



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PUBLIC WORKS (ROADS) DEPARTMENT

## NOTIFICATION

The 19th November, 2018

No. ADT.572/2007/Pt (III) (c)/81.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and the conditions of service of the persons appointed to the Assam Section Assistant and Subordinate Engineers, P.W.D.(Roads Wing) Service, namely:-

Short title and commencement

1. (1) These rules may be called the All Assam Section Assistants and Subordinate Engineers, P.W.D. (Roads Wing) Services Rules, 2018,
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) These rules shall be applicable to all the persons under appointment to the service either before or after the commencement of these rules.

Definitions

2. In these rules, unless there is anything repugnant in the subject or context,-
  - (a) "Appointing Authority" means the Chief Engineer, Public Works (Roads) Department, Assam;
  - (b) "Board" means Selection Board constituted under rule 14;
  - (c) "Constitution" means the Constitution of India;
  - (d) "Government" means the Government of Assam;

- (e) "Governor" means the Governor of Assam;
- (f) 'Member' means a member of the Assam Section Assistant and Subordinate Engineers P.W.D. (Roads Wing);
- (g) 'Select list' means list as referred to in rule 6 (2) and rule 13(2)(b);
- (h) 'Service' means the Assam Section Assistant and Subordinate Engineers P.W.D. (Roads Wing) Service and
- (i) 'Year' means a calendar year.
- Grade and cadre 3. (1) The Service shall consist of the following grades and cadres.-
- (a) Subordinate Engineer, Grade-I(Works) -
- (b) Subordinate Engineer, Grade -II(Works) -
- (c) Section Assistant.
- (2) The Cadre of Section Assistant, Subordinate Engineer Gr.-II (Works) and Subordinate Engineer Gr.-I (Works) shall be considered as the state cadre post and the Chief Engineer Public Works (Roads) Department shall be the Cadre Controlling Authority.
- (3) The cadres of Section Assistant, Subordinate Engineer Grade-II and Subordinate Engineer Grade-I may have branches namely Civil, Mechanical and Electrical and each such branch shall be considered to constitute separate cadre.
- (4) The status of the members of Section Assistant, Subordinate Engineer Grade-II, Subordinate Engineer Gr.-I shall be Grade-III Non-Gazetted posts in Government service.
- Strength of service 4. The strength of each cadre in the service shall be such as may be determined by the Governor from time to time. The strength of each Cadre of the Service as on the date of commencement of these rules shall be such as shown in Schedule-I of these rules:
- Provided that the Governor may hold in abeyance any post as and when considered necessary.
- Method of recruitment 5. Recruitment to the service shall be made in the manner prescribed hereinafter, namely:-
- (a) by direct recruitment on the basis of competitive examination in accordance with rule 6 for the post of Section Assistant; and

- (b) by promotion in accordance with rules 11 and 12 for the post of Subordinate Engineer Gr.-II (Works) and Subordinate Engineer Gr.-I (Works).
- Direct recruitment 6. (1) Subject to sub-rule (3) of rule 13, Direct recruitment shall be made on the basis of recommendations made by the Selection Board in accordance with the procedure hereinafter provided:-
- (a) The Appointing Authority i.e., the Chief Engineer, PWD(Roads), Assam, before the end of each calendar year shall make assessment of vacancies to be filled up by direct recruitment in the next year and shall propose for filling up such posts by direct recruitment considering 100% of the cadre strength of the post of Section Assistant. The Appointing Authority shall submit such proposal to the Government in Public Works (Roads) Department for obtaining approval of the Finance (S.I.U.) Department. After receipt of approval from the Government for the specified number of posts, the Appointing Authority shall take necessary action for filling up of the posts so approved as per the procedure laid down in rule 5(a) above.

Direct recruitment shall be made only for the post of Section Assistant. The post of Subordinate Engineer Gr.-II (Works) and Subordinate Engineer Gr.-I (Works) are to be filled up by way of promotion.

- (2) The Select list so prepared by the Appointing Authority shall remain valid for 12 calendar months from the date of recommendation.
- (3) In the event of the Selection Board being unable to recommend sufficient number of candidates to fill up all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure as mentioned hereinbefore under sub-rule (1) of this rule, for recommending a subsequent list in the year:

Provided that the Appointing Authority shall not make appointment of any candidate from the subsequent list until all the candidates of the earlier list of the same year, eligible for appointment, have been offered the appointment.

- |                          |     |  |
|--------------------------|-----|--|
| Age                      | 7.  | Unless otherwise expressly provided for a candidate, for direct recruitment, a candidate shall not be less than 18 (eighteen) years and more than 38 (thirty eight) years of age on the first January of the year of recruitment with relaxation in case of candidates belonging to special categories like Scheduled Castes, Scheduled Tribes or any other category as laid down by the Government in accordance with the general orders of the Government in force.      |
| Academic qualification   | 8.  | The academic qualification of a candidate for direct recruitment for the post of Section Assistant shall be H.S.S.L.C. passed from any recognized Board in Science stream.   |
| Physical fitness         | 9.  | A candidate for direct recruitment shall be,-<br>(a) of sound health, both mentally and physically fit and free from organic defect of bodily infirmity likely to interfere with the efficient performance of his field duties; and<br>(b) required to undergo medical examination before appointment to the service and medical certificate from the concerned authority of the Health and Family Welfare Department of the Government is to be furnished before joining. |
| Character                | 10. | A candidate for direct recruitment shall produce certificate of good character to the appointing authority from,-<br>(a) the Principal Academic Officer of the Institution in which he studied last; and<br>(b) two respectable persons who are well acquainted with (but not related to) the candidate.   |
| Recruitment by promotion | 11. | The Chief Engineer, Public Works (Roads) Department shall accord approval for promotion of Section Assistant to  |

Subordinate Engineer Gr.II and Subordinate Engineer Gr.II to Subordinate Engineer Gr.I. after obtaining concurrence from the Government in the Public Works (Roads) Department.

Subject to suitability as may be decided by the Board and by the Appointing Authority as set forth in rule 12 and also subject to possessing of such qualification as may be prescribed by the Government from time to time, a member shall be eligible for promotion to the corresponding higher cadre in the manner hereinafter provided :-

(1) For promotion from Section Assistant to Subordinate Engineer Gr.II :-

- (a) Each and every Section Assistant should pass the Section Assistant Training Course (SATC) for promotion to the post of Subordinate Engineer Gr.II (Works) except those having Diploma in Engineering.
- (b) Promotion from Section Assistant to Subordinate Engineer Gr.II (Works) shall be made subject to availability of sanctioned vacant posts of Subordinate Engineer Gr.II notwithstanding of passing of Section Assistant Training Course by an incumbent.
- (c) Un-trained and Non-Metric Section Assistants who have completed 25 years of service shall be eligible for promotion to the post of Sub-Engineer Gr.II (Works) subject to availability of sanctioned vacant posts.

**Note:** There are large nos of non-matric Section Assistants who have been rendering services for long years without training on the date of commencement of these rules, who shall be eligible for promotion under this clause.

- (d) The percentage of vacancies of sanctioned post in the cadre of Sub-Engineer Gr.-II (Works) occurring in a year to be filled up by promotion shall be as shown below :-
- (i) From Non-Metric and Un-trained - 25%  
Section Assistant
  - (ii) From Section Assistant who have - 75%  
successfully completed S.A.T.C
- (2) For promotion from Subordinate Engineer Gr.II to Subordinate Engineer Gr.I, the incumbent shall be eligible after completion of 7 (Seven) years of continuous service as Subordinate Engineer Gr.II subject to availability of sanctioned vacant post of Sub-Engineer Gr.I after passing of Departmental examination of Junior level Engineering and Accounts.
- Promotion**
12. For promotion to a cadre under rule 3 of the service from a lower cadre, a member of the service shall be eligible if he/she has,-
- (a) rendered minimum 7 (seven) years of continuous service in the cadre of Subordinate Engineer Gr.II for promotion to the cadre of Subordinate Engineer Gr.I subject to availability of sanctioned vacant post and after passing of departmental examination of Junior Level Engineering and Accounts.
  - (b) successfully completed Section Assistant Training Course(SATC) for promotion to Subordinate Engineer Gr.II from the cadre of Section Assistant subject to availability of sanctioned vacant post.
  - (c) Section Assistants having Diploma in Engineering need not undergo SATC for promotion to Sub-Engineer Gr-II subject to availability of sanctioned vacant post.
- General procedure of promotion**
13. (1) Before the end of each calendar year the Chief Engineer, Public Works (Roads) Department shall make an

assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre.

- (2) The Appointing Authority shall then furnish to the Administrative Department the following documents and information with regard to as many incumbent in order of seniority as are eligible for promotion under sub-rule (1):-
  - (a) information about the number of vacancies;
  - (b) list of incumbents in order of seniority eligible for promotion (Separate list for promotion to different cadre shall be furnished) indicating the cadre to which the case of promotion is to be considered;
  - (c) Annual Confidential Report for last 5 (Five) years;
  - (d) details about reservation in case of promotion to the service;
  - (e) any other documents and information as may be considered necessary by the Cadre Controlling Authority or required by the Board.
- (3) The Cadre Controlling Authority shall simultaneously request the Government in the Public Works (Roads) Department to accord approval in order of preference in respect of promotion to each of the cadre in which recruitment is to be made by promotion.
- (4) The Selection shall be made on the basis of seniority with due regard to merit in case of promotion of Subordinate Engineer Gr.II to Subordinate Engineer Gr.I and on the basis of seniority only in case of promotion from Trained Section Assistant to Subordinate Engineer Gr.II.
- (5) The Selection Board, after examination of the documents and information furnished by the Cadre Controlling Authority shall recommend a list of incumbents double the probable number of vacancies, found suitable for promotion.

- (6) The inclusion of a candidates name in a select list shall confer no right to promotion unless the Cadre Controlling Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (7) The select list shall remain valid for 12 (Twelve) calendar months from the date of approval by the Selection Board.
- (8) The promotion shall be in accordance with the list finally approved by the Selection Board.
- Selection board**      14. The Selection Board as referred to in rules 6, 11 and 12 shall consist of the following –
- |       |   |   |                     |
|-------|---|---|---------------------|
| (i)   | Chief Engineer, Public Works<br>(Roads) Department  | - | Chairman            |
| (ii)  | Addl. Chief Engineer, (Planning),<br>O/o. the Chief Engineer, Public<br>Works (Roads) Department  | - | Member<br>Secretary |
| (iii) | Assistant Chief Engineer, Public<br>Works (Roads) Department                                      | - | Member              |
| (iv)  | Senior Finance & Accounts<br>Officer, O/o. the Chief Engineer,<br>Public Works (Roads) Department | - | Member              |
- Disqualification**      15. (1) No person shall be eligible for appointment to the Service,-
- (a) unless he is a citizen of India;
- (b) if he has more than one wife living or in case of 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, relax 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 by any other means, shall be appointed to the service.

- Reservation            16. In all case of appointment by direct recruitment as well as by promotion, there shall be reservation in case of candidates belonging to the member of the Scheduled Castes, Scheduled Tribes as per the provision of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Services and Posts) Act, 1978 as amended and 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 31-05-2005 for direct recruitment only. General Orders in respect of reservation in favour of all other categories of candidates as may be in force for time being, shall also be followed in direct recruitment.
- Appointment            17. (1) Subject to the provision of sub-rule (2) of rule 6, appointment shall be made by the Appointing Authority in accordance with the recommendation of the Selection Board as in sub-rule (1) of rule 6.
- (2) The inclusion of a candidate's name in the list mentioned in sub-rule (1) of rule 6 shall confer no right to appointment unless the Appointing Authority 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.
- Joining time            18. 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 Appointing Authority extends the period, which shall not, in all, exceed three months.
- Section Assistant  
Training Course        19. A member of the Service shall be required to undergo such training and pass such departmental examination as the Government may prescribe :
- (a) Selection of Section Assistants for Section Assistant Training Course for each year shall be made from the seniority list of Section Assistants under the Public

Works (Roads) Department as prepared and approved by the Chief Engineer Public Works (Roads) Department, Assam and only one-third of the sanctioned strength of Section Assistants will be sent for Section Assistant Training Course in a year.

- (b) With minimum 10 (ten) years of continuous service, Section Assistant shall be eligible for Section Assistant Training Course (S.A.T.C.).
- (c) Section Assistant Training Course is not mandatory for those who pass Diploma in Engineering from a Recognized Institution.
- (d) Those Section Assistants who have crossed 50 years of age as on the 1<sup>st</sup> January of a particular year shall not be selected for the Section Assistant Training Course (SATC).

Discharge or  
reversion

20. A temporary or officiating member shall be liable to be discharged or reverted to the lower cadre of the service or to his original service, if,-

- (1) he fails to make sufficient use of the opportunities given during any training as may be prescribed by the Government from time to time or fails to render satisfactory service during his tenure of service in the cadre; and/ or
- (2) it is found on a subsequent verification that he was initially not qualified for the appointment or that he had furnished any incorrect information with regard to his appointment.

Seniority

21. (1) The seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of preference in the respective list recommended by the Selection Board under rule 6 and also in the respective list finally approved by the Selection Board under rule 13 if he joins within 15 days

from the date of receipt of the order or within the extended period as mentioned in rule 18

- (2) If a member fails to join within the initial 15 days of receipt of the order or within the extended period, as mentioned in rule 18, but joins later, his seniority shall be determined in accordance with the date of joining.
- (3) Only the cadres of Section Assistant and Subordinate Engineer Gr.-II (Works) and Gr.-I (Works) shall be included in the seniority / gradation list.
- (4) Seniority of Section Assistant, Sub ordinate Engineer Gr.II (Works) and Subordinate Engineer Gr.I (Works) shall be maintained separately for each grades and cadres as mentioned in rule 3.

Probation and  
confirmation

22. (1) Subject to availability of a permanent vacancy in the respective cadre, a member shall be placed according to seniority, on probation against the permanent vacancy for a period of two years before he is confirmed against the permanent post:

Provided that the period of probation may for good and sufficient reasons be exceeded by the Appointing Authority for any specific period, not exceeding a period of two years.

- (2) A member of the service shall be confirmed in the post held by the member at that time or at any post in which the member has held earlier against the permanent vacancy subject to receipt of satisfactory performance report and no adverse report against the incumbent.
- (3) If confirmation of a member is delayed on account of his failure to qualify for such confirmation, he shall lose his position in the order of seniority vis-à-vis such of his juniors as might be confirmed earlier than him. His

seniority shall, however, be restored on his confirmation subsequently.

**Gradation list**

23. Gradation list shall be prepared and published every year containing the names of all members of the service cadre-wise in order of seniority and such other particulars as date of birth, date of joining etc and shall be notified in the Official Gazette :

Provided that the Chief Engineer, Public Works (Roads) Department being the Cadre Controlling Authority, shall prepare the seniority / gradation list of Section Assistant on all Assam basis covering all field divisions under the Public Works (Roads) Department.

**Pay**

24. All appointment in the service shall be made in the scale of pay as shown in Schedule-I subject to revision as may be made by the Government from time to time.

**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 outside Assam, or to any other department of the Government, a body corporate, in the affairs of which the Government may be substantially interested, or an autonomous District Council, if so required in the interest of public service and in such case the member shall not have any option against such posting or transfer.

**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 member 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 Government 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 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 in these rules.**

- Interpretation**                      28.    If any question arises relating to the interpretation of these rules the decision of the Government shall be final.

- Repeal and saving**                      29.    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 validly made or taken under the corresponding provisions of these rules.**

**SCHEDULE – I**  
(See rule– 4, 24)

**Strength of each Cadre of the Service and the respective scale of pay.**

Sl. No.	Categories of Post	Scale of Pay	Number of Posts		
			Permanent	Temporary	Total
<b>1</b>	<b>Sub-Engineer Grade-I (Works)</b>	<b>PB-2-14000-49000 G.P.-6800</b>	<b>NIL</b>	<b>321</b>	<b>321 Nos.</b>
<b>2</b>	<b>Sub-Engineer Grade-II (works)</b>	<b>PB-2-14000-49000 G.P.-6200</b>	<b>789</b>	<b>NIL</b>	<b>789 Nos.</b>
<b>3</b>	<b>Section Assistant</b>	<b>PB-2-14000-49000 G.P.-5600</b>	<b>1477</b>	<b>NIL</b>	<b>1477 Nos.</b>

**RAJESH KEMPRAI,**

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Public Works (Roads) Department.