

NO. AAP. 230/86/5  
GOVERNMENT OF ASSAM  
DEPARTMENT OF PERSONNEL ( PERSONNEL :: A )  
ASSAM SECRETARIAT (CIVIL) DISPUR  
GUWAHATI-781006.

OFFICIAL MEMORANDUM

Dated Dispur, the 1<sup>st</sup> February, 1992.

Subject : Overstay in Service beyond superannuation.

It has come to the notice of the Government that despite to Government instructions issued in the matter from time to time cases of secretary in service beyond the age of superannuation have been increasing which puts the Government in an embarrassing position. This is apparently due to not maintaining proper record of superannuation by the Administrative Department (s) concerned and not taking of timely initiative to intimate the officer(s) concerned about the actual date of his/her superannuation. As a consequence, the question of regularization of the period of overstay beyond the date of superannuation by way of re-employment has to be taken-up.

It is, therefore, emphasized that all the Administrative Departments/Heads of offices should maintain proper superannuation statements and take timely action to direct the officer(s) concerned to hand over charge on the date of attaining the age of superannuation. It is also emphasized that while preparing the superannuation Statements due care should be taken for proper verification of the date of birth with reference to the Matriculation certificate of the incumbent/s.

While verifying the age, care should be taken to ensure that there is no overwriting on service records/books and if there is any, it should be thoroughly re-checked with reference to Matriculation Certificate etc.

It is impressed open all concerned that to ensure speedy disposal of these cases, emphasis should be given on making use of modern role of office movement. Departments with large man power should computerise records of all employees of non-gazetted ones to start with that Heads of offices/departments are aware of the date of retirement of their employees.

The officer(s) involved should be intimated the date of his/her superannuation at last months ahead of his/her attaining the superannuation age with the instruction to submit his/her pensions papers accordingly.

The officer due for retirement shall also submit his pension papers to his administrative department 8 months before the actual date of retirement without waiting for intimation in this regard from his administrative department or appointing authority. Under no circumstances the officers shall have the right to maintain service after the date of retirement with the expectation of getting extension/re-employment etc. Rule 95(I) of the Assam Services (Pension) Rules, 1969 mentions, inter-alia, that if no intimation is given to an officer about his date or superannuation, it shall not confer on him any right to remain in service.

However, if any officer is found overstaying in service beyond the date of his superannuation no proposal for regularization of the overstayed period shall be entertained and the amount drawn during such overstay period shall be recovered from the D.C.R.G. of the said officer.

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Any deviation from the above instructions would lead to disciplinary action against the officers, responsible for overstay and also against the others responsible for not intimating the date of superannuation timely.

Sd/- BHASKAR BARUAH  
Addl. Chief Secretary to the Govt. of Assam

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Dated Dispur, the 1<sup>st</sup> February, 1992.

Copy to :

1. All Spl. Commissioners & Spl. Secretaries/Commissioners & Secretaries/Secretaries to the Govt. of Assam.
2. All Commissioners of Divisions, Assam.
3. The Chairman, Assam Administrative Tribunal, Guwahati.
4. The Chairman, Assam Board of Revenue, Guwahati.
5. All Heads of Departments/All Deptts of Assam Secretariat.
6. All Deputy Commissioners/Sub-Divisional Officers.
7. The Secretary to the Governor of Assam, Dispur.
8. The Secretary, Assam Public Service Commission, Guwahati-5.
9. The State Enquiry Officer, Assam, Dispur.
10. The PS to Chief Secretary, Assam, Dispur.
11. The Secretary, Assam Legislative Assembly, Assam, Dispur.
12. The PS to Addl. Chief Secretary, Assam, Dispur.
13. The PS to Director General, Assam Administrative Staff College & Training, Assam, Dispur.
14. The Accountant General, Assam, Shillong.
15. The Accountant General, Assam, Christian Basti, Guwahati-5.