

# **ASSAM EDUCATION SERVICE RULES, 1982\***

## **(Assam Rule VI of 1982)**

**Notification No. ECL 94/77/212, dated 19<sup>th</sup> October, 1982.** In exercise of the powers conferred under the proviso to Art. 309 of the Constitution of India the Governor of Assam is pleased to frame the following rules regulating the recruitment and conditions of service of persons appointed to the Assam Education Service.

### **PART I**

#### **1. Title and commencement.**

- (1) These rules may be called “The Assam Education Service Rules, 1982.”
- (2) These rules shall come into force with immediate effect.

#### **2. Definitions.** In these rules unless there is anything repugnant in the subject, or context –

- (a) ‘Appointing Authority’ means the Governor of Assam.

\* Published in the Assam Gazette, Part II-A, dated 1-12-1982, pp. 2688-2701.

- (b) 'Commission' means the Assam Public Service Commission;
- (c) 'Director' means the Director of Public Instruction;
- (d) 'Government Degree College' means Cotton College, Diphu College, Haflong College and any other College as may be declared by the Government to be Government Degree College from time to time.
- (e) 'Government' means the State Government of Assam;
- (f) 'Member' means a member of the Assam Education Service;
- (g) 'Select List' means the select list as referred to in R. 12;
- (h) 'Selection Board' means the Selection Board as referred to in R. 13.
- (i) 'Service' means the Assam Education Service;
- (j) 'Year' means the Calendar Year.

**3. Class and cadre.**

- (1) The service shall consist of the following:

(a) Class I -

- (i) Director of Public Instruction;
- (ii) Additional Director of Public Instruction/  
Director of Elementary Education/Director  
of Adult Education, herein after referred to  
as Additional Director;
- (iii) Principal, Government Degree College;
- (iv) Principal, Science College;
- (v) Principal, State Institute of Education;
- (vi) Joint Director, Public Instruction/Joint  
Director, Elementary Education/Joint  
Director, adult Education/Joint Director,  
Public Instruction, Hills/Joint Director,  
Plains Tribal Education/Joint Director,  
Vocational Education/Director, Institute  
of Science Education, hereinafter referred  
to as Joint Director;
- (vii) Principal, Government Law College;
- (viii) Deputy Director of Public  
Instruction/Deputy Director, Elementary

Education/Deputy Director of Adult Education/Inspector of Schools, hereinafter referred to as Deputy Director;

(ix) Principal, Post Graduate Training Colleges;

(x) Principal, Government Sanskrit College;

(xi) Principal, Hindi Teachers' Training College;

(xii) Vice-Principal and Professor of Government Degree Colleges including non-technical Assistant Professors of Engineering Colleges and Polytechnics, hereinafter referred to as Professors;

(xiii) Vice-Principal and Professor of Post Graduate Training Colleges hereinafter referred to as Professors;

(xiv) Professors of Science College;

(xv) Professors/Readers of State Institute of Education and State Institute of Science Education hereinafter referred to as Professors;

- (xvi) Assistant Director, Vocational Guidance;
- (xvii) Assistant director, Planning and Co-ordination;
- (xviii) Lecturer of Government Degree College including non-technical Lecturers of Engineering Colleges and Polytechnics.
- (xix) Lecturers of Science Colleges;
- (xx) Assistant Inspector/Assistant Inspectress of Schools/Vigyan Mandir Officer.

(b) Class II:

- (i) Lecturers of Post Graduate Training College;
- (ii) Lecturers of Government Sanskrit College;
- (iii) Lecturers of Government Law College;
- (iv) Lecturers of Hindi Teachers Training College;
- (v) Lecturers of State Institute of Education/State Institute of Science Education;

(vi) Deputy Inspector of Schools/District  
Social Education Officer;

(2) The service may also include -

- (i) any post equivalent to a post in any of the cadres mentioned in sub-R. (1): and
- (ii) any cadre or post declared by Government to be a cadre of the service.

**Note.** - Each of the post in the sub-R. (1) shall form independent cadre. Members of any cadre shall have no claim for appointment in higher cadre except in accordance with provisions of these rules.

### **COMMENTS**

In Cl. (vi) the words “Joint Director, Vocational Education” were inserted by Notification No. B (2) H. 1228/92/14, dated 23-11-94 (A.G. II-A, dated 30-11-94, p. 619).

- 4. Strength of service.** The strength of each cadre in the service shall be such as determined by the Government from time to time. The strength the cadres of the service on the date of commencement of these rules shall not be as shown in Schedule I.

## II. RECRUITMENT

**5. Method of recruitment.** Recruitment to the service shall be made in the manner prescribed hereinafter –

- (1) Recruitment to the post of Director of Public Instruction, Principal, State Institute of Education, Principal, Government Law College, Principal, Hindi Teachers Training College, Lecturers, Government Degree Colleges, Assistant Director, Lecturers, SIE/SISE shall be made by direct recruitment only with qualifications prescribed under R. 8:

Provided that if no suitable person is found to fill up the post of Director and if it is necessary to fill up the post urgently, but cannot be in accordance with the procedure laid down above or under the APSC (Limitation of Functions) Regulation, 1951, the appointing authority reserves the right to fill up the post of Director temporarily from the members of the Administrative Services of the State and such appointment shall not extend beyond the period of 2 years at a time. In such appointment prior consultation with the Commission shall not be necessary.

- (2) Recruitment to the post of Additional Director, Principal, Government Degree College, Joint Director,

Principal, Science College, Principal, Post Graduate Training Centre, Principal, Government Sanskrit College and Professors of Government Degree College, Professors of Post Graduate Training Centre, Professor, Science College, Professors, State Institute of Education State Institute of Science Education, Assistant Director, Educational Planning and co-ordination, Deputy Inspector of Schools, shall be made by promotion in the manner prescribed in R. 11.

- (3) Recruitment to all other posts of the service shall be made:
  - (a) by direct recruitment up to 75 percent with qualification prescribed under R. 8 in the cadre of Dy. Director and by promotion up to 25 percent in the cadre of Dy. Director from the select list of Assistant Inspector/Assistant Inspectress of Schools and Assistant Directors, Vocational Guidance and Assistant Directors, Planning and Co-ordination having five years experiences in the post and possessing at least Second Class Masters Degree.
  - (b) by direct recruitment up to 75 percent with qualification prescribed under R. 8 on the basis of open competitive examination to be conducted by the Commission in the cadre of assistant Inspector/Assistant Inspectress of Schools, V.M.O. and by promotion up to 25 per cent in the cadre of



Assistant Inspector/Assistant Inspectress of Schools from amongst the Deputy Inspector of Schools/District Social Education Officer.

**6. Direct recruitment.**

- (1) Direct recruitment to the posts mentioned in sub-R. (1) of R. 5 shall be made by the Government on the basis of recommendation made by the Commission in accordance with procedure hereinafter provided –
  - (a) Before the end of each year the Government 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 and Scheduled Tribes or any other category as provided under R. 15.
  - (b) The Government shall simultaneously request the Commission to recommend a list of candidates for direct recruitment in order of preference.
  - (c) The Commission may hold such test or interview as may be considered necessary.

- (d) The Commission shall furnish to the Government a list of candidates recommended by it in order of preference, found suitable for direct recruitment. The number of candidates in such a list may be approximately double the number of vacancies.
  - (e) The Commission shall simultaneously publish the list in the Assam Gazette and such other place as the Commission may consider proper.
- (2) The list mentioned in Cls. (d) and (e) of sub-R. (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 up the vacancies in a year it shall, in consultation with the appointing authority, repeat the procedure as mentioned hereinbefore under sub-R. (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 select list until all the candidates of the earlier list of the same year, eligible for appointment, have been offered the appointment.
7. A candidate for direct recruitment to the service shall be within the following age limits on the first January

of the year of advertisement with candidates belonging to special categories like Scheduled Castes, Scheduled Tribes and any other category as laid down by Government from time to time:

(i)	Director of Public Instruction	Maximum	50 years
(ii)	Principal, State Institute of Education	Maximum	40 years
(iii)	Principal, Government Law College	Maximum	40 years
(iv)	Dy. D.P.I./Inspector of Schools.	Maximum	40 years
(v)	Principal, H.T.T.C.	Maximum	40 years
(vi)	Lecturer Government Degree Colleges	Maximum	30 years
(vii)	Assistant Director, Vocational Guidance	Maximum	40 years
(viii)	Assistant Inspector of Schools.	Maximum	30 years

(ix) Lecturers of other Colleges. Maximum 30 years

(x) Lecturers of SIE/SISE Maximum 30 years

**8. Academic qualification.** The academic qualification of a candidate for direct recruitment shall be as prescribed by the appointing authority from time to time. The qualifications and experience prescribed as on the date of commencement of these rules, are given in Schedule II.

**9. Physical fitness.** 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 due performance of his duties; and

(2) required to undergo necessary medical examination before appointment to the service.

**10. Character.** A candidate for direct recruitment shall procedure to the Commission certificates of good character from –

(a) the Principal Academic Officer of the University or College in which studied last;

- (b) two respectable persons, who are well-acquainted with (but not related to) the candidate.

**11. Recruitment by promotion.** Recruitment to the posts mentioned in sub-R. (2) of R. 5 shall be made in the manner shown below:

- (a) The post of Additional Director shall be filled up from the select list of Joint Director/Principal S.I.E. and Director, State Institute of Science Education.
- (b) The post of Principal Government Degree College shall be filled up from the select list of professors of Government Degree College.
- (c) The post of Joint Director shall be filled up from the select list of Deputy Directors.
- (d) The post of Principal, Science College, Principal, Post-Graduate Training College, Principal, Government Sanskrit College, shall be filled up from the select list of Professors and Readers of respective colleges as the case may be.
- (e) The post of Professors of Government Degree College shall be filled up from the lecturers of Government Degree College.

- (f) The post of Professors of Science College, Post Graduate Training College, State Institution of Education and State Institute of Science Education shall be filled up from the select list of lecturers of respective Colleges as the case may be.
- (g) The post of Assistant Director, Planning and Co-ordination shall be filled up from the cadre of Statistical Officer, Information Officer and Research Officer/Planning Officer having 5 years experience.
- (h) The post of Deputy Inspector/Addl. Deputy Inspector and District School Education Officer shall be filled up from the select list of Sub-Inspector of Schools having 7 years experience.

**12. General procedure of promotion.**

- (1) Before the end of each year the Government shall make an assessment of the likely number of vacancies to be filled up by the promotion in the next year in each cadre.
- (2) The appointing authority shall then furnish to the Selection Board the following documents and information with regard to as many officers in order of seniority as four times the number of vacancies as assessed under sub-R. (1) -

- (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 to be considered.
  - (c) Character Rolls and other records of the officers listed.
  - (d) Any other documents and informations as may be considered 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 cadres in which recruitment is to be made by promotion.
- (4) The Selection shall be made on the basis of merit-cum-seniority in each case of promotion.
- (5) The Board, after examination of the documents and information furnished by the appointing authority shall recommend to the appointing authority a select list of officers about double the probable number of

vacancies in order of preference found suitable for promotion.

- (6) The appointing authority shall consider the select list prepared by the Board along with character rolls and other records 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, it shall inform the Board of the change proposed and after taking into account the comments, if any, of the Board may approve the list finally with such modifications, if any, as may in its opinion, be just and proper.
- (7) The select list shall be sent to the commission for approval.
- (8) The select lists shall remain valid for 12 months from the date of approval by the Commission.
- (9) The promotion shall be in accordance with the list finally approved by the appointing authority.
- (10) The inclusion of candidates' name in a select list shall confer no right to promotion unless the appointing authority is satisfied after such equity as may be considered necessary that a candidate is suitable for promotion.



**13. Selection Board.** The Selection Board as referred to in R. 12 shall consist of the following:

(1) Selection Board for considering promotion to the post of Addl. Director, Principal, Government Degree Colleges and Joint Director and Deputy Director -

(i) Chief Secretary or his nominee Chairman.

(ii) Member, A.P.S.C. Member.

(iii) Secretary, Education Member-Secretary.

(2) Selection Board for considering promotion to other posts -

(i) A member of the Commission nominated by Chairman Chairman.

(ii) Secretary, Education Member-Secretary

(iii) D.P.I. Assam Member.

### III - GENERAL PROVISIONS

#### 14. Disqualification.

(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 female candidate who has married a person who has one wife living; provided that the Government may, if it is satisfied that there are special grounds for doing so, exempt any person from the operation of this rule.

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

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

**16. Probation.** Subject to availability of permanent vacancy in the respective cadre, a member on appointment to the service shall be placed on probation for one year.

**17. Confirmation .** A member shall be confirmed on the basis of merit-cum-seniority, if he is considered fit otherwise for confirmation by the appointing authority:

Provided that Officers liable to undergo training and to pass departmental examination under any general rules or special orders of the Government shall be confirmed only after having successfully completed the training and passed the departmental examination.

**18. Discharge.** A member on probation shall be liable to be discharged from service or reverted to his next lower post or to his previous service to which he holds a lien, as the case may be, if his performance of the duty has not been satisfactory or if the appointing authority finds him unfit for holding the post.

**19. Scale of pay.** The scale of pay admissible to members of the different cadres of the service shall be such as shown in Schedule I, subject to such revision as may be made by the Government from time to time.

**20. Fixation of initial pay.** On promotion of a member from a lower to a higher cadre in service initial pay shall be fixed in accordance with principles governing such fixation under the

Assam fundamental rules and subsidiary rules or any rules for the time being in force.

**21. Increment.**

- (1) The first increment of a member of the service appointed on a time scale shall accrue on the expiry of one year from the date of his probation, but further increment shall be admissible only on his confirmation.
- (2) A member of the service on confirmation shall draw pay at the rate corresponding to his position in the time scale but he shall not be entitled to any arrear in pay on account of withholding of due increments for the period prior to the date of his confirmation.
- (3) A member of the service appointed against a temporary vacancy a cadre shall be eligible to draw his usual increments in the times scale under the provisions of Assam Fundamental Rules and Subsidiary Rules subject to the condition that as and when placed on probation, he shall remain at the stage of pay in the time scale where he was on the date of probation till his confirmation.

**22. Crossing of efficiency bar.** A member of the service shall not be allowed to cross E. B. in the time scale of pay unless the appointing authority is satisfied about his ability and

integrity or he has passed the prescribed departmental examination.

**23. Seniority.**

- (1) *Inter-se* seniority of the members of the service belonging to each of the cadres shall be in the order in which their names appear in the select list prepared under R. 6 (d) or the list prepared under R. 12 (5) as the case may be, provided he joins his appointment within 15 days from the date of receipt of the order or within the extended period:

Provided that if a member is prevented from joining within this period by the circumstances of public nature or for reasons beyond his control the Appointing Authority may extend it for a further period of 15 days. If the period is not so extended the seniority shall be determined according to the date of joining.

- (2) If two persons are appointed on the recommendation of the Commission in two different batches, then the person who was recommended in the earlier batch shall be senior to the person who was recommended in the latter batch.
- (3) If two, or more persons are bracketed in the merit list of the Commission, the *inter-se* seniority of these

persons shall be determined according to the date of birth.

- (4) A member appointed by promotion against a vacancy occurring in a year shall be senior to a member appointed by direct recruitment of that year.
- (5) If the confirmation of a member of the service in a cadre is delayed on account of his failure to qualify for such confirmation he shall lose his position in order of seniority in that case *viz-a-viz* such of his juniors as may be confirmed in that particular cadre.

His seniority shall, however, be restored on his confirmation sub-sequently.

*Note.* (a) The period of appointment under A.P.S.C. (Limitation of Function) Regulation before regulation through commission shall always be ignored for the purpose of determining seniority.

(b) The combined seniority of all lecturers belonging to different teaching departments of the colleges shall be determined according to relative preference of the commission and date of birth as the case may be.

And date of appointment with due regard to their relative position in the respective departments as determined under sub-R. (1).

- 24. Gradation List.** A gradation list of the members of the service shall be published cadre-wise every year indicating their relative seniority and date of birth, date of appointment etc.
- 25. Code of conduct.** Every member of service shall maintain high standard of public services, discipline and conduct and scrupulously follow the general provisions of the Assam Service (Conduct) Rules as amended from time to time.
- 26. Transfer.** Every member of the service shall be liable to be transferred at any time to any place in the interest of public service.
- 27. Other provisions.** Save as provided in these rules, all matters relating to pay, allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules framed by Government from time to time.

Provided that in case of all teaching and non-teaching employees of Diphu Government College and Haflong Government College retiring on superannuation on attaining the age of 58 years and all Grade IV employees of the said

Colleges retiring on superannuation on 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.

*Explanation.* For the purpose of this proviso, 'period of service' means the period of continuous service and the 'date of appointment' means in relation to any employee, the date on which he joined the service of the said College on and from the date of its coming under *ad-hoc* system of grant-in-aid.

#### **COMMENTS**

This rule was substituted by Notification No. ECL 23/76/96, dated the 28<sup>th</sup> May, 1992.

- 28. Maintenance of Register.** The Appointing Authority shall maintain such registers in suitable form as may be prescribed by Government from time to time with a view to recording the service particulars of the service.

#### **IV - SPECIAL PROVISION**

- 29. Relaxation.** Where the Government is satisfied that operation of these rules may cause undue hardship in any particular case it may dispense with or relax the recruitment 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 with in any manner less favorable to him than that provided in any of these rules.

**30. Interpretation.** If any question arises relating to the interpretation of these rules it shall be referred to the Government in the Education Department whose decision therein shall be final.

**31. Repeal and saving.** Any rules, corresponding to these rules in force immediately before the commencement of these rules, are hereby repealed:

Provided that all orders made or actions 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 provision of these rules.

**SCHEDULE I**  
**[Under Rule 4]**

		Scale of pay	Perma- nent	Tempo- rary	Total
1.	D.P.I.	- 1600- 2100	1	--	1
2.	A.D.P.I./DEE/DAE*	- 1400- 1900	1	2	3
3.	Principal, Govt. Degree College	- 1200- 1900	2	1	3
4.	Principal, Science College	- 1200- 1900	--	1	1
5.	Principal, SIE	- 1300- 1800	--	1	1
6.	Joint D.P.I.	- 1150- 1675	5	1	6
7.	Director, SISE	- 1150- 1675	--	1	1
8.	Principal, Govt. Law College	- 1150- 1675	--	1	1
9.	DDPI/Inspector/ Inspectress	- 900-1525	13	8	21

10.	Principal, PGTC	-	900-1525	--	2	2
11.	Principal, Govt. Sanskrit College	-	900-1525	--	1	1
12.	Principal. HTTC	-	900-1525	--	1	1
13.	Professors of Govt. Degree Colleges (Including of Engineering Colleges and Polytechnic)	-	700- 1600+ Spl. pay	110 --	--	110
14.	Professors of Science College	-	700-1600	--	3	3
15.	Vice-Principal and Professors of PGTC	-	700-1425	--	4	4
16.	Professors/Readers of SISE and SIE	-	700-1425	--	3	3
17.	Assistant Director of Vocational Guidance Bureau	-	700-1425	--	1	1
18.	Assistant Director,					

	Planning and Co-ordination	-	700-1425	--	1	1
19.	Lecturers of Govt. Degree Colleges including Non-Technical Teachers of Engineering and Polytechnics	-	700-1600	144	56	200
20.	Assistant Inspector/ Inspectress of Schools.	-	525-1325	18	3	21
21.	Lecturer of Science Colleges	-	700-1600	--	15	15
22.	Lecturer of PGTC	-	500-1225	--	16	16
23.	Lecturer of Govt. Sanskrit Colleges	-	500-1225	--	9	9
24.	Lecturer of Govt. Law Colleges	-	500-1225	--	2	2

In addition there are 6 posts of part-time Lecturers

25.	Lecturer of HTTC	-	500-1225	--	4	4
		-				

26.	Lecturer of SISE/SIE	-	500-1225	--	9	9
		-				
27.	Deputy Inspector	-	500-1225	21	6	27
		-				
28.	Additional Deputy Inspector	-	500-1225	17	1	18
		-				

(10 post of District Social Education Officer are kept in abeyance)

\* The post of Director, Adult Education is now kept in abeyance.

## **SCHEDULE II**

### **[See Rule 8, 5 (1)]**

1. *Director of Public Instruction.* First Class or High Second Class Master Degree in Arts/Science/Commerce from any recognised Indian University or its equivalent and at least 10 years teaching experience with at least 5 years administrative experience.

Members of Assam Education Service having minimum 5 years administrative experience will be eligible to apply to the post provided they are within prescribed age limit.

2. *Principal, S.I.E.* Second Class Master Degree in Arts/Science and a Degree or Diploma having in teaching or equivalent qualification with at least 10 years experience in teaching or educational administration specially in elementary education.

3. *Inspector/Inspectress of Schools and Deputy D.P.I.*  
Second Class Master Degree having uniformly brilliant career and possessing teaching experience in schools and colleges for ten years or administrative experience for at least 10 years of which 5 years must be in teaching.

4. *Principal, Government Law College.* At least High Second Class (B+) Master Degree in Law or any equivalent Degree of a foreign University with at least 10 years experience as a teacher in a College, or University or as an educational administrator. In special cases of outstanding merit or administrative ability the length of service may be relaxed up to 5 years.
5. *Principal H.T.T.C.* High Second Class Master Degree in Hindi with 5 years teaching and administrative experience.
6. *Lecturer, Government Degree College.* A consistently good academic record with (a) 1<sup>st</sup> Class or High 2<sup>nd</sup> Class (B+) at the Master's Degree in the concerning subjects and (b) an M. Phil Degree or a recognised Degree beyond Master's level or published work indicating the capacity of a candidate for independent research work.
7. *Assistant Director vocational Guidance Bureau.* At least 2<sup>nd</sup> Class Master Degree in Arts/Science/Commerce with three years experience in teaching or educational administration. Certificate or diploma in Education and vocational guidance will have preference.
8. *Assistant Inspector of Schools.* M.A., B.T. or M. Sc., B.T. with at least 7 years experience as teacher in Secondary Schools or at least 5 years experience as Teacher in Government Aided or Government College or M.A., B.T. or M. Sc., B.T. with at least 5 years experience as teacher in Secondary

Schools and two years experience as Sub-Inspector of Schools, or M.A., B.T. or M. Sc., B.T. and serving as Deputy Inspector of Schools or Additional Deputy Inspector of Schools.

9. *Lecturer of other Colleges.* At least 2<sup>nd</sup> Class Master's Degree with honours in the subject concerned in a Degree Course.
  
10. *Lecturers in S.I.E.* First or High School Class Master's Degree in subject concerned with at least First Class or High Second Class or High Second B.T. Degree. Preference will be given to candidates having experience in the line of elementary education or teaching.
  
11. *Lecturers in S.I.S.E.* 1<sup>st</sup> Class or High Second Class Master's Degree in subject concerned with honours in the Degree course. Preference will be given to the candidates having B.T. Degree or 3 years teaching experience in Secondary Schools.

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