

THE ASSAM GAZETTE

EXTRAORDINARY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
INDUSTRIES AND COMMERCE DEPARTMENT

NOTIFICATION

The 19th February, 1998

No. CL. 189/95/83. - In exercise of the power conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Assam Industries Service (Recruitment and Promotion to the Post) Order, 1998,

338. THE ASSAM GAZETTE EXTRAORDINARY, MAY 22, 2000

Except as respects things done one omitted to be done before such supersession, the Governor of Assam is hereby pleased to make the following rules regulating the recruitment and the conditions of service of the person appointed to the Assam Industries Service, namely :

1. Short title and commencement :

- (1) These rules may be called the Assam Industries Service Rules, 1997.
- (2) These shall come in to force on the date of their publication in the office Gazette.

2. Definitions :-

In these rules unless their any thing repugnant in the subject or context:

- (a) "Appointing Authority" means the Governor of Assam;
- (b) "Commissioner" means the Assam Public Service Commission;
- (c) "Committee" means the Selection Committee constituted under rule 13;
- (d) "Government" means the State Government of Assam;
- (e) "Governor" means the Governor of Assam;
- (f) "member" means a member of the Assam Industries Service;
- (g) "Select List" means the list as referred to rule 6 and rule 13;
- (h) "Service" means the Assam Industries Service ; and
- (i) "year" means the calendar year.

3. Classes and cadres :-

- (1) The service shall consist of the following classes and cadres :
 - (a) Class -I

It shall include the cadres of :

- (i) Additional Director of Industries;

- (ii) Joint Director of Industries / General Manger, District Industries Centre,
- (iii) Deputy Director of Industries/ Functional Manger, District Industries Centre/Project Manger, District Industries Centre and its equivalent post,
- (iv) Assistant Director of Cottage Industries and its equivalent posts.

(b) Class - II

It shall include the cadre of Superintendent of Industries/ Assistant Manger, District Industries Centre/ Assistant Industries officer and its equivalent posts.

(2) The service may also include :

(a) any post equivalent to a post in any of the cadres mentioned in rule. 3(1); and

(b) any cadre or post laid down by Government to be included in any cadre of Service

(3) The posts equivalent to posts in different cadres of the services and included in the respective cadres as on the date of commencement of these rules are given in **Schedule I**.

4. Strength of the services :

The Strength of each cadre in a 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 these rules shall be as shown in Schedule - I

Provided that the Governor may hold in abeyance any post as and when considered necessary.

5. Method of recruitment :

Recruitment to the cadres of the service shall be made in the following manner :

- (a) by direct recruitment in accordance with rule 6 and
- (b) by promotion in accordance with rule 10, 11, 12 and 13;
- (c) the percentage of vacancies in the cadres to be filled by direct recruitment and by promotion shall be as follows :

Name of the Cadre	Percentage of recruitment	
	By promotion	By direct recruitment
a. Additional Director of Industries	100	X
b. Joint Director /Industries /General Manager District Industries Centre	100	X
c. Deputy Director /Functional Manager / Project Manager and its equivalent post	75	25
d. Assistant Director of Cottage Industries and its equivalent post	75	25
e. Superintendent of Industries / Assistant Manager and its equivalent post	75*	25

*From E.O. Industries and its equivalent post and 10% from the Ministerial Staff off all offices under the Directorate of Industries, Assam

(d) The above reservation for recruitment by promotion shall be subject to availability of adequate number of suitable candidates. Any

shortfall in the reservation due to not availability of suitable candidates in a particular year or years shall be made up by direct recruitment or by appointment on tenure by transfer or deputation or on contract as may be deemed suitable by the Government. Any such shortfall of the reservation shall be carried forward to the subsequent year(s) up to a maximum of five years at the end of which such shortfall of the reservation shall lapse.

6. Direct recruitment :

(1) Direct recruitment to the service shall be made by the Governor on the basis of the selection made by the Commission in the manner provided herein below :-

(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 the candidates belonging to Schedule Caste, Schedule Tribes or any other category as laid down by the Government as provided in rule 14 and about carry forwarded of such reservation.

(b) the Appointing Authority shall simultaneously request the Commission to recommend a list of candidates for direct recruitment in order of preference;

(c) the Commissioner shall make a selection in accordance with the schemes of selection prescribed by the Government in consultation with the Commission. The Commission may hold such test or interview and undertake scrutiny of publications and other documents 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 the number of vacancies.

(e) the Commission shall simultaneously publish the list in the Assam Gazette and at such other place as the Commission may consider proper.

(2) The list mentioned in clause (d) and (e) of sub-rule (1) shall remain valid for 12 calendar months from the date of the 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 herein before under sub-rule (1), 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 appeared in the list in excess of the number of posts for which the Commission made their recommendation, shall have no claim for the posts falling vacant subsequently.

7. Age :-

(1) A candidate for direct recruitment shall be within the minimum and maximum age limits on the First January of the year of advertisement, as prescribed herein below :-

Name of cadre	Minimum age limit	Maximum age limit
1. Deputy Director / Functional Manger/ Project Manager and equivalent post	30 years	45 years
2. Assistant Director of Cottage Industries and equivalent post	25 years	40 years
3. Superintendent of Industries / Assistant Manager and equivalent post	21 years	36 years

Provided that in exceptional cases the Governor may condone the age of a candidate both ways beyond the prescribed limit if otherwise found suitable.

(2) The maximum age limits as prescribed herein above shall be relaxed in case of candidates belonging to special categories like Schedule Caste, Schedule Tribes Plain & Tribe Hills or any other category as laid down by Government from time to time with the general orders of the Government in force.

8. Academic qualification and experience :-

The maximum academic qualification of a candidate for direct recruitment shall be as prescribed by the Government from time to time. The qualification and experience as on the date of commencement of these rules are given in Schedule II.

9. Physical Fitness :-

A candidate for direct recruitment shall be

(a) 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

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

10. Character :-

A candidate for direct recruitment shall produce to the Commission certificate of good conduct from :-

(a) the Principal / Academic Officer of the College / University in which he studied last and

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

1. General procedure of promotion :-

(1) Before the end of the year the Government 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 Committee, the following information with regard to as many officers in order of seniority as four times the number of vacancies as assessed under sub-rule (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 is to be considered.
- (c) Character roll and personal files of the officers listed;
- (d) Details about reservation and about carry forward of vacancies as provided under sub-rule (4) of rule 5;
- (e) Any other document and information as may be considered necessary by the Appointing Authority or required by the Committee.

(3) The Appointing Authority shall simultaneously request the Committee to recommend within one month a list of officers found suitable for promotion in order of preference, in respect of promotion of each of the cadres 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 promotion.

(5) The Committee, after examining the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a select list of officer about double the probable number of vacancies prepared under sub-rule (4) above, found suitable for promotion.

(6) The Appointing Authority shall go on appointing from the select list in order of merit as and when vacancy arises.

(7) The inclusion of a 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) The select list shall remain valid for 12 months from the date of approval by the Commission.

(9) The promotion shall be accordance with the lists finally approved by the Commission.

12. Promotion from one cadre to another :-

(1) Subject to suitability as may be decided by the Committee and by the Appointing Authority in consultation with the Commission as set forth in rule 10 and rule 11 and also subject to the possessing of the qualifications and experience as prescribed herein, an officer shall be eligible for promotion :-

(i) from joint Director of Industries and its equivalent post to Additional Director of Industries;

(ii) from Deputy Director of Industries and its equivalent post to the Joint Director of Industries and its equivalent post;

(iii) from Assistant Director of Cottage Industries and its equivalent post to the Deputy Director of Industries and its equivalent post;

(iv) from Superintendent Industries and its equivalent post to the Assistant Director of Cottage Industries and its equivalent post;

(v) four number of posts are kept reserved from the total strength for providing promotional avenues to the Instructor or officers in the identical post of the Industrial Training Centre under the Directorate of Industries to the post of AM/SI/Commercial Manger/ Sr. Foreman of the following service centre :

- (a) Superintendent TCPC Goalpara,
- (b) Commercial Manager Bihpura/ Dhekiajuli,
- (c) Sr. Foreman, Central Workshop, Guwahati.

(vi) 10% of the post of SI/AM/ AIO etc. shall be kept reserved for the members of the Ministerial staff of office of the Director of Industries having requisite qualification of Degree in any stream with minimum 10 years office experience.

(2) For promotion for one cadre to the another cadre as provided in sub-rule (1) a member shall be eligible, if he has completed 5 years continuous service in the next below cadre on the first January of the year of promotion.

13. Selection Committee :

(1) The Selection Committee as referred in rules 11, 12 and 13 shall consist of the following :-

(1) Commissioner / Secretary Industries	Chairman
(2) Director of Industries	Member
(3) Secretary Personnel Department or his representative not below the rank of Deputy Secretary Personnel	Member
(4) Deputy Secretary Industries in his absence Under Secretary	Member Secretary

(2) The Selection Committee shall select candidates for promotion to the post mentioned in the rule 12.

(3) The recommendation of the Committee shall be forwarded to the Commission by the Appointing Authority for its approval with such records as may be considered necessary. The list(s) as approved by the Commission shall become the select list and it shall remain valid for twelve calendar months from the date of approval.

14. Reservation :-

In case of direct recruitment as well as in promotion to the service, there shall be reservation in favour of candidates belonging to the

Schedule Caste, Schedule Tribes or any other category as determined by Government from time to time.

15. Disqualification :-

- (1) No person shall be eligible for appointment to service :-
 - (a) unless he is a citizen of India; and
 - (b) if he has more than one wife living or in case of the 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 ground 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 or by any other means shall be appointed to the service.

16. Appointment :-

- (1) Subject to the provision of sub-rule (2), appointments under rule 6 shall be made by the Appointing Authority in accordance with the order of preference determined in the list referred to the clause (d) of sub-rule (1) of Rule 6.

- (2) The inclusion of a candidates name in the select list shall confer no right to appointment unless the Appointment 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.

17. Joining time :-

A person shall join within 15 days from the date of receipt of the order of the appointment or promotion as the case may be and failure to join within 15 days the appointment or promotion shall be cancelled unless the Appointing Authority extends the period which shall not, in any case exceeds three months.

18. Training :-

All members appointed / promoted to the service shall have to undergo such training and pass such departmental examination as prescribed by the Government in consultation with the Commission and as conducted by the Commission and such other examinations or undergo such training as may be prescribed from time to time.

19. Discharge of reversion :-

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.

(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.

20. Seniority :-

(1) A seniority of a member in cadre, appointed by direct recruitment or by promotion shall be determined according to the order of merit in the respective select list, if he joins in the post within the 15 days from the date of receipt of the order or within the extended period as mentioned in rule 17.

(2) If a member fails to join in the post within initial 15 days of receipt of the order or within the extended period as mentioned in rule 17 but joins later, his seniority shall be determined in accordance with the date of joining.

(3) A member appointed to a cadre by promotion in a year shall be senior to a member appointed to that cadre by direct recruitment in that year.

21. Probation and confirmation :-

(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 vacancy.

Provided that the period of probation may for good and with sufficient reason be extended by the Appointing Authority for any special 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 the Government under rule 18.

(3) If confirmation of 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 to him. His seniority shall however, be restored on his confirmation subsequently.

22. Gradation list :-

There shall be prepared and published every year a gradation list consisting of the names of all members of the service cadre - wise in order of seniority and such other particulars as date of birth, date of appointment etc.

23. Pay :-

All appointment in the service shall be made in the time scale of pay as may be prescribed by the Government from time to time. The scale

of pay of the posts in the cadres of the service, on the date of commencement of these rules, are as shown in Schedule - I.

24. Mode of employment :-

(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 any where within the State of Assam or out side 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 the Public Service and in such case the member shall not have any option against such position of transfer.

25. Other condition of service :-

Except as provided in these rules all matters relating to pay and allowance, lave pension, discipline and other conditions of service shall re regulated by the general rules and or orders of the Government for the time being in force.

26. Relaxation :-

Where the Appointing Authority is satisfied that the operation of any of these rules causes under due hardship in any particular case, it may, dispense with or relax the requirement, of that rule to such extend and subject to such conditions as it may considered 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 any of these rules.

27. Interpretation :-

If any question arises relating to the interpretation of these rules, the decision of the Government shall be final.

SCHEDULE I

[See Rule 3.3]

**STATEMENT SHOWING THE POST EQUIVALENT TO POST IN
THE CADRES OF SERVICE, THE STRENGTH OF EARTH CADRE
AND THE
TIME SCALE OF PAY**

Sl. No.	Categories of post	Scale of Pay	Number of post		Total
			Permanent	Temporary	
	CLASS I	Senior Grade			
1.	Additional Director of Industries	3825-125-4450-150-5200-175-5900	X	5	5
2.	Joint Director	3275-100-3575-125-1200-EB-125-4459-150-4050	2	2	4
3.	General Manger DIC	Do	X	17	17
	Senior Industries Service (Grade I)				
4.	Deputy Director	2975-100-3575-125-3825-EB-125-4450-150-4750	5	8	13
5.	Executive Engineer (CIO)	Do	1	X	1
6.	Functional Manager	Do	X	65	65
7.	Project Manger DIC	Do	X	17	17

8.	Manager Industries Estate	Do	1	X	1
Senior Industries Service (Grade II)					
9.	Assistant Director of Cottage Industries	2275-60- 2395-80- 2875-EB- 100-3575- 125-4450	13	17	30
10.	Principal CITI	Do	1	X	1
11.	Manger Industrial Estate Bongaigaon	Do	X	1	1
12.	Senior Quality Control Officer	Do	X	1	1
13.	Industries Officer	Do	X	2	2
CLASS II		Junior Industries Service (Grade I) [Technical]			
14.	Central Quality Control Officer	1825-50- 2035-60- 2395-80- 2555-EB-80- 2875-100- 3575-125- 4325	X	4	4
15.	Assistant Industries Officer & equivalent	Do	X	3	3
CLASS II		Junior Industries Service (Grade I) [Technical]			
16.	Superintendent of Industries	1785-50- 2035-60- 2395-80- 2475-EB-80-	12	18	30

		2875-100- 3575-125- 4200			
17.	Assistant Manager DIC	Do	X	65	65
18.	Assistant Industries Officer and its equivalent post	Do	6	14	20
19.	Commercial Manager	Do	X	4	4

SCHEDULE II

[See Rule 8]

QUALIFICATION AND EXPERIENCE PRESCRIBED FOR DIRECT RECRUITMENT

1. Qualification :-

For direct recruitment to the cadre of Deputy Director of Industries Functional Manager DIC, Project Manager DIC, Assistant Director of Industries and its equivalent post, Superintendent of Industries and its equivalent post, a candidate must have at least a Bachelor's Degree in any branch of Engineering or the Arts of Science or Commerce of a University or any other institution in India or abroad, recognized by the Government for the purpose with minimum of 2nd class honours in any specific subject or distinction in degree course.

2. Experience :-

(a) For the post of Deputy Director of Industries and its equivalent post.

A Candidate must hold responsible and senior position in the Government Department, Government Undertaking at least 10 years of

which 5 years must have been in the rank of Assistant Director of Industries or its equivalent post.

(b) Fro the post of Assistant Director of Industries and its equivalent post:

A candidate must hold responsible and senior position in the Government Department / Government Undertaking at least for 10 years of which 5 years must have been in the rank of Superintendent of Industries or its equivalent post.

Secretary to the Govt. of Assam,
Industries Department.