

3/11/2020
7/11/2020

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

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 6th November, 2019

No.ABP.69/2019/17 : In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules for execution of Government policy on **Small Family Norms** in selection of candidates for Direct Recruitment to State Government Services and Posts under the Government of Assam in the manner hereinafter appearing, namely :-

- Short title and commencement** 1. (1) These rules may be called the Assam Public Services (Application of Small Family Norms in Direct Recruitment) Rules, 2019.
(2) They shall come into force on the date of their publication in the Official Gazette.
- Application** 2. These rules shall apply to all the services and posts under any recruitment rules of the State Government which are filled up by way of direct recruitment.
- Definitions** 3. In these rules, unless the context otherwise requires-
(a) "Government" means the Government of Assam;
(b) "recruitment rules" means the relevant service rules framed by the Government under the proviso to Article 309 of the Constitution of India regulating recruitment or other conditions of service to different state civil services and posts under different Government Departments and where no such service rules have been framed, the Orders, Resolutions, directives etc. issued by the Government, from time to time, in this regard in the absence of such rules;

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- (c) Words and expressions used in these rules but not specifically defined, shall have the same meanings respectively assigned to them in the respective recruitment rules.

**The Small Family
Norms**

4. Notwithstanding anything contained in any recruitment rules, orders or instructions so far they relate to the eligibility criteria of candidates to apply for appointment in services and posts under the State Government, with effect from the date of commencement of these rules-

- (a) No person having more than two living children on or after 01-01-2021 from a single or multiple partners shall be eligible for appointment in any services and posts under the State Government:

Provided that where an applicant has only one living child from the earlier delivery but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the number of children:

Provided further that a person having more than two living children before 01-01-2021 shall not be ineligible so long as the number of children he/she has before 01-01-2021 does not increase on or after 01-01-2021.

- (b) No person shall be eligible for appointment to any service and post under the Government of Assam if the person has married in violation of The Prohibition of Child Marriage Act, 2006 (Act 6 of 2007).

Explanation: The Prohibition of Child Marriage Act, 2006 (Act 6 of 2007) in its section 2(a) defines 'child' as 'a person who if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;' and section 2(b) defines 'child marriage' as 'a marriage to which either of the contracting parties is a child'.

Declaration

5. (1) An applicant shall submit a **Declaration** in the Form-A appended to these rules with the application for appointment to the effect that he fulfils the criteria as per sub-rule (a) and (b) of rule 4.

(2) If it is found on a subsequent verification that the information furnished by an applicant in the Declaration as per sub-rule (1) of this rule was not true, he shall be liable to be dismissed from service.

Rules to have overriding effect

6. Notwithstanding anything contained in any recruitment rules, the provisions of these rules shall have overriding effect and the corresponding provisions regarding eligibility criteria for selection in respect of direct recruitment in the services and posts under the State Government covered under different recruitment rules shall be deemed to have been amended accordingly as per the provisions of these rules.

Interpretation

7. If any question arises as to the interpretation of these rules, the same shall be referred to the Government in the Personnel Department and the decision of the Personnel Department thereon shall be final.

Sd/-

(Dr. Krishna Kumar Dwivedi, IAS)

Commissioner & Secretary to the Government of Assam
Personnel (B) Department.

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