



অসম বাজপত্র
सत्यमेव जयते

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
EDUCATION (HIGHER) DEPARTMENT, DISPUR

NOTIFICATION

The 15th November, 2010

No. B(2)H.12/2003/Pt-II/113 :- In exercise of Powers conferred under sub-section (I) of Section 12 of the Assam College Employees (Provincialisation) Act, 2005 (Assam Act, No. XLVI of 2005), the Governor of Assam is hereby pleased to make the following Rules for carrying out the purposes of the said Act, namely :-

Short title,
extent and
commencement.

- (1) These Rules may be called the "Assam College Employees (Provincialisation) Rules 2010".
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) They shall extend to the areas to which the Act applies.

Definitions

- In these Rules unless the context otherwise requires.
(a) "Constitution" means the "Constitution of India";
(b) "Governor" means the "Governor of Assam";
(c) "Act" means the "The Assam College Employees (Provincialisation), Act, 2005 (Assam Act, XLVI of 2005);
(d) "Board" means the "State Selection Board";
(e) "Selection Committee" means the Selection Committee Constituted under these Rules.
(f) "Departmental Promotion Committee" means a Departmental Promotion Committee constituted under these rules.
(g) "Director" means the Director of Higher Education, Assam";
(h) "UGC" means the "University Grants Commission", established under the UGC Act, 1956 (Central Act. No. 3 of 1956).

Class and Cadre. 3.

Each College shall be a separate entry for the purpose of cadres of employees. All Cadres and their class in the Assam Provincialised Colleges will be the same as in Government Colleges.

- Reservation** 12. In all cases of appointment by direct recruitment as well as by promotion there shall be reservations for candidates belonging to the members of the SC, ST as per provision of the SC, ST (Reservation of Vacancies in Services and Posts) Act, 1978 and Rule framed thereunder. There shall also be reservations for candidates belonging to OBC as per Government instructions. General order in respect of reservation in favour of other categories of candidates like physically handicapped as may be in force shall also be followed. Since an individual college is a separate entity for the purposes of cadres, reservations would be applicable college-wise for each individual cadre separately for which a proper register of roster shall be maintained. As Principal is a single post cadre no reservation would be applicable to it. The Governing Body shall be responsible to ensure that reservations are made as per Rules.
- Probation & Confirmation.** 13. Subject to availability of a permanent vacancy in the respective cadre a person appointed on direct recruitment shall be placed according to seniority on probation against the permanent vacancy for a period of 2 years before he is confirmed.
- Training** 14. A person appointed on direct recruitment shall be required to undergo such training and pass such departmental examinations as Government may prescribe.
- Discipline & Appeal** 15. All employees of the Assam Provincialised Colleges shall be governed under the provisions of "Assam Services (Discipline & Appeal) Rules 1964, Assam Civil Services Conduct Rules 1965" and guidelines made thereunder.
- Scale of Pay** 16. All appointment shall be made in the time scale of pay as may be prescribed by the Government from time to time.
- Seniority** 17. (a) Inter-se-seniority of employees belonging to each of the cadres shall be in the order in which their names appear in the select list prepared by the Selection Committee provided he/she joins in the post within 15 (fifteen) days from the date of receipt of the appointment order or within the extended period not exceeding three months;
 Provided that if a candidate is prevented from joining within this period by 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;
 (b) If two persons are appointed on the recommendation of the selection committee in different batches, than the person who was recommended in the earlier batch shall be senior to the person who was recommended in the later batch;
 (c) If two or more persons are bracketed in the merit list by the selection committee, the inter-se-seniority of these persons shall be determined according to the date of birth;
 (d) A person appointed by promotion against a vacancy occurring in a year shall be senior to a person appointed by direct recruitment of the year.
- Gradation List** 18. The College shall publish a gradation list every year cadre wise, indicating the relative seniority and date of birth, date of appointment etc. of each employee.
- Transfer** 19. There shall not be any transfer of employees from one college to another, except in a situation wherein a stream of study or a subject is closed down in a college by the Government on a proposal from the Governing Body and some teachers have become surplus. Only in such a situation the Government may transfer these teachers and adjust them elsewhere. In such a situation of seniority of the transferred teachers would be fixed in the new college on the basis of their date of joining in the original college.
- Maintenance of Registers and Records.** 20. The College authorities shall maintain such Registers and records in suitable form as may be prescribed by the Government from time to time with a view to recording the service particulars of the employees. In particular the College shall maintain the service books other service records and the leave accounts of all employees.
- GPF and Pension.** 21. (i) Notwithstanding anything contained in these Rules, the existing Rules and orders applicable to State Government employees on pension, GPF, Leave, TA etc. will be applicable in case of Provincialised College Employees.