

# **The Assam Secondary Education (Provincialised) Service Rules, 1982**

ASSAM

India

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### **Rule**

### **THE-ASSAM-SECONDARY-EDUCATION-PROVINCIALISED-SERVICE-RULES-1982**

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The Assam Secondary Education (Provincialised) Service Rules, 1982Last Updated 11th February, 2020>In exercise of the powers conferred under the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the conditions of service of the teachers of the secondary Schools which have been provincialised under the Assam Secondary Education (Provincialisation) Act, 1977 in the manner hereinafter appearing, namely-

## **Part I**

### **1. Short title and commencement.**

- (i) These rules may be called "The Assam Secondary Education (Provincialised) Service Rules, 1982".(ii)These rules shall come into force with immediate effect.

### **2. Definitions.**

(1)In these rules unless there is anything repugnant in the subject of context-(a)"Act" means the Assam Secondary Education (Provincialisation) Act, 1977.(b)"Appointing Authority" means the Governor in respect of the posts in Grade I Cadre the Director of Secondary Education, Assam in respect of the posts in Grade II and Grade III cadres and the Inspector of Schools in respect of the posts in Grade IV to Grade VII cadres of the Service.Note. - Cadre means the Cadre of the Service as shown in Rule 3 below and the Schedule I to these Rules.(c)"Board" means the Selection Board constituted under the Assam Education Department Selection Rules, 1981 (hereinafter called the

State Level Selection Board, or the District Level Selection Board constituted under Rule 7(2)(a) as the case may be.(d)"Commission" means the Assam Public Service Commission.(e)"Director" means the Director of Secondary Education, Assam the Additional Director of Secondary Education, Assam, or the Joint Director of Secondary Education, Assam, as the case may be.(f)"Date of recognition" means the date on which recognition was granted as per the provisions of the Act.(g)"Government" means the Government of Assam in the Education Department.(h)"Period of Service" means the period of continuous service from the date of appointment as defined in the Act.(i)"Recognition or Recognised" means the recognition granted or recognised under the provisions of the Act.(j)"Select List" means the Select list of candidates prepared by the Board in the order of performance.(k)"Service" means the Assam Secondary Education (Provincialised) Service.(l)"District Level Selection Board" means the Board constituted under Rule 7 (2) (a) for the purpose of making selection of candidates for appointment to all cadres and posts except the posts in Grade I and Grade II cadres of the service ; and(m)"State Level Selection Board" means the Board constituted under the Assam Education Department Selection Rules, 1981, amongst others for the purpose of making selection of candidates for appointment to the posts in Grade I and Grade II cadres of the service.(2)The words and terms used but not defined in these Rules shall have the meaning as have been respectively assigned to them in the Act.

### **3. Class and cadre.**

(1)The service shall consist of the following Grades, namely-Grade I-Principal of Higher Secondary and Multipurpose School, hereinafter called Principal only (Non-Gazetted).Grade II-(i) Headmaster or Headmistress of High School, hereinafter called Headmaster only (Non-Gazetted).(ii)Superintendent of High Madrassa, hereinafter called Superintendent only (Non-Gazetted).(iii)Vice-Principal of High Secondary and Multipurpose School, hereinafter called Vice-Principal only (Non-Gazetted).(iv)Subject Teacher or Post Graduate Teacher of Higher Secondary and Multipurpose School, hereinafter called Post-Graduate Teacher only (Non-Gazetted).Grade III-(i) Assistant Headmaster or Assistant Headmistress of High School, hereinafter called Assistant Headmaster only (Non-Gazetted).(ii)Assistant Superintendent of High Madrassa, hereinafter called Assistant Superintendent only (Non-Gazetted).Grade IV-Graduate Teacher of Higher Secondary and Multipurpose School or High School or High Madrassa and Senior Classical Teacher or Senior Hindi Teacher having bachelor degree as general qualification (Only the category shown in Serial 4 of the Schedule II), hereinafter called Graduate Teacher only (Non-Gazetted).Grade V-Senior Classical Teacher or Senior Hindi Teacher only the category shown at Serial 5 in the Schedule II (Non-Gazetted).Grade VI-Junior Teacher of Higher Secondary and Multipurpose School or High School or High Madrassa and Junior Classical Teacher or Junior Hindi Teacher (Only the category shown at Serial 8 in the Schedule II) hereinafter called Junior Teacher only (Non-Gazetted).Grade VII-Junior Classical Teachers or Junior Hindi Teacher (Only the category shown at Serial 10 in the Schedule II), (Non-Gazetted).(2)Each Grade mentioned in sub-rule (2) above shall form an independent cadre and members of any cadre shall have no claim for appointment in a higher cadre except in accordance with the provisions of these rules.(3)The service may also include any post equivalent to posts in any of the cadres mentioned in sub-rule (1) and any cadre or post that may be declared by the Government from time to time as cadre or post of the service.

#### **4. Status.**

- Status of the members of service shall be as indicated in sub-rule (1) of Rule 3.

#### **5. Strength of service.**

- The strength of each cadre shall be such as determined by the Governor of Assam from time to time and the present strength of the cadre shall be as in Schedule I.

### **Part II**

#### **Direct Recruitment**

#### **6. The method of recruitment.**

- Recruitment to the posts of Post-Graduate Teacher in Grade II Cadre, Graduate Teacher in Grade IV Cadre, Senior Classical Teacher or Senior Hindi Teacher in Grade V Cadre and Junior Teacher in Grade VI or Junior Classical Teacher or Junior Hindi Teacher in Grade VII Cadre of the service shall be made by direct recruitment only and the recruitment to the posts of Headmaster, Superintendent or Vice-Principal in Grade II Cadre and the posts in Grade III Cadre of the service shall be made by promotion in the manner hereinafter prescribed :Provided that for recruitment to vacancies in different institutions in the post of Post-Graduate Teacher the Graduate Teachers serving in the institution and having the requisite educational qualification and minimum 2 years continuous teaching experience as such teacher and the Junior Teachers serving in the institution and having the requisite educational qualification and minimum 5 years continuous teaching experience as such teacher and for the recruitment to the posts of Graduate Teacher, the Junior Teachers serving in the institution and having the requisite educational qualification and minimum 3 years continuous teaching experience as such teacher shall get priority over other candidates :Provided further that notwithstanding anything contained in sub-rule (1) of Rule 8 regarding the maximum age limit for direct recruitment, in the case of the serving teachers having the requisite educational qualification and experience as prescribed the foregoing proviso, the maximum upper age limit shall be 45 years and such candidates if recruited shall be entitled to get their pay protected.

#### **7. Direct recruitment.**

- (1) Direct recruitment shall be made on the basis of the recommendation made by the State Level Section Board in the case of Post-Graduate Teachers and the District Level, Selection, Board in all other cases in the manner hereinafter provided : (a) Before the end of each year the Appointing Authority shall make a school-wise assessment of the likely number of vacancies to be filled up by direct recruitment during the next year in different institutions and shall intimate the same to the Board together with the details of reservation of candidates belonging to Scheduled Casts or Scheduled Tribes or any other category as laid down by the Government and shall furnish a list of the eligible serving teachers stating in details about the name of the institution where they are

serving, the period of service rendered, grade of the service and the period spent therein and also the post for which they are eligible and all other particulars and information that may be considered necessary either by the Appointing Authority or by the Board. The appointing authority shall also furnish the relevant service records of such candidates to the Board.(b)The appointing authority shall simultaneously request the Board to recommend a list of candidates for direct recruitment in order of preference.(c)The Board shall make selection of candidates holding such test and interview and scrutiny of certificates, service records, if any, and other published articles, etc., if any published by the candidates as may be considered necessary :Provided that while making the selection of candidates for recruitment to the vacancies in different institutions, in the post of Post-Graduate Teacher, the Graduate Teachers serving in the institution and having the requisite educational qualification and minimum 2 years continuous teaching experience as such teacher and the Junior Teachers serving in the institution and having the requisite educational qualification and minimum 3 years continuous teaching experience as such teacher and for the recruitment to the posts of Graduate Teacher, the Junior Teachers serving in the institution and having the requisite educational qualification and minimum 3 years continuous teaching experience as such teacher shall be given priority over other candidates.(d)The Board shall furnish to the appointing authority a list of candidates recommended by it in order of preference. The number of candidates in such a list may be approximately double the number of vacancies.(e)The Board shall simultaneously publish the list in such places and in such manner as the Board may consider fit and proper.(f)The list mentioned in Clauses (d) and (e) of this rule shall remain valid for one year from the date of publication unless the Government extend the validity of the list for further period in the public interest in consultation with the Board.(g)The Board shall furnish separate lists for separate cadres or posts as may be required by the appointing authority and also state the name of the institutions in case of serving teachers, for which the recommendation is made.(2)The following members shall constitute the District Level Selection Board :(i)An educationists of repute to be nominated by the Government..... Chairman.(ii)Inspector of Schools..... Member-Secretary.(iii)Three Educationists to be..... Member, nominated by the Government.

## 8. Qualification for direct recruitment.

(1)Age. - A candidate for direct recruitment to the Service, other than serving teacher shall be within the age limit of minimum 21 years and maximum 30 years on the first day of January of the year of recruitment :Provided that the age limit of the candidates belonging to Scheduled Castes or Scheduled Tribes shall be regulated by the general orders of the Government issued from time to time.(2)Educational qualification. - The educational qualification of candidates for direct recruitment to different posts and cadres shall be as may be prescribed by the Government from time to time. The qualification for direct recruitment as prescribed by the Government at present are as given in the Schedule II.(3)Physical fitness. - A candidate for direct recruitment shall be-(i)of sound health both mentally and physically and free from any organic defect or bodily infirmity likely to interfere with the efficient performance of his duties ; and(ii)require to undergo medical examination before appointment to the service.

## **9. Recruitment by promotion.**

(1) Recruitment by promotion to the posts of Principal in Grade I of the service, Headmaster, Superintendent or Vice-Principal in Grade II and Assistant Headmaster or Assistant Superintendent in Grade III of the service shall be made in the manner hereinafter provided. (2) Subject to the provisions of sub-rules (3) to (5) below, the posts of Principal in Grade I and the posts of Headmaster, Superintendent or Vice-Principal in Grade II of the service shall be filled up from the select list prepared by the State level Selection Board and the post of Assistant Headmaster or Assistant Superintendent in Grade III of the service shall be filled up from the select list prepared by the District Level Selection Board in the order of preference. (3) A member of the service either belonging to Grade II or to Grade III and having 15 years continuous teaching experience or to Grade IV and having 17 years continuous teaching experience shall be eligible for selection for the post of Principal in Grade I of the service : Provided that in all the cases preference shall be given to candidates having a Post-Graduate Degree in Teaching/a degree in Post-Graduate Teaching (B.Ed. or B.T.). (4) A member of the service either belonging to Grade III and having 10 years continuous teaching experience or belonging to Grade IV cadre and having 12 years continuous teaching experience shall be eligible for selection for the post of Headmaster or Superintendent in Grade II of the service : Provided that in all cases preference shall be given to candidates having a Post-Graduate Degree in Teaching/a degree in Post-Graduate Teaching (B.Ed. or B.T.).

## **Part III**

### **10. Selection Board.**

- For the purpose of selection of candidates under Rule 9 there shall be a Selection Board consisting of the following members : Chairman : (a) Secretary, Education Department. Member-Secretary : (b) Director of Public Instruction, Assam. Members : (c) Director of Elementary Education, Assam. (d) A representative of the Education Department. The State Government reserves the right to entrust the selection to the State Selection Board established under the Assam Education Selection Rules, 1977.

### **10A. General procedure for promotion.**

(1) Before the end of each year the appointing authority shall make an assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre and in each school. (2) The appointing authority shall then furnish to the Board the following documents and information with regard to the eligible candidates for promotion : (i) information about the number of vacancies ; (ii) list of candidates eligible for promotion in order of seniority. (Separate lists for each cadre of starting the name of the school shall be furnished indicating the cadre to which the case of promotion is to be considered) ; (iii) character rolls and other records, if any, of the candidates. (3) The appointing authority shall simultaneously request the Board to recommend within one month a list of candidates found suitable for promotion in the order of merit. The Board shall recommend candidates about double the number of vacancies in the order of

preference.(4)The appointing authority, on receipt of the list of recommended candidates from the Board, shall fill up the vacancies in accordance with the preference shown in the list.

## **Part IV**

### **General Conditions of Service**

#### **11. Disqualification.**

(1)No person shall be eligible for appointment to the service if-(a)he is not a citizen of India.(b)he has more than one wife living or in case of female candidate who has married a person who has already one wife living :Provided that the Government may if satisfied that there are special grounds for doing so, exempt an person from the operation of this rule.(2)No person who attempts to enlist support for his candidature directly or indirectly by any recommendation either written or oral or by other means shall be appointed to the service.

#### **12. Reservation.**

- There shall be reservation in favour of candidates belonging to Scheduled Castes Scheduled Tribes in accordance with provisions of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 both in respect of direct recruitment and promotion.

#### **13. Seniority.**

(1)The inter se, seniority of the existing employees in the respective cadre shall be determined in relation to the-(a)date of continuous appointment,(b)date of joining,(c)date of birth.(2)In case of any dispute, the Director shall refer the matter in details to the State Government whose decision shall be final.(3)In case of the members entering into the service on and after the appointed date their inter se seniority shall be determined on the basis of the merit list furnished by the Board.(4)Pay. - In respect of existing employees the pay and allowances drawn immediately before the appointed day shall be protected.(5)All appointments made prior to the commencement of these rules shall be deemed to have been regularly made.(6)Members of the service who have not been confirmed prior to the appointed day shall be confirmed like the members who have entered into the service after the appointed date subject to rendering of service to the entire satisfaction of the appointing authority.(7)Pension. - In case of all employees retiring on superannuation on attaining the age of 58 years and all Grade IV employees retiring on superannuation of attaining the age of 60 years, the entire period of service from the date of appointment shall be counted towards pension and gratuity notwithstanding anything contained in the Assam Service Pension Rules, 1969.(8)C.P.F./G.P.F. - (i) The employees other than Grade IV employees who opt to continue to serve up to the age of 60 years as provided under Section 4 of the Act shall continue to contribute to their Contributory Provident Fund and they will not be entitled to pensionary benefit.(ii)Employees other than Grade IV employees retiring at the age of 58 years and Grade IV employees retiring at the age of 60 years shall open fresh General Provident Fund account depositing the amount of their own

contribution alongwith interest accrued thereon into the General Provident Fund Account so opened, as per procedure applicable to Government servants.

#### **14. Other provisions.**

- Except as provided in the Act and these rules all matters relating to pay and allowances, leave, pension, joining time, discipline transfer, deputation and other conditions of service shall be regulated by the general rules or orders of Government for the time being in force.

#### **15. Relaxation.**

- When the Government is satisfied that operation of any of these rules may cause undue hardship in any particular case, it may dispense with or relax the requirement of that rule to such extent and under such conditions as it may consider necessary for dealing with such a case in 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 in any of these rules.

#### **16. Interpretation.**

(1)If any dispute arises about interpretation of any provision of these rules, the interpretations of the Government shall be final.(2)If any difficulty arises in giving effect to the provisions of these rules the Government may, by order, do anything not inconsistent with the provisions of the Act or these rules which appear to him to be necessary or expedient for the purpose of removing that difficulty.

#### **17. Repeal and saving.**

- The rules corresponding to these rules and in force immediately before commencement of these rules are hereby repealed :Provided that all orders made or action taken under the rules so repealed or under any general orders ancillary thereto shall be deemed to have been done or taken under the corresponding provision of these rules.

I

(See Rule 5)

Sl. No.	Name of the Post	Cadre	Scale of pay
1.	Principal	Grade I	Rs. 2275-60-2395-80-2875-EB-100-3575-125-4450
2.	Headmaster/ Headmistress	Grade II	Rs. 1785-50-2035-60-2395-80-2475-EB-80-2875-100-35-75-125-4200

3. Superintendent
4. Vice-Principal
5. Post-Graduate Teacher Assistant
6. Headmaster/ Asstt. Headmistress  
Grade III  
Rs. 1475-40-1635-50-2035-EB-60-2395-80-2875-100-35-75-125-3825
7. Assistant Superintendent  
Graduate Teacher of Higher Secondary and Multipurpose School  
Grade IV  
Rs.1375-30-1435-40-1635-50-1885-EB-50-2035-60-2375-80-2875-100-3375
8. Teacher of High School  
Graduate
9. Teacher of High Madarssa  
Senior Classical Teachers or Senior Hindi
10. Teachers (only thecategory as shown in Sl. 4 in Schedule II)  
Senior Classical Teacher or Senior Hindi
11. Teacher (only thecategory as shown in Sl. 5 in Schedule II)  
Grade V  
Rs.1375-30-1435-40-1635-50-1885-EB-50-2035-60-2375-80-2875-100-3375
12. II Junior Teacher of Higher Secondary and Multipurpose School  
Grade VI  
Rs. 1185-20-1225-30-1435-40-1555-EB-40-1635-50-203 5-60-2395



14. Junior Teacher of High School
  15. Junior Teacher of High Madrassa
  16. Junior Classical Teacher or Junior Hindi Teachers (only the category as shown in Sl. 9 in Schedule II)
  17. Junior Classical Teacher or Senior Hindi Teachers (only the category as shown in Sl. 10 in Schedule II)
- Grade VII Rs. 1185-20-1225-30-1435-40-1555-EB-40-1635-50-2035-60-2395

II

(See Rule 11(2))

Sl. No.	Name of the Post	Cadre	Qualification
1.	Post Graduate Teacher	Grade III	At least 2nd Class post-graduate degree in the subject concerned.
2.	Graduate Teacher, High School	Grade IV	Bachelor of Arts, Bachelor of Science, Bachelor of Commerce.
3.	Graduate Teacher, High Madrassa	Grade IV	Bachelor of Science, Bachelor of Commerce
4.	Senior Classical Teacher/ Senior Hindi Teacher	Grade IV	Graduate with Hindi/ Sanskrit/ Arabic/ Persian as one of the subject
5.	Senior Classical Teacher/ Senior Hindi Teacher	Grade V	Assam Madrassa Final (Fazil) from Assam Madrassa Board or its equivalent examination passed from a recognised Board/ Sastri Examination passed from Assam Sanskrit Board or its equivalent from any recognised Board/ H.S.L.C. Examination passed and Proveen Rastra Bhasa Ratna, Sahitya Ratna and its equivalent examination passed from recognised University in case of Senior Hindi Teachers.
6.			Pre-University/H.S.S.L.C.

	Junior Teacher of Higher Secondary and Multipurpose School	Grade VI	
7.	Junior Teacher of High School	Grade VI	Pre-University/H.S.S.L.C.
8.	Junior Teacher of High Madrassa	Grade VI	Pre-University/H.S.S.L.C.
9.	Junior Classical/Junior Hindi Teacher	Grade VI	H.S.S.L.C./P.U. with Hindi/ Sanskrit/ Arabic/ Persian as one of the subjects
10.	Junior Classical/ Junior	Grade VII	H.S.L.C. or its equivalent passed from recognised Hindi Teacher University/Board and Visharad/ Kovid/ Siksha Visharad/Sahitya Bhusan or its equivalent examination passed from recognised Hindi Institution in respect of recognised teacher/Madhayamic passed from recognised Board, Assam Madrassa, Intermediate Examination passed in respect of Junior Classical Teacher.