

THE ASSAM MUNICIPAL EMPLOYEES (PROVINCIALISATION) BILL, 2025

A
BILL

to provide for provincialisation of the services of the employees working in Municipal Boards constituted under Assam Municipal Act, 1956.

Preamble

Whereas it is expedient to provide for provincialisation of services of the employees of the Municipal Boards constituted under the Assam Municipal Act, 1956 for its improvement and management and to control activities of the Boards in the State of Assam and matters connected and incidental therewith.

Act No
XV of
1957

It is hereby enacted in the Seventy-sixth year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Municipal Employees (Provincialisation) Act, 2025.
- (2) It shall be extended to the whole of Assam in the Municipal Board Areas except the Autonomous Districts under the Sixth Schedule Areas to the Constitution of India and shall exclude any areas which has been or hereinafter may be included in Panchayat or a Cantonment constituted under the Assam Panchayat Act, 1994 and the Cantonment Act, 1924, respectively or by any other Act.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, and different dates may be appointed for different provisions of the Act.

Act No
XVII of
1994

Central
Act No.2
of 1924

Definitions

2. (1) In this Act, unless the context otherwise requires:-
 - (a) "Appointed day" means the date on which this Act shall come into force;
 - (b) "Board" means Municipal Board constituted under Assam Municipal Act, 1956;
 - (c) "Employee" means a person in employment under the Municipal Board against the regular sanctioned post appointed on or before 4th September, 2013;
 - (d) "Government" means the State Government of Assam;
 - (e) "Provincialisation" means taking over the liability for payment of salaries, including dearness allowances and other allowances as admissible to other government employees of similar rank and status and gratuity, pension, leave encashment, etc as admissible, under the existing rules to the Government servants serving under the Government of Assam;
 - (f) "Schedule" means the Schedule appended to this Act;
 - (g) "Department" means the Department of Housing and Urban Affairs;
 - (h) "Director" means the Director, Directorate of Municipal Administration, Government of Assam;
 - (i) "Executive Committee" means a designated body within the Government responsible for, managing transfers, and posting decisions.

Act No
XV of
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ON 14.02.2025

Eligibility
Criteria for
selection of
Employees for
Provincialisation
of services

3. (1) The following categories of employees shall be eligible for being considered for provincialisation of services, namely:—
- (i) he or she is an employee of the Board recruited on or before 4th September 2013.;
 - (ii) he or she is a citizen of India;
 - (iii) he or she is of sound mental or physical health;
 - (iv) there are no disciplinary or criminal proceedings pending or proven against the employee;
 - (v) he or she is not insolvent and is not convicted of a criminal offense involving moral turpitude.

Provincialisation
of employees
of the
Municipalities
under State
Government

4. Subject to the fulfillment of all other provisions of this Act the services of the employees of Municipal board, eligible under section 3 shall be deemed to have been provincialised on and from the appointed day and they shall become employees of the State Government from the said date of appointed day of the Act on the following terms and conditions :-

- (i) all rules including service rule and rules of conduct and discipline and appeal which are applicable to Government servants of corresponding ranks, shall be applicable to all Employees of the Municipal Board.
- (ii) all employees whose services have been provincialised under this Act shall get full scale of pay as per Schedule with such emoluments as salary and allowances applicable to the Government employees of the corresponding rank with effect from the date of provincialisation of their services, as if they are fresh appointees and they cannot claim any benefit whatsoever in respect of past services rendered by them before provincialisation and in respect of pension, they shall be governed by the new pension scheme applicable to State Government employees of the corresponding rank. There shall be a provision of annual increment as per norms of the State Government.
- (iii) the employees, who have completed sixty-years of age as on date of coming into force of this Act shall be deemed to have retired with effect from that date and they shall have no claim whatsoever from the State Government as regards their pay, allowances and benefits for services already rendered by them before the date of provincialisation.
- (iv) scope of work and other conditions of service of the employees shall be as may be prescribed.
- (v) the employees provincialised under this Act shall hold personal posts to be created for provincialisation of their services. These posts shall be created in the Directorate of Municipal Administration and shall stand abolished on cessation of services of the concerned employees, due to retirement, death, resignation or any other reason whatsoever.
- (vi) the employees shall have the option to choose whether they shall continue with their existing employment system or they intend to come under the provincialisation of the services provided under the Act.

Creation of personal posts

5. For the purpose of provincialisation of services of Municipal Employees under this Act, the Government shall create and sanction such number of ex- cadre posts which shall be personal to the incumbents. These personal posts shall stand abolished on cessation of services of employees for any reason whatsoever including retirement, resignation, death, etc. since these are personal as well as ex-cadre post, the present cadre strength of the employees shall not be impacted in any way due to the creation of these posts.

Constitution of Executive Committee

6. (1) The State Government shall constitute an Executive Committee for the purpose of matters relating to all service conditions, posting and transfer of the employees. The Executive Committee shall consist of the following members, namely:-

(i)	Senior Most Secretary, Department of Housing and Urban Affairs	: Chairman
(ii)	Director, Directorate of Municipal Administration, Assam	: Vice Chairman:
(iii)	Additional Secretary, Department of Housing and Urban Affairs Director, Town and Country Planning(T and CP), Assam	: Members
(iv)	Commissioner, Guwahati Municipal Corporation or Chief Executive Officer, Guwahati Metropolitan Development Authority	: Members

- (2) Functions of the Committee:

- (a) to review transfer applications of transfer and ensure alignment with organizational needs and employee welfare;
- (b) to decide on transfer postings in cases of public exigencies or as requested by the concerned Boards;
- (c) to maintain a record of transfer orders and ensure effective implementation;
- (d) to address grievances related to transfers and recommend resolutions.

Appellate Authority

7. The Executive Committee shall be the Appellate Authority against any recommendation of the Director, Municipal Administration and the State Government shall be the Appellate Authority against any recommendation of the Executive Committee.

Offences and Penalties

8. The person who provides misleading, incorrect or false information and suppresses material information about their appointment or abets the providing or suppression of such information shall commit an offence under this Act which shall be punishable with imprisonment for a term which may extend to two years.

Offences to be cognizable and non-bailable


9. Offences committed under this Act shall be cognizable and non-bailable under the provisions of Bharatiya Nyaya Sanhita, 2023.

Central Act No. 45 of 2023

Trial of cases

10. (1) Offences under section 8 shall be tried in the court of Judicial Magistrate of the competent jurisdiction under the Bharatiya Nyaya Sanhita, 2023.

Central Act No. 45 of 2023


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(2) Cases under this section shall be tried summarily under the Bharatiya Nyaya Sanhita, 2023.

Protection of action taken in good faith 11. No suit, prosecution or other legal proceeding shall lie for anything in good faith done under this Act, except with the previous sanction of the State Government.

Interpretation 12. If any difficulty arises relating to the interpretation of any provision of this Act, the interpretation of the State Government shall be final.

Power to remove difficulties 13. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order do anything not inconsistent with the provisions of the Act and the rules framed thereunder, which appear to be necessary or expedient for the purpose of removing the difficulty.

Power to make rules 14. (1) The State Government may, by notification published in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing provisions, such rules may provide for all or any of the following matters, namely:-

(i) the name and principles of engagement of the employees in the appropriate cadre under section 4.

(ii) the service conditions of the municipal employees and the duties and responsibilities of the municipal employees whose services have been provincialised under this Act;

(iii) the powers, duties and responsibilities of the Executive Committee;

(iv) the preparation and maintenance of service records of the provincialised municipal employees whose services have been provincialised.

(v) any other matter which is required to be or may be prescribed.

(3) All rules made by the State Government under this Act shall, as soon as, maybe after they are made, be laid before the Assam Legislative Assembly, while it is in session, for a total period of not less than 14 days which may be comprised in one session or two or more successive sessions and shall, unless some latter date is appointed, take effect from the date of their publication in the Official Gazette subject to such modifications or annulments as the Legislative Assembly may, during the said period agree to make, and that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

Repeal and savings 15. (1) The Assam Municipal Employees Act, 2021 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.

Schedule
[See Section 4 (ii)]

Sl.No	Designation	To. No. of Employees	Scale	Grade Pay
1	E.E.	1	PB-4 30000-110000	14,500.00
2	A.E.E.	7	PB-4 30000-110000	13,300.00
3	A.E.	30	PB-4 30000-110000	12,700.00
4	Superintendent	3	PB-3 22000-97000	10,300.00
5	Sr. Asstt./ UDA	66	PB-2 14000-70000	8,000.00
6	J.E.	32	PB-2 14000-70000	8,700.00
7	S.A./ Mohorrur	60	PB-2 14000-70000	5,600.00
8	Driver	71	PB-2 14000-70000	5,200.00
9	Plumber	6	PB-2 14000-70000	5,600.00
10	Pump Operator	9	PB-2 14000-70000	5,000.00
11	Electrician	19	PB-2 14000-70000	6,200.00
12	Sanitary Inspector/ Supervisor	16	PB-2 14000-70000	6,200.00
13	Tax Daroga	34	PB-2 14000-70000	7,400.00
14	Asstt Tax Daroga	22	PB-2 14000-70000	6,200.00
15	Tax Collector	129	PB-2 14000-70000	5,200.00
16	Asstt. Tax Collector	1	PB-2 14000-70000	5,000.00
17	H.A.	32	PB-2 14000-70000	10,300.00
18	Accountant	18	PB-2 14000-70000	7,400.00
19	Jr. Accountant / Cashier	11	PB-2 14000-70000	6,800.00
20	Jr. Asstt./ LDA	110	PB-2 14000-70000	6,200.00
21	Process Server	1	PB-1 12000-52000	4,400.00
22	Safai Karmachari/ Drain Labour	144	PB-1 12000-52000	3,900.00
23	Peon / Gr.IV	222	PB-1 12000-52000	3,900.00
Total nos. of employees		1044		

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