
ASSAM PANCHAYATI RAJ (ADMINISTRATIVE) RULE, 1990

CONTENTS

1. Short title and commencement
- 2 . Appointment of staff of Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat
- 3 . Controlling Officer of the employees of Mahkuma Parishad, Anchalik or Gaon Panchayat
4. Educational qualification for recruitment of staff
5. Method of recruitment of staff
6. Transfer of employees within the sub-division
7. Grievances of the Panchayat or Mahkuma Parishad employees
- 8 . Disciplinary action against any employee of the Mahkuma Parishad or the Panchayat
9. Employees Provident Fund
10. Other advance
11. Payment of gratuity in the event of death or superannuation of a Mahkuma Parishad or a Panchayat employee
12. Remuneration of non-official members
13. Sitting allowance of the President, the Yice-President and the members, other than ex-officio members, of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat
14. Travelling allowance of the President, the Vice-President and the members, other than ex-officio members of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat
15. Departmental Internal Auditor
16. Accounts training
17. Supervision and inspection

ASSAM PANCHAYATI RAJ (ADMINISTRATIVE) RULE, 1990

ASSAM PANCHAYATI RAJ (ADMINISTRATIVE) RULE, 1990

1. Short title and commencement :-

- (1) These rules may be called the Assam Panchayati Raj (Administrative) Rules 1990.
- (2) They shall come into force with effect from 5-9-1990.

2. Appointment of staff of Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat :-

- (1) The Director of Panchayat and Rural Development shall appoint

the staff as per the staffing pattern given below for the Mahkuma Parishad, Anchalik Panchayat and the Gaon Panchayat respectively :

Provided that the salary of the staff so appointed shall be paid by the respective Mahkuma Parishad, Anchalik Panchayat or Gaon Panchayat from their own resources under whom their services are placed

(a) Staffing pattern of a Mahkuma Parishad \ (i) Upper Division Assistant (ii) Lower Division Assistant-cum-typist (iii) Driver (iv) Peon (v) Chowkidar \ 1 number 2 numbers 1 number 3 numbers 1 number

(b) Staffing pattern of an Anchalik Panchayat \ (i) Head Assistant (ii) Upper Division Assistant (iii) Lower Division Assistant-cum-typist (iv) Tax Collector (v) Peon (vi) Chowkidar \ 1 number 2 numbers 4 numbers 2 numbers 3 numbers 2 numbers

(c) Staffing pattern of a Gaon Panchayat \ (i) Road Mohurrir-cum-Tax Collector (ii) Peon-cum-Chowkidar \ 1 number 1 number

(2) The State Government may post from time to time such additional staff to a Mahkuma Parishad or an Anchalik Panchayat or a Gaon Panchayat as it may deem necessary.

(3) Subject to prior approval of the State Government, the financial resources and workload the staffing pattern prescribed under sub-R. (1) may be changed.

(4) The pay scale and other allowances of such staff shall be as prescribed for the equal rank of a State Government employee working in the sub-divisional cadres.

(5) A Mahkuma Parishad or an Anchalik Panchayat or a Gaon Panchayat employee while on tour shall be entitled to such T. A. or D. A. as are admissible to an employee of the State Government in the equivalent cadre and rank. Such T. A. or D. A. shall be paid from the own resources of a Mahkuma Parishad or an Anchalik Panchayat or a Gaon Panchayat, as the case may be. But they shall not be entitled to Home or All India LTC benefits.

(6) Employees of different ranks in a Mahkuma Parishad or an Anchalik Panchayat or a Gaon Panchayat within the jurisdiction of a civil sub-division shall form a nucleus of sub-divisional cadre of Panchayat employees and their promotion from lower rank to

higher rank shall be considered, inter-alia, according to the inter-se seniority of such employee within the sub-division. The Director of Panchayat shall cause to prepare for each sub-division an inter-se seniority list of such employees and circulate it among all employees.

3. Controlling Officer of the employees of Mahkuma Parishad, Anchalik or Gaon Panchayat :-

The Secretary of each of the respective Mahkuma Parishad, Anchalik Panchayat or Gaon Panchayat shall be the Head of office in respect of staff.

4. Educational qualification for recruitment of staff :-

The Director of Panchayat and Rural Development with approval of the State Government shall prescribe the minimum educational qualification for recruitment to different categories of staff.

5. Method of recruitment of staff :-

(1) A Mahkuma Parishad and Anchalik Panchayat or a Gaon Panchayat shall notify the vacancy and call for application from the bona fide citizens of India to fill-up such post or posts. Such notice shall be displayed in prominent places. Each application shall be accompanied by all testimonials and fees as are applicable for employment under the State Government. The standard form for application as prescribed by the State Government shall be used in this behalf.

(2) Each application with all testimonials shall be submitted to the Director of Panchayat and Rural Development who shall select candidates on the basis of merit by holding interview or such other methods as may be found necessary :

Provided that local candidates belonging to the area of respective Mahkuma Parishad, Anchalik Panchayat or Gaon Panchayat having due merit and fulfilling such other eligibilities as may be necessary shall be given preference for employment in such Mahkuma Parishad or Panchayats.

(3) The Director of Panchayat and Rural Development shall issue from time to time guidelines as deemed necessary containing the requirement for submission of application and interview for different categories of post.

(4) The applicants shall have to bear their own expenses for

appearing at the interview for selection.

(5) On completion of the interview the Director of Panchayat and Rural Development shall prepare a list of successful candidates separately for each categories of posts in order of merit and make appointments serially.

6. Transfer of employees within the sub-division :-

(i) When an employee of any category is transferred from one Panchayat to another or to his/her Panchayat's, Mahkuma Parishad or vice-versa he/she shall be entitled to such transfer allowances from the fund of the Panchayat or Mahkuma Parishad at the same rate as a State Government employee of his/her cadre is entitled.

(ii) When an employee is transferred on his/her own request, he/she shall not be" entitled to any transfer allowances.

(iii) No Panchayat or Mahkuma Parishad's own source employee shall be transferred or given promotion to higher rank outside the jurisdiction of his/her original sub-divisional cadre of appointment :

Provided that this rule shall not be applicable to those employees who were appointed prior to coming into force of the Assam Panchayati Raj Act, 1986. For such employees instructions as may be issued from time to time by the Director of Panchayat and Rural Development shall be final.

7. Grievances of the Panchayat or Mahkuma Parishad employees :-

(i) The Director of Panchayat and Rural Development shall be the authority for hearing and disposing of the grievances of the Panchayat and Mahkuma Parishad employee.

(ii) Any such employee bypassing the authority of the Director of Panchayat and Rural Development attract disciplinary action.

8. Disciplinary action against any employee of the Mahkuma Parishad or the Panchayat :-

The Secretary of a Mahkuma Parishad or an Anchalik Panchayat or a Gaon Panchayat or wherever necessary the Director of Panchayat and Rural Development shall initiate disciplinary proceeding in respect of any employee of a Mahkuma Parishad, an Anchalik Panchayat and the decision of the Director of Panchayat and Rural Development in this regard shall be final.

9. Employees Provident Fund :-

(1) An employee of a Mahkuma Parishad shall contribute at least 6.25% of his/her basic pay and another 6.25% of his/her basic pay shall be paid by the Mahkuma Parishad or the Panchayat concerned towards Employees' Provident Fund ;

Provided that the rate of contribution in either case shall be subject to variation from time to time but in no case the minimum rate of contribution as prescribed aforesaid shall be reduced.

(2) The amount of contribution shall be deducted from the employee's monthly pay bill : Provided that no deduction on this account shall be made from an employee who is not in regular employment of the Mahkuma Parishad or the Panchayat concerned.

(3) The amount collected as such shall be kept in separate Saving Bank Account for each employee by opening account in a nearest branch of the State Bank of India or any nationalised bank or the Assam Co-operative Apex Bank.

(4) At the end of each financial year each employee shall be furnished with a statement showing separately the total recoveries from the employees pay bill and the total amount of contribution by the Mahkuma Parishad or the Panchayat concerned during the year together with the interest accrued on total deposits.

(5) A monthly report of deposits showing separately the contribution of the employee and by the Mahkuma Parishad, the Anchalik Panchayat or the Gaon Panchayat, as the case may be, during the month under report shall be submitted to the Director of Panchayat and Rural Development in respect of each employee. Such report shall be submitted within tenth day of the month subsequent to which the report relates.

(6) Temporary advance from the fund, but not exceeding two in number in a year by an employee may be allowed. The amount of such advance shall not exceed half of the amount at credit or three months' basic pay of the employee, whichever is less.

(7) Recovery of the advance under sub-R. (6) shall be made in equal monthly instalments, but not exceeding twenty-four in number.

(8) Lump amount of interest shall be charged on the advance which shall be equivalent to the amount of one instalment of refund. The

interest shall be an additional instalment or by excess deduction at the option of the loanee.

(9) A suitable year-wise ledger account shall be maintained allotting separate page therein against each employee.

10. Other advance :-

(1) The Mahkuma Parishad or the Panchayat concerned may grant to an employee or employees of Mahkuma Parishad or Panchayat by a resolution, festival or bicycle or rehabilitation advance or house building loan in such terms and conditions as may be laid down in the resolution.

(2) Advances and loans as specified under sub-R. (i) shall be paid out of the own resources of the Mahkuma Parishad or the Panchayat concerned.

11. Payment of gratuity in the event of death or superannuation of a Mahkuma Parishad or a Panchayat employee :-

Sub-rules (1) and (2) of R. 9 shall apply mutatis mutandis in respect of payment of gratuity in the event of death or superannuation of Mahkuma Parishad or Panchayat employee.

12. Remuneration of non-official members :-

(1) The President of a Mahkuma Parishad, Anchalik Panchayat or the Gaon Panchayat shall be entitled to a monthly remuneration of Rs. 1000 (One thousand), Rs. 800 (Eight hundred) and Rs. 300 (Three hundred) respectively.

(2) The Vice-President of a Mahkuma Parishad, Anchalik Panchayat and the Gaon Panchayat shall be entitled to a monthly remuneration of Rs. 600 (Six hundred), Rs. 500 (Five hundred) and Rs. 100 (One hundred) respectively.

(3) Each member, other than an ex-officio member of a Mahkuma Parishad, Anchalik Panchayat and Gaon Panchayat shall be entitled to a monthly remuneration of Rs. 300 (Three hundred) Rs. 300 (Three hundred) and Rs. 100 (One hundred) respectively.

13. Sitting allowance of the President, the Yice-President and the members, other than ex-officio members, of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat :-

(1) The President, the Vice-President and the members of Mahkuma Parishad, Anchalik Panchayat and the Gaon Panchayat shall be entitled to a daily sitting allowance at the rate equivalent to the amount admissible to him/her as daily allowance on tour :

Provided that the ex-officio members shall not be entitled to such allowance ;

Provided further that total such allowance shall be admissible only for attending a full meeting of the Mahkuma Parishad or the Gaon Panchayat concerned.

14. Travelling allowance of the President, the Vice-President and the members, other than ex-officio members of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat :-

(1) Subject to the conditions laid down in the S. R. and F. R. of the State Government the President and the Vice-President and members of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat shall be entitled to such rate of T. A. and D. A. on tour as a Grade I and Grade II officer respectively of the State Government are entitled to : .

Provided that the ex-officio members shall not be entitled to any T. A. and D. A. from the Mahkuma Parishad and the Panchayat Fund.

(2) Bills concerning the T. A. Bills of the non-official members of the Mahkuma Parishad shall be countersigned before payment by either the Deputy Commissioner or the Sub-divisional Officer of the outlying sub-division, as the case may be :

Provided that such Bills of the Anchalik Panchayat shall be countersigned before payment by the President of the Mahkuma Parishad ;

Provided further that such bills of the Gaon Panchayat shall be countersigned before payment by the President of the Anchalik Panchayat.

(3) 80% of the T. A. in advance may be paid subject to subsequent adjustment :

Provided that no advance shall be paid pending adjustment of the previous advance.

(4) A register of T. A., including, inter alia, a column for advance T.

A., shall be maintained.

(5) Final or advance T. A. shall be drawn in the form prescribed for the Gazetted and non-Gazetted officers respectively of the State Government.

15. Departmental Internal Auditor :-

(1) The Director of Panchayat and Rural Development shall utilise the services of the Departmental Internal Auditors in guiding and helping the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat in proper and correct maintenance of accounts. They will require also to report to the Director of Panchayat and Rural Development on any irregularity in such account.

(2) For each month the auditors shall submit a tour programme to be approved by the Director of Panchayat.

(3) The services of auditors shall be utilised fully on matters connected with audit.

16. Accounts training :-

The Director of Panchayat and Rural Development shall arrange from time to time a sub-division-wise training programme on accounts for the concerning staff of the Mahkuma Parishad, the Anchalik Panchayat and the Gaon Panchayat.

17. Supervision and inspection :-

Any authorised officer of the Government shall have access to such records, the documents of the Mahkuma Parishad, the Anchalik Panchayat or the Gaon Panchayat as may be deemed necessary for the purpose of supervision and inspection.