governor allows him other chances. (2) Provided further that the Governor may for good and sufficient reasons temporarily exempt a member of the service from passing any one or more of the prescribed Departmental Examination and confirm him in the service.

19. Seniority.

(1) The seniority of members of the service shall be determined according to the order of merit in the list prepared under sub-rule (5) of Rule 5 or approved under Rule 8, if the members join their appointments within 15 days of the receipt of the order of appointment: Provided that in case a member is prevented from joining within the said period of 15 days by circumstances of a public nature or for reasons beyond his control, the Governor may extend it for a further period of 15 days. If the period is not so extended and the member of the service joins within the period extended under sub-rule (2) of Rule 15, his seniority shall be determined in accordance with the date of joining: Provided further that the members of the service recruited in a year under Clauses (b) and (c) of Rule 4 shall be senior to members recruited in the same year in the same batch under Clause (a) of Rule 4. (2) The members of the service recruited on the same date under sub-rule (1) of Rule 4

shall be senior to the members of the service recruited under sub-rule (2) of Rule 4.(3)The members of the service recruited on the same date under sub-rule (1), of Rule 4 shall be senior to the members of the service recruited under sub-rule (2) of Rule 4.(4)The members of the service appointed under sub-rule (3) of Rule 4 shall be junior to the members of service already appointed under sub-rules (1) and (2) of Rule 4.(5)The seniority inter se of the members of the service recruited under sub-rule (3) of Rule 4 shall be in the order of their gradation in the ACS (Class II).Pay, Increments Etc.

20. Time scale of pay.

(1)The time scale of pay admissible to a member of the service shall be as follows:Junior Grade Rs.Senior Grade Rs.(2)The time scale of pay in the Senior Grade shall be admissible to a member of the service holding any of the following posts, namely:(a)Additional District Magistrates;(b)Deputy Secretaries to Government; and(c)Any other posts declared by the Government as of equivalent responsibility.

21. Special pay.

- The Governor may grant a special pay for any of the posts either individually or with reference to a group or class of such posts as may, from time to time, be determined by him.

22. Fixation of initial pay in the time scale.

(1)On first appointment to the service, the initial pay of a member of the service, shall be fixed at the minimum of the junior grade time scale unless under the Assam Fundamental Rules and Assam Subsidiary Rules or under any other, rules governing the fixation of pay, for the time being in force, he is entitled to his pay fixed at the higher stage at that time.(2)On promotion of a member of the service to the senior grade time scale, initial pay shall be fixed in accordance with the principles governing such fixation in the Assam Fundamental Rules and Assam Subsidiary Rules or any other rules for the time being in force:Provided that if the pay so fixed happens to be above bar that stage should be treated as the efficiency bar.

23. Increments.

(1)The first increment admissible to a member of the service in the junior grade time scale shall accrue on the expiry of one year from the date of his joining the service; 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 grade time 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 of due increments for the period prior to the date of his confirmation.(3)The Governor may withhold, for such time as he may direct, an increment or increments due to a substantive member of the service who has failed to pass the Departmental Examination or Examinations within such time as the Governor may, by general or special order prescribe; but the withholding of such increment shall have not cumulative effect.

24. Crossing the Efficiency Bar.

- A member of the service shall not be allowed to cross the first or the second efficiency bar in the junior grade time scale and the efficiency bar in the senior grade time scale unless the Governor is satisfied about his ability and integrity.

25. Promotion to Senior grade time scale.

(1) A member of the service in the junior grade time scale shall be eligible for promotion to the senior grade time scale on entering seventh year of service in the junior grade, counted from the year of recruitment of the members in Junior grade; but no member of the service shall be so promoted unless the Governor is satisfied about his ability, integrity and character. Explanation. - The year of recruitment of the member in the junior grade shall be taken as one year for the purpose of calculating the period of seven years. (2) The appointment to the senior grade time scale shall be made by the Governor from a list of suitable members of the service, as prepared from time to time and reviewed as and when necessary by a Selection Board, consisting of the following namely, - (a) Chief Secretary to the Government - Chairman. (b) Commissioners of (i) Lower Assam Division, (ii) Upper Assam Division, and (iii) Hills Division - Members. (c) Commissioner for Agricultural Production and Rural Development and Special Secretary, Agricultural etc. Department - Member. (d) Senior-most Secretary to the Government - Member.

26.

The seniority of members of the service promoted to the senior grade time scale shall be in the order in which their names are arranged by the Selection Board under sub-rule (2) of Rule 25 for the purpose of promotion to that grade.

27. Power of the Governor to dispense with or relax any rule.

- Where the Governor is satisfied that the operation of any of these Rules 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: Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided by any of these Rules.

28. Miscellaneous provisions.

- Except as provided in these Rules, all matters relating to pay, allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules framed under Art. 309 of the Constitution or continued to be in force under Article 372 of the Constitution governing such matter.

29. Interpretation.

- If any question arises relating to the interpretation of these Rules, it shall be referred to the Government whose decision thereon shall be final.

30. Repeal.

- The Assam Civil Service Rules published under Notification No. 4275 AP, dated 11th June, 1929 and all other rules corresponding to those in force immediately before the commencement of these Rules are hereby repealed. Provided that any order made of action taken under the Rules so repealed or under any general order ancillary thereto shall be deemed to have been made to take under the corresponding provisions of these Rules.

31. Validation of post actions.

- All orders made or action taken prior to the commencement of those Rules in respect of matters for which there was no specific provision in the Rules repealed under Rule 30 shall be deemed to have been validly made or taken.

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[Rule 9(2)]No. AAP 21/71/20, dated Dispur, the 18th July, 1974From: Addl. Secretary to the Government of Assam.To The Accountant General, Assam etc. ShillongSub: Revision of the composition and break-up of the ACS (Class I) CadreSir,In supersession of this Department letter No AAP 21/71/16, dated 22/12/1962, I am directed to say that the Governor of Assam is pleased to refix the composition and break-up of the Assam Civil Service (Class I) Cadre under Rule 9(1) of the Assam Civil Service (Class I) Rules, 1960 as follows:

1. Senior Post	63
(A) Heads of Departments and Additional Headsof Department	
Inspector General of Prisons	1
Director of Small Savings	1
Director of Tourism	1
Director of Panchayat	1
Director of Social Welfare	1
Trade Adviser and Director of Movements	1
Director of Land Requisition, Acquisition and Reforms	1
Director of Municipal Administration	1
Director of Employment and Craftsman Training	1
Director of Supply	1
Director of State Lotteries	1

Director of Man Power	1
Addl. Director of Financial Inspection	1
(B) Joint Heads of Departments	
Joint Director of Training Assam Administrative Staff College	2
Joint Registrar of Co-operative Societies	1
(C) Posts in the Secretariat	
Dy. Secretaries to Government	24
Principal Private Secretary to the Chief Minister	1
(D) Posts in the Districts	
Addl. Deputy Commissioner	
Addl. District Magistrate	13
Settlement Officers	6
(E) Other Posts	
Secretary, Assam Public Service Commission	1
Officers on Special Duty (to be specified from time to time)	2
2. Junior Posts	137
Total	200
3. Deputation Reserve @ 30% (for 1 above-40)	60
(for 2 above-20)	
4. Leave Reserve @ 10% of 1 and 2 above	20
5. Training Reserve @ 10% of 1 and 2 above	20
Total Authorise Strength	300

This partially modifies the entries in Schedule I to the Assam Civil Service (Class I) Rules, 1960 with immediate effect. This issue with the concurrence of Finance (EC, II) Department conveyed in their U.O. No. 1043/74, dated 4-7-74.

II

List of Universities approved by the Government of Assam
 Indian Universities Any University incorporated by an Act of the Central or of a Part A or Part B State Legislature in India
 Universities in Burma The University of Rangoon. English and Welsh Universities The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool, London, Manchester, Oxford, Rending, Sheffield and Wales. Scottish Universities The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews. Irish Universities The University of Dublin (Trinity College). The National University of Dublin. The Queen's University Belfast. Universities in Pakistan The University of Punjab. The Dacca University, (it is now under Bangladesh). The University of Sind. Universities of America The University of Harvard. The University of Yale. The University of Columbia. The University of Michigan.