



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 40 দিশপুৰ, বুধবাৰ, 6 ফেব্ৰুৱাৰী, 2019, 17 মাঘ, 1940 (শক)

No. 40 Dispur, Wednesday, 6th February, 2019, 17th Magha, 1940 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

DEPARTMENT FOR WELFARE OF PLAINS TRIBES & BACKWARD CLASSES

NOTIFICATION

The 30th December, 2015

No. TAD/BC/339/2007/157.- In exercise of the powers conferred by the provision of Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and conditions of service of the persons appointed to the service of Assam Institute of Research for Tribals & scheduled Castes namely:-

- Short Title and Commencement
1. (1) These rules shall be called as the Assam Institute of Research for Tribals and Scheduled Castes (Recruitment and Promotion) Service Rules, 2012.
- (2) They shall come into force on the date of their publication in the official Gazette.
- Definition
2. In these rules, unless there is anything repugnant in the subject or contexts:-
- (a) 'Appointing Authority' means the Governor of Assam.
- (b) 'Board' means the Selection Board constituted under rule 14;
- (c) 'Commission' means the Assam Public Service Commission.
- (d) 'Constitution' means the Constitution of India.
- (e) 'Government' means the Government of Assam.

- (f) 'Governor' means the Governor of Assam.
- (g) 'Member' means a member of the Assam Institute of Research for Tribals and Scheduled Castes Service .
- (h) 'Select List' means the list as referred to in Rule 6 (1)(d) and the list finally approved under clause 13(6)(b)(ii)
- (i) 'Service' means the Assam Institute of Research for Tribals and Scheduled Castes Service.
- (j) 'Year' means calendar year.

- Class and Cadre 3. (1) These orders will apply to the appointments, promotions and other conditions of service in respect of the following classes and cadres of the services:
- (a) Class I: - Joint Director, Curator, Deputy Director, District Research Officer and Research Officer.
- (b.) Class II :- Assistant. Research Officer, Senior Investigator, Inspector of Statistics.
- Strength of service 4. The strength of each cadre in the class of the service shall be such as determined by the Governor from time to time. The strength of the Cadres of the service on the date of commencement of this rules shall be as shown in Schedule II, 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 herein after ;
- (1) Joint Director & Curator :- The post of Joint Director & Curator shall be filled up from among the eligible Deputy Directors provided he has completed five years of service as Deputy Directors
- (2) Deputy Director:- the post of Deputy Director shall be filled up from among the eligible District Research Officer/ Research Officer provided he has completed five years of service as District Research Officer/ Research Officer.
- (3) District Research Officer/ Research Officer:- the Post of District Research Officer/ Research Officer shall be filled up from among the eligible Assistant Research Officers provided he has completed five years of service as Assistant Research Officers. The post of Research Officers and District Research Officers are inter-transferable.
- (4) The post of Assistant Research Officer shall be filled up by promotion from among the eligible Senior Investigators provided he has completed five years of service as Senior Investigators.

(5) The post of Senior Investigators and Inspector of Statistics shall be filled up by direct recruitment

Direct Recruitment

6. Subject to Schedule -III and rule-8, Direct recruitment shall be made on the basis of recommendations made by the Commission in accordance with the procedure herein after provided, namely:-

- (1) (a) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year and shall intimate the same to the Commission together with the details about reservation for candidates belonging to Scheduled Castes, Scheduled Tribes or any other category as laid down by the Government from time to time as provided under rule-16 and about carry forward of such reservations.
 - (b) The Appointing Authority shall simultaneously request the Commission to recommend a list of candidates for direct recruitment in order of preference.
 - (c) The Commission shall make a Selection in accordance with the scheme of selection prescribed by the Government (in consultation with the commission). The Commission may hold such test or interview and undertake scrutiny of thesis or articles, if any, published by the candidate and other certificates and documents, as may be considered necessary.
 - (d) The Commission shall furnish to the Appointing Authority a list of candidates recommended by it in order of preference, found suitable for direct recruitment. The number of candidates in the select list prepared for the fresh appointment shall be equal to the number of vacant post as per Assam Fiscal Responsibility and Budget management Act, 2005.
 - (e) The Commission shall simultaneously publish the list in the Assam Gazette and /or at such other place the Commission may consider proper.
- (2) The list mentioned in clauses (d) and (e) of sub Rule (1) of this rule shall remain valid for 12 calendar months from the date of recommendation.
 - (3) In the event of the Commission being unable to recommend sufficient number of candidates to fill all the vacancies in a year it shall, in consultation with the Appointing Authority repeat the procedure as mentioned herein before under sub-rule (1) of this rule for recommending a subsequent list in that 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.

- | | |
|--------------------------------------|---|
| Qualification for Direct Recruitment | 7. A candidate for direct recruitment to the service shall be within the age limits between 21 years and 38 years of age on the 1 st January of the year of advertisement for recruitment, with relaxation in case of candidates belonging to special categories like scheduled caste, scheduled tribes and any other category as laid down by Government, in accordance with the orders of the Government for the time being in force. |
| Academic Qualification | 8. The academic qualifications of a candidate for direct recruitment shall be as prescribed by the Government/ Appointing Authority in consultation with the Commission from time to time. The qualifications and experiences prescribed, as on the date of commencement of these rules are shown in Schedule III. |
| Physical Fitness | 9. A candidate for direct recruitment shall be:-
(1) Of sound health both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duties; and
(2) Required to undergo medical examination before appointment to the service. |
| Character | 10. A candidate before direct recruitment shall produce to the Commission certificates of good character from :
(a) The principal Academic Officer of the University or Collage in which he studied last and
(b) Two respectable persons, who are well acquainted with (but not related to) the candidate. |
| Recruitment by promotion | 11. Appointment by promotion in the cadre of Class (I) and Class (II) officer shall be made in the manner hereinafter provided, namely :-
(1) The Appointing Authority shall publish in the Assam Gazette annually, the number of vacancies in the cadre, which have occurred or are likely to occur in the year.
(2) Subject to suitability as may be decided (in consultation with the Commission) and officer belonging to the cadre of Class (I) and Class (II) officer in the Assam Institute of Research for Tribals and Scheduled Castes Service and possessing the qualifications as set forth in rules 12 and 13, shall be eligible for promotion. |

- (3) The cadre of Class (I) and Class (II) officers shall be filled by promotion, subject to availability of suitable candidates in the respective cadre of the service in a particular year provided that due to non-availability of adequate number of suitable candidates in a particular year or years the promotion shall be carried forward to the subsequent year (s).
- (4) A member of the cadre of Class (I) and Class (II) officer in the Assam Institute of Research for Tribals and Scheduled Castes Service shall be eligible for promotion subject to the following conditions :-
 - (a) He has at least the required academic qualification for the available post.
 - (b) He has rendered a minimum period of 5 years of service in the post from where he is to be promoted on the first January of the year of promotion ;
 - (c) He has successfully undergone the training as may be prescribed for the purpose.

Promotion

- 12.(1). Vacancies in the cadres of Joint Director, Curator, Deputy Director, District Research Officer and Research Officer in class I and Assistant Research Officer in class II of the service shall be filled by promotion in the manner prescribed here in bellow to the extent as specified in sub-rules (2), (3) and (4) of rule 5 of these rules:-

Provided that the Governor may for good and sufficient reasons fill any of the posts for specialized investigation, design and research work temporarily or on tenure by transfer or deputation from outside the service, if it satisfied that there is no suitable officer in the service available for filling the vacancy.

- (2) In case of specialization of a member of the service posted in connection with the specialized work, on his promotion in the normal course, by creation of higher post in the cadre to which he is so promoted, keeping the lower post in abeyance, if the Government considers that such an officer cannot be withdrawn from the specialized work due to non-availability of any other officer of the lower or an equivalent cadre in the service to perform the specialized work.
- (3) Subject to suitability as may be decided by the Board and by the Appointing Authority / Commission as set forth in rule 13 and also subject to possessing qualifications and experience as prescribed hereinafter, an officer shall be eligible for promotion from one cadre to another of the service in the manner provided

below:-

- (a) From Deputy Director to Joint Director /Curator
 - (b) From District Research Officer / Research Officer to Deputy Director.
 - (c) From Asst. Research Officer to District Research Officer / Research Officer
 - (d) From Sr. Investigator to Assistant Research Officer.
- (4) Subject to suitability, an officer shall be eligible for promotion if he possess the qualifications and experience as set forth below :
- (i) He has at least the required academic qualification for the available post;
 - (ii) He has rendered a minimum period of 5 years of service in the post from where he is to be promoted on the first January of the year of promotion;
 - (iii) He has successfully undergone the training as may be prescribed for the purpose.

General Procedure
of Promotion

13. (1) Before the end of each year the Appointing Authority shall make an assessment of the likely number of vacancies to be filled by promotion in the next year in each cadre.
- (2) The Appointing Authority shall then furnish to the Board the following documents and information with regard to as many Officers in order of seniority as are eligible for promotion:-
- (a) Information about the number of vacancies;
 - (b) List of officers in order of seniority, eligible for promotion (separate list for promotion to different cadres shall be furnished) indicating the cadre to which the case of promotion is to be considered;
 - (c) Character rolls and personal files of the officers listed ;
 - (d) Details about reservation in case of promotion to the service under rule 11, and about carry forward of vacancies as provided under sub-rule (3) of rule 11 and
 - (e) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Board

- (3) The Appointing Authority shall simultaneously request the Board to recommend within one month a list of officers, found suitable for promotion 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 merit with due regard to seniority in case of promotions stated herein under sub-rule (2) of rule 12 and in rule 11. All other selections shall be made on the basis of merit only.
- (5) The Board after examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a list of officers about double the probable number of vacancies, in order of preference, found suitable for promotion.
- (6) The Appointing Authority on receipt of the list recommended by the Board shall:-
 - (a) Consider the list prepared by the Board for the promotion of the cadres of Joint Director, Deputy Director, Curator, District Research Officer / Research Officer, Assistant Research Officer, along with character rolls and personal files of the employees and approve the list unless it considers any change necessary. If the Appointing Authority considers it necessary to make any change in the list received from the Board, she/he shall inform the Board of the changes proposed and after taking into account the comments, if any, of the Board may approve the list finally with such modification, if any, as may in his/her opinion be just and proper.
 - (b)(i) Forward the list for promotion in the cadres of Joint Director, Curator, Deputy Director, District Research Officer / Research Officer, Assistant Research Officer to the Commission together with the information and documents as referred to in sub-rule (2) of rule 13 with a request to approve the list.
 - (ii) The commission shall consider the list recommended by the Board together with the information and documents and such other documents and information as may be required by the Commission and obtained from the Appointing Authority. The Commission shall finally approve the list with such modifications as it considers just and proper.

(7) The inclusion of the candidate's name in a select list shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.

(8) (i) The list finally approved by the Commission, shall be published by the Appointing Authority in the Assam Gazette within 15 days from the date of final approval.

(ii) The promotion shall be in accordance with the list finally approved by the Appointing Authority

Selection Board

14. The Board as referred to in rule 11,12, and 13 shall consist of the following:-

Board for considering promotion to the posts of Joint Director, Curator, Deputy Director, District Research Officer/ Research Officer, Assistant Research Officer :-

- | | |
|---|------------------|
| (i) Commissioner and Secretary to the Government of Assam, Welfare of Plain Tribes and Backward Classes Department | Chairperson |
| (ii) Joint Secretary/ Deputy Secretary, to the Government of Assam, Welfare of Plain Tribes and Backward Classes Department | Member Secretary |
| (iii) Secretary, Personnel Department. or his nominee not below the rank of Deputy Secretary, Personnel Deptt. | Member |
| (iv) Director, Assam Institute of Research for Tribals and Scheduled castes. | Member |

Disqualification

15. (1) No person shall be eligible for appointment to the service :-

(a) Unless he is a citizen of India : and

(b) If he has more than one wife living or in case of a female candidate who has married a person who has one wife living :

Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause.

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

- Reservation **16.** In all cases of appointment by direct recruitment as well as by promotion, there shall be reservations in case of candidates belonging to the members of the Scheduled Castes/ Scheduled Tribes as per the provision of the Assam Scheduled Castes and Scheduled Tribe (Reservation of Vacancies in Service and Posts) Act 1978 as amended for time to time and Rules framed there under. There shall also be reservation for candidates belonging to other backward classes as per govt. instructions contained in O.M.No.ABP.338/83/14 dated 4.1.84 for direct recruitment only. General orders in respect of reservation in favour of other categories of candidates as may be in force for time being shall also be followed
- Appointment. **17.** (1) Subject to the provision of sub-rule (2) appointment under rule 6 shall be made by the Appointing Authority in accordance with the order of preference determine in the list referred to in clause (d) of sub-rule (1) rule 6.
- (2) The inclusion of a candidate's name in the list mentioned in clause (d) of 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, exceeds three months.
- Training **19.** A member of the service shall be required to undergo such training and pass such departmental examination as Government may prescribe from time to time.
- Discharged of 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 -
- (i) 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
- (ii) 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 Commission under rule 6(1)(d) and also in the respective list finally approved by the Commission sub rule 6(b)(II) of Rule 13, if he joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in rule 18.
- (2) If a member fails to join the appointment within the initial 15 days of receipt of the order or within the extended period, as mentioned in rule 18, but joins later, his seniority shall be determined in accordance with the date of joining.
- (3) A member appointed by promotion in a year shall be senior to a member appointed by direct recruitment in that year.

Probation and Confirmation

22. (1) Subject to availability of a permanent vacancy in the respective cadre, a member shall be placed, accordingly to seniority on probation against the permanent vacancy for a period of 2 years before he is confirmed against permanent vacancy.

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

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

- (2) A member of the service placed on probation under sub-rule (1) shall be confirmed against the permanent vacancy subject to the following conditions:-
- (a) He has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-rule (1);
- (b) He has successfully undergone the training and passed the departmental examination, if any, prescribed by Government under Rule 19;
- (3) If confirmation of a member is delayed on account of his failure to qualify for such confirmation, he shall lose his position in order of seniority vis-à-vis such of his juniors as might be confirmed earlier than he. His seniority shall however be restored on his confirmation subsequently.

- Gradation List 23. There shall be prepared and published every year a gradation list containing the name of all members of the Service cadre wise in order of seniority and such other particulars as date of birth, date of appointment, etc.
- Pay 24. All appointment in the service shall be made in the time scale of pay as maybe prescribed by the Govt. from time to time. The scale of pay of the post in the cadres of service on the date of commencement of these rules are shown in schedule II.
- 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 option against such posting or transfer.
- Other conditions of service 26. (1) Except as provided in these rule all matters relating to pay and allowance, leave, pension, discipline and other conditions of service shall be regulated by the general rules and orders of the Government, for the time being in force.
- Relaxation 27. Where the Government is satisfied that the operation of any of these rules may cause undue hardship in any particular, it may dispense with or relax the requirement of that rule to such extent and subject to such condition 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 within any manner less favourable to him than that provided in any of 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 savings. 29. The rules corresponding to these rules 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 validity made or taken under the corresponding provisions of these rules.

SCHEDULE – I

(See rule : 3)

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

Sl. No	Name of Cadres	Name of posts equivalent to and included in the cadre
1	2	3
1.	Class – I	(1) Joint Director (2) Curator. (3) Deputy Director (4) Dist. Research Officer (5) Research Officer
2.	Class – II	(1) Asst. Research Officer (2) Senior Investigator (3) Inspector of Statistics

SCHEDULE – II

(See rules 4 and 24)

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

Assam Services as per (ROP) Rules 2010

Sl. No.	Category of Posts	Number of Post			
		Time Scale of Pay Rs.	Permanent	Temporary	Total
1	Joint Director	Rs. 12,000 to Rs. 40,000	1	NIL	1
2	Curator	Rs. 12,000 to Rs. 40,000	1	NIL	1
3	Deputy Director	Rs. 12,000 to Rs. 40,000	1	NIL	1
4	Dist. Research Officer.	Rs. 12,000 to Rs. 40,000	3	NIL	3
5	Research Officer	Rs. 12,000 to Rs. 40,000	2	NIL	2
6	Asst. Research Officer.	Rs. 8,000 to Rs. 35,000	2	NIL	2
7	Senior Investigator	Rs. 8,000 to Rs. 35,000	2	NIL	2
8	Inspector of Statistics	Rs. 8,000 to Rs. 35,000	1	NIL	1

SCHEDULE-III**(See rule : 8)**

Qualifications and experience prescribed for direct recruitment :-

The following post are open for direct recruitment :-

- I. Senior Investigator
- II. Inspector of Statistics

The Qualification and Experience required those post are :-

Sl. No.	Name of post	Qualifications	Experience	Remarks
1	2	3	4	
1	Senior Investigator	Master Degree in Anthropology, Economics or Sociology	Three year experience in the relevant field	
2	Inspector of Statistics	Bachelor Degree in Economics or Mathematics	Three year experience in the relevant field	

RAJIV KUMAR BORA,

Additional Chief Secretary to the Govt. of Assam,
Welfare of Plains Tribes & Backward classes Department,
Dispur, Guwahati-781006.