

## **Border Areas Non-Ministerial Service (Recruitment and Condition of Service) Orders, 2003**

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### **SCHEDULE 1 :-**

## **Border Areas Non-Ministerial Service (Recruitment and Condition of Service) Orders, 2003**

Border Areas Non-Ministerial Service (Recruitment and Condition of Service) Orders, 2003

### **1. Short Title and Commencement :-**

- (a) These orders may be called the Border Areas Non-Ministerial Service (Recruitment and Condition of Service) Orders, 2003.
- (b) They shall come into force on the date of their publication in the Official Gazette.

### **2. Definition :-**

In this orders, unless there is anything repugnant in the subject or context,-

- (a) "Appointing Authority" means the Governor of Assam in case or Research Assistant, Assistant Research Officer and Research Officer;
- (b) "Commission" means the Assam Public Service Commission;

(c) "Committee" means the Selection Committee constituted under order 6 (a);

(d) "Governor" means the Governor of Assam;

(e) "Government" means the State Government of Assam;

(f) "Constitution" means the Constitution of India;

(g) "Service" means the service of the classes and cadres covered by the Assam Border Areas Non-Ministerial service (Recruitment and Condition of Service) Orders, 2003;

(h) "Select List" means the list prepared under order 6(b) and 8 (a);

(i) "Year" means the calendar Year.

**3. Class and cadre :-**

The service shall consist of the following classes and cadres :

<b>Class-I</b>	<b>Research Officer</b>
<b>Class-II</b>	<b>Assistant Research Officer</b>
<b>Class-III</b>	<b>Research Assistant.</b>

**4. Status and Cadre :-**

(a) The Service shall include from the post of Research Assistant to the post of Research Officer. The Strength of the service on the date of issue of this Notification is shown separately in Schedule-I Annexed in these Service orders.

(b) The post of the Research Officer and the post of the Assistant Research Officers belong to Class-I and Class-II service (both Gazetted) and the Research Assistants belong to class-III service (Non-Gazetted)

**5. Method of recruitment :-**

Recruitment to the services of the Research Assistant shall be made through Direct recruitment only. The recruitment of all other cadres in the service shall be made by promotion.

**6. Direct recruitment :-**

Direct recruitment shall be made on the basis of recommendations made by the Commission of accordance with the procedure herein after provided:

(a) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled 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 laid down by the Government.

(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.

(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 such a list may be according to the actual number of vacancies.

(e) The list mentioned in clause (d) shall remain valid for 12 calendar months from the date of recommendation. 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-order (1) of this order 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.

(f) Academic Qualification : For the post of Research Assistant, the candidate must be graduate in any discipline from the Government recognised University having three years experience as a Lower Division Assistant in any office under the Government of Assam.

(g) Age: A candidate for direct recruitment to the service shall be within the minimum and maximum age limit of 18 years to 36 years on the first January of the year of advertisement with relaxation in case of special categories like Scheduled Castes or Scheduled Tribes and any other category as laid down by the Government in accordance with orders of the Government in force for the time being.

(h) Physical Fitness: A candidate for direct recruitment shall be,

(i) of sound health, both mentally and physically and free from organic defect of bodily infirmity likely to interfere with the efficient performance of his duties, and

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

(i) Character : A candidate for direct recruitment shall produce to the Commission/ committee certificates of good characters from (a) the Principal Academic Officer of the University of College in which he studies last and (b) two respectable persons well acquainted with (but not related to) the candidate.

#### **7. General Procedure for Promotion :-**

Before the end of each year the Appointing Authority shall make an assessment the likely number of vacancies to be filled by promotion in the next year in each cadre.

(a) The post of Assistant Research Officer shall be filled by way of promotion from amongst the eligible Research Assistant with minimum 5 (five) years of service experience in the capacity of Research Assistant in the Directorate of Border Areas in the basis of merit with due regard to seniority on the first day of January of the year in which the Selection for promotion is made.

(b) The post of Research Officer shall be filled up by way of promotion from amongst the Assistant Research Officers with minimum 7 (seven) years of service in the Directorate of Border Areas Assam on the basis of merit with due regard to seniority on the first day of January of the year in which selection for promotion is made. The Appointing Authority shall then furnish to the Committee the following documents and information with regard to as many officers in order of seniority as are eligible for promotion:

(i) Information about the number of vacancies;

(ii) Lists of Officers in order of Seniority;

(iii) Eligible for promotion (separately) list for promotion to different

cadres shall be furnished) indicating the cadre to which the case to be considered;

(iv) Character rolls and personal files of the officers listed.

(v) Details about reservation in case of promotion to the service and about carry forward of vacancies;

(vi) Any other documents as may be considered necessary by the Appointing Authority or required by the Committee;

(vii) The Appointing Authority shall simultaneously request the Committee to recommend within one month a list of Officer, found suitable for promotion in order of preference, in respect of promotion to each of the cadre of which recruitment is to be made by promotion.

### **8. Selection Committee :-**

There shall be a Selection Committee consisting of the following members for selection of candidates for promotion to the posts of Assistant Research Officer and Research Officer.

( i) Commissioner & Secretary to the Govt. of Assam, Border Areas Department,  
(Chairman)

(ii) Deputy Secretary to the Govt of Assam, Border Areas Department (Member Secy.)

(iii) Director of Border Areas, Assam (Member)

(iv) A Representative of Personnel Deptt not below the rank Deputy Secretary (Member)

(a) The Committee subject to the provisions of order 7(a) to 7(b) after holding interview for selection or after considering the service records shall recommend the name(s) of person(s) found suitable for promotion and prepare a list of officer about double the probable number of vacancies for promotion on the basis of seniority cum merit.

(b) The selection made by the Committee shall be referred to the Assam Public Service Commission for their approval. The Appointing authority shall furnish the Commission with necessary records and information relating to the candidates selected by the Committee for promotion and shall request the Commission to furnish the

recommendation for promotion of the officers, in order of preference. The Commission shall approve the lists finally with such modification, if any, as the Commission may think to be just and proper which shall constitute select list for promotion. The select list shall remain valid for one year from the date of approval of the Commission.

**9. Reservation :-**

In all cases of appointment by direct recruitment as well as by promotion there shall be reservation in case of candidate belonging to the member of Sechedule Castes and Schedule Tribes (Reservation of Vacancies in Service and posts) Act, 1978 and Rules framed thereunder. There shall also be reservation for candidates belonging to other Backward Classes as per Government instruction contained in OMNo. 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 the time being, shall also be followed.

**10. Joining Time :-**

A person shall join within 15 (fifteen) days from the date of receipt of the orders of appointment of promotion failing which the appointment shall be cancelled unless the Appointing authority extends the period, which shall not in all, exceed three months.

**11. Seniority :-**

The Seniority of a member in 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/committee under order 6 and also in the respective list finally approved by the appointing authority under sub-order (b) or order 6 and approved by the Commission under sub-rule 6(d), if he joins the appointment within 15 (fifteen) days from the date of receipt of the order or within the extended period as mentioned in rule.

(i) If a member fails to join the appointment within the initial 15 (fifteen) days of receipt of the order or within the extended period, but joins later, his seniority shall be determined in accordance with the date of joining.

(ii) A member appointed by promotion in a year shall be senior to a member appointed by direct recruitment in the same year.

**12. 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 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-order (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-order (1).

(b) He has successfully undergone the training and passed the departmental examination, if any, prescribed by the Government under, order (1).

(3) If the confirmation of a member is delayed on account of his failure to qualify for such confirmation, he shall lost his position in order of seniority vis-a-vis such of his junior as might be confirmed earlier than he. His seniority shall, however, be restored on his confirmation subsequently.

### **13. Gradation list :-**

There shall be prepared and published every year a Gradation List containing the name of all members of the service cadrewise in order of seniority and such other particulars as date of birth, date of appointment, educational qualification, date of promotion to the present grade, etc.

### **14. Relaxation :-**

Where the Government is satisfied that the operation of these orders causes undue hardship in any particular case, it may dispense with or relax the requirement of that order 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 least favourable to him than that provided in these orders.

### **15. Other Conditions of Service :-**

(a) Except as provided in these orders 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.

(b) The conditions of service of the members, in respect of matters, for which no provision has been made in these order shall be the same, as are, for the time being, is applicable to other officers of the Government of corresponding status and having similar functions.

**16. Interpretation :-**

If any question arises relating to interpretation of these orders the decision of the government shall be final.

SCHEDULE 1

Name of the cadre	Categories of Post	Number of Pay	Time Scale Post	Permanent	Temporary	Remarks
1	2	3	4	5	6	7
1. Research Officer	Class-I	2 (two)	5725-170-6600-7350-EB-250-8100-325-11025-400-11825/-	Permanent		To be filled by promotion
2. Assistant Research Officer	Class-II	2 (two)	4300-90-4480-120-5200-1 75-5900-EB-175-6600-250-8100-325-11025/-	Permanent		To be filled by Promotion
3. Research Assistant	Class-III	3 (three)	3760-90-4480-120-4960--EB-120-5201 -175-6600-250-8100-325-9400/-	Permanent		Direct recruitment through A.P.S.C.