

# The Assam Geological Service Rules, 1976

ASSAM

India

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### Rule THE-ASSAM-GEOLOGICAL-SERVICE-RULES-1976 of 1976

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#### 1. Short title and commencement.

- These rules may be called the Assam Geological Service Rules, 1976. (2) They shall come into force at once.

#### 2. Definitions.

- In these rules, unless there is anything repugnant to the subject or context:-(i)"Appointing Authority" means the Governor of Assam ;(ii)"Constitution" means the Constitution of India ;(iii)"Commission" means the Public Service Commission;(iv)"Government" means the Government of Assam ;(v)"Governor" means the Governor of Assam ;(vi)"Member of the Service" means a member of the Assam Geological Service recruited that service recruited before the after the commencement of these rules ;(vii)"Open Recruitment" means recruitment from eligible persons in general;(viii)"Promotion" means promotion from among the Member of the Service;(ix)"Schedule" means the Schedule annexed to these rules ;(x)"Special Qualification" the qualification necessary for being eligible for recruitment to a post in the Service and specified as such in the Schedule, which 'qualification' would be in addition to such other qualification as may be specified in these rules or as may be specified by the Governor from time to time by special or general order for appointment to Government Service.(xi)"Year" means a Calendar year.

#### 3. Composition and recruitment.

- The service shall consist of posts of such grade, category, class, designation and number and on such scale of pay, and appointment to a post in the service shall be made by the Appointing

Authority through such mode of recruitment and from among persons having such special qualification as respectively specified in the Schedule :Provided that the Government may decide from time to time whether a particular post should be filled up by appointment, transfer, deputation, open requirement, a promotion and whether the special qualifications should be modified or relaxed in any manner for appointment by transfer or deputation.

#### **4. Rounding off.**

- The Government may ignore any fraction or treat it as amounting to the number 1 (one), as they deem fit, while calculating the number of posts to be filled at any given time through promotion or open recruitment, as the case may be, on the basis of the Schedule :Provided that net effect of such rounding off in respect of any given category of posts during a period of five consecutive years shall not exceed the figure of 2 (two).

#### **5. Special appointments.**

- If owing to the non-availability of sufficient number of suitable qualified members of the service, it is not possible to fill up any post reserved for recruitment by promotion as per the Schedule, it may be filled up by open recruitment or by appointment on deputation or by contract, as the Government may deem fit, and an equivalent number of vacancies shall be reserved as additional vacancies to be filled up by promotion during the next five years as far as may be possible :Provided that such reservation shall lapse at the expiry of the period of five years.

#### **6. Reservation for Scheduled Castes and Scheduled Tribes.**

- Of the number or vacancies to be filled up by open recruitment in any grade or category of its at any time, there shall be a reservation in favour of candidates belonging to the Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills) to the extent not exceeding 7 per cent, 10 per cent, and 12 per cent, respectively or as determined by the Government from time to time :Provided that if a sufficient number of suitable and qualified candidates belonging to the Scheduled Castes, Scheduled Tribes (plains) and Scheduled Tribes (Hills) is not available, the number of vacancies thereby remaining unfilled shall be filled up from among other candidates, and an equivalent number of vacancies shall be reserved at the next open recruitment as additional vacancies for candidates belonging to the Scheduled Castes, Scheduled Tribes (Plains) and Scheduled Tribes (Hills), as the case may be :Provided further that if a sufficient number of a suitable candidates are not available to fill up all the reserved vacancies including the additional vacancies, the reservation including the additional vacancies, on account of the deficiency, shall be carried forward upto 3 (three) subsequent years or for such other period as the Government may by general or special order from time to time prescribed, before the reservation is finally treated as lapsed.

#### **7. Age.**

- For open recruitment, a candidate shall not be less than eighteen years and more than twenty-five

years of age on the first day of the year in which the advertisement inviting applications from candidates is made. The upper age limit may, however, be relaxed in case of candidates belonging to the Scheduled Castes, Scheduled Tribes, Political Sufferers, War Service Personnels, or any other category of candidates other than those, as the Government, from time to time, by general or special order, specify.

## **8. Character.**

- A candidate for open recruitment shall produce a certificate of good character in the manner specified by the appointing Authority, from :-(a)the Principal Academic Officer of the University, College, or other academic institution in which he last studied, and(b)two respectable persons (not related to the candidate) who are well acquainted with him.

## **9. Physical fitness.**

- A candidate for open recruitment shall-(a)be of sound health both mentally and physical and be free from organic defects or bodily infirmity likely to interfere with the efficient performance of his duties, and(b)be required to undergo, before his final approval for appointment to the Service, a medical examination as may be specified by the Appointing Authority-

## **10. Disqualification for appointment.**

(1)No person shall be qualified for appointment to the service, if he is not 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 from the operation of this sub-rule.(3)No married women 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 the efficiency of the service, so requires, call upon her to resign.(4)No person who attempts to enlist support for his candidature directly or indirectly shall be appointed to the service.

## **11. Selection Committee.**

- (i) There shall be constituted a Selection Committee consisting of the following  
:-Chairman:-Secretary to the Government of Assam, Geology and Mining Department.Members:-A nominee of the Appointment Department, Government of Assam.(ii)Director of Geology and Mining, Assam.

## **12. Open recruitment.**

- The Commission will conduct competitive examination and/or interview for open recruitment, to the posts in the Service, as and when necessary.

### **13. Procedure for open recruitment.**

(1)A competitive examination and or interview for open recruitment shall be held at such intervals and/in accordance with such rules and syllabus as the Government may from time to time prescribe in consultation with the Commission.(2)The Commission shall prepare a list in order of merit of the candidates who qualify in the examination/interview. The order or merit shall be determined in accordance with the aggregate marks obtained by the candidates, 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 Appointing Authority.(3)The inclusion of a candidate's name in the list confer no right to appointment unless the Appointing Authority is satisfied after such enquiry at it may consider necessary, that the candidate is suitable in all respects for appointment to the service.(4)Subject to the provisions of sub-rule (3) of Rule 6, appointments shall be made in the order the names appear in the list prepared by the Commission.(5)A person shall join within 15 days of the date of receipt of the order of appointment, failing which and unless the Appointing Authority extends the period, which shall not in all exceed three months, the appointment shall be cancelled.

### **14. Procedure for promotion.**

(1)The Appointing Authority shall refer to the Selection Committee, the approximate number of vacancies likely to occur during the year in each grade of posts and furnish to it the Character Rolls and Service Records, and other relevant documents of all eligible candidates. The Selection Committee shall examine the Character Rolls, Personal Files and other relevant document of the candidates, also taking into consideration the seniority and merit of the candidates.(2)The selection shall be based on merit and suitability in all respects with due regard to seniority and the following aspects of the candidates, viz-(a)Technical competence,(b)Personality and character,(c)Tact, energy and general intelligence,(d)Integrity,(e)Previous record of service.(3)The Selection Committee shall prepare a list showing in order of preference, names of the persons selected. The number of persons so selected shall not exceed double the number of relevant vacancies.(4)The Selection Committee shall, if called upon by the Appointing Authority to do so recommended separately for each vacancy so indicated the names of the persons selected under sub-rule (3).(5)In every case where a member of the cadre of the Service is selected in preference to and supersession of another member of that cadre, the Selection Committee, shall record in writing the reasons for such supersession.(6)The list containing the Selection Committee's order of preference, recommendations and the reasons for supersession, if any, shall be sent by the Selection Committee to the Appointing Authority. This list shall be forwarded to the Commission along with the Character Rolls, Service Records and other relevant documents of all eligible candidates and the observation of the Appointing Authority on the recommendations of the Selection Committee, if any. The Commission shall consider the list along with other documents received and approve the list unless the Commission considers any change necessary. If the Commission considers any change necessary, it shall inform the Appointing Authority of the changes proposed and after taking into consideration the comments, if any, of the Appointing Authority, shall approve the list finally with such modifications, if any, as the Commission may think to be just and proper. The list so finally approved by the Commission shall form the Select List for appointment by promotion.(7)The select list shall remain valid for one year

from the date of its approval by the Commission provided that in the event of any great lapse in the conduct or performance of duties on the part of any candidate in the select list the Appointing Authority may, if it so thinks fit remove any such candidate from the select list the Commission shall be consulted.(8)Appointments shall be made from the select list in the order in which names appear in the list provided that a temporary appointment for a period not exceeding 2 (two) months may be made by the Appointing Authority at its own discretion.(9)A person shall join within 15 days of the date of receipt of the order of appointment failing which and unless the Governor extends the period, which shall not in all exceed three months, the appointment shall be cancelled.

## **15. Probation.**

(1)Every person appointed by open recruitment or promotion to a post in the service shall be on probation for a period of two years :Provided that the period of probation may for good and sufficient reasons to be recorded in writing be extended by the Appointing Authority in individual cases by a period exceeding two years :Provided further that the period of probation may be dispensed with by the Appointing Authority in individual cases for good and sufficient reasons to be recorded in writing.(2)Every probationer shall, during the period of his probation, appear at and pass, such Departmental Examinations or tests and successfully undergo such training as may be prescribed for the service by the Government:Provided that person recruited to a post of higher grade in the service shall not be required to appear at or pass the Departmental Examinations or tests or to successfully undergo the training for the service.

## **16. Discharge of a probationer.**

- A probationer shall be liable to be discharged from the service, or in the case of a person appointed to the service on promotion to be reverted to the post held substantively or held in officiating capacity immediately before his promotion, as the case may be :-(a)if his service is not satisfactory during his period of probation, or(b)if he fails to appear at or pass the Departmental Examination or other tests, as may be prescribed, or fails to undergo successfully such training as may be prescribed unless the Appointing Authority permits him to sit for examination in the subject or subjects or in the tests in which he failed to pass, or to undergo the training again which he failed to undergo successfully ; or(c)it on any information received relating to his nationality, age, health, character and antecedents, the Appointing Authority, 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.

## **17. Confirmation.**

- After a probationer completes his period of probation to the satisfaction of the Appointing Authority, he shall be confirmed in the relevant Grade in the service against a permanent post in the cadre.(a)If he has passed the prescribed Departmental Examinations completely and/or has passed such other tests and/or successfully undergone such training as may be prescribed :Provided that the Appointing Authority may for good and sufficient reasons to be recorded in writing temporarily exempt a member of the service from passing any one or more of the prescribed Departmental

Examinations or the prescribed tests or other training, he may be required to undergo, and(b)If he is considered by the Appointing Authority to be otherwise fit for confirmation, and(c)If he is the seniormost, in accordance with the order of seniority determined under Rule 18, amongst all the unconfirmed members of the cadre who are otherwise eligible for confirmation under this Rule, and(d)If a permanent post is available in the cadre against which no other member of the cadre has been confirmed for the time being.

## **18. Seniority.**

(1)The position in order of seniority of a member of the service in a cadre shall be according to his position in the list prepared under Rule 13 (2) or 14 (7) as the case may be provided he joins the post to which he is appointed within 15 days of the receipt of the order of appointment:Provided further that in the case of a member of the service is prevented from joining within the said period of 15 days by circumstances of a public nature or for reasons beyond his control the Appointing Authority may extend it.(2)If the period is not so extended but the member of the service joins the post to which he is appointed within three months of the receipt of the order of appointment, his seniority shall be determined in accordance with his date of joining.(3)The inter se seniority between a member of the service appointed by promotion and a member appointed by open recruitment against the vacancies in a cadre occurring in particular year, shall be determined as follows-The members appointed by promotion shall be senior to members appointed by open recruitment, in the same batch.Explanation.-For the purpose of this sub-rule, a batch would mean all the appointment made against vacancies in a particular year.(4)If the confirmation of a member of the service in a cadre 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 in that cadre vis-a-vis such of his juniors as may be confirmed earlier than him. His original position in that particular cadre shall however, be restored on his confirmation subsequently but no benefit of promotion etc., shall accrue to him with retrospective effect on such subsequent confirmation.

## **19. Time scale of pay.**

- The time scale of pay admissible to a member of the Service is and shall be as shown against the post in the Schedule.

## **20. 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.

## **21. Fixation of initial pay in the time scale.**

(1)On first, appointment to the service the initial pay of the member of the service shall be fixed at the minimum of the time scale of the post in the Service to which he is appointed, unless he is entitled under the Assam Fundamental Rules, the Assam Subsidiary Rules and other rules in force,

to have his pay fixed at a higher stage of that time scale.(2)On promotion of a member of the service his initial pay in the Grade of the service to which he is promoted shall be fixed in accordance with the Assam Fundamental Rules and Assam Subsidiary Rules and any other rules in force.

## **22. Increments.**

- The first increment in the time scale of his Grade in the service shall accrue to a member of the service on the expiry of one year from the date of his joining the Grade. No further increments will accrue to him till he passes the examinations or tests or successfully undergoes the training mentioned in Rule 15 (2) or till exemption is granted by the Appointing Authority. Subsequently, however, his pay shall be restored to that stage in that time scale of the Grade of the Service, to which he would have been otherwise entitled.

## **23. Efficiency Bar.**

- A member of the service shall not be allowed to cross the Efficiency Bars in the time scales unless the appointing Authority is satisfied about his ability and integrity.

## **24. Liability of Persons appointed to the Service to serve in the Defence Services.**

- Any person being an Engineering Graduate appointed to the Service after the commencement of these rules or holding a post in the Service at the commencement of these rules shall, if so required, be liable to serve in any Defence Service of post connected with the Defence of India, for a period not less than four years including the period spent on training, if any :Provided that such person (a) shall not be required to serve as aforesaid after the expiry of ten years from the date of appointment to Service; and (b) shall not ordinarily be required to serve as aforesaid after attaining the age of forty years.

## **25. Miscellaneous allowances.**

- Except as provided in these rules all matters relating to pay allowance, leave, pension, discipline and other conditions of service of the members of the service shall be regulated by the general rules framed under Article 309 of the Constitution or continuing to be in force under Article 378 of the Constitution governing such matters.

## **26. Power of the Governor to dispense with or relax any rules.**

- Where the Governor is satisfied that the operation of any of these Rules has caused undue hardship in any individual case or cases, he may order that the requirements of these Rules be dispensed with or relaxed to such extent and subject to such conditions as he 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 as provided under any of

these rules.

## 27. 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.

## 28. Repeal.

- All other rules and orders on the subjects covered by these rules and in force immediately before the commencement of these rules are hereby repealed: Provided that any order made or action taken under these rules to repealed or under the general orders ancillary thereto, shall be deemed to have been made or taken under the corresponding provision of these Rules.

## 29. Validation of post actions.

- All orders made or action taken prior to the commencement of these Rules in respect of matters for which there was no specific provision in the rules repealed under Rule 28 shall be deemed to have been validly made or taken.

## Schedule

### Assam Geological Service Rules

Grade	Class of Government Service	Designation of Posts	No. of sanctioned post	Scale of pay Rs. P.M.	Mode of recruitment p.c. of post to be filled	Special qualification for the p (minimum)
Permanent	Temporary	Total	By open recruitment	By promotion	For open recruitment	For promotion
(1)	(2)	(3)	(4)	(5)	(6)	(7)
I (Jr.)	I	Dy. Director of Geology	1	2	3	900-55-1285-EB-60-1525
I (Jr.)	I	Geologist	3	10	13	700-45-925-EB-50-1425



I (Jr.)	I	Geophysicist. NIL	1	1	700-45-925-EB-50-1425
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I (Jr.)	I	Petrologist.	Nil	1	1	700-45-925-EB-50-1425
	II	Assistant Geologist	9	14	23	500-35-745-EB-35-1025-EB-