

**GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL::: PERSONNEL (B)
DISPUR ::: GUWAHATI**

NO.ABP. 77/98/ 12

Dated, Dispur, the 24th July, 2000.

OFFICE MEMORANDUM

As per provision of proviso to Article 309 of the Constitution of India, it is necessary on the part of all the Departments to prepare and finalize their respective Service Rules, specifying the specific terms and conditions of services of personnel under various categories and services. Since many Departments did not prepare Service Rules, in spite of instructions issued from time to time to prepare Service Rules and to facilitate such work of preparation in the line of a "Model Service Rules" format was prepared and circulated to all concerned. Preparation and finalization of Service Rules requires consultation with personnel (B) Department/ Finance Department/ Legislative Department/ APSC and the Cabinet.

In case of urgency, a practice to prepare a Service order (Which is in the form of an Executive Order) is also permissible for a limited period, subject to finalization of the Service Rules.

It has come to the notice of the Government that many Departments still do not have any Service Rule and in certain Departments Service orders/ Executive orders are allowed to continue for years together leading to various complications in future. Some times proposals are mooted to amend certain provision of such Executive (Service) Orders, which is also irregular.

Accordingly, it is impressed upon all concerned that all Departments may check the existence of such Executive (Service) orders for years together or not having any Service Rules either and to initiate urgent step to finalize Service Rules immediately, so that the irregularities in Service matters may get eliminated. While doing so, the Judgments orders of the Gauhati High Court / Supreme Court if any be taken into consideration.

**Secretary to the Government of Assam,
Personnel Department**

Copy forwarded for information and necessary section to:-

1. PS to Chief Secretary / Additional Chief Secretary.
2. All Principal Secretaries/ Commissioner & Secretaries/ Secretaries to the Government of Assam.
3. Secretaries, Assam Public Service Commission, Khanapara, Guwahati.
4. Secretary, Assam Legislative Assembly, Dispur.
5. All Administrative Departments.

By order etc.,

**Joint Secretary to the Government of Assam,
Personnel (B) Department.**