



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
SECRETARIAT ADMINISTRATION (ESTABLISHMENT) DEPARTMENT : DISPUR

NOTIFICATION

The 4th January, 2020

No.S(E)214/2015/86.- In exercise of the powers conferred by section 17 of the Assam Public Records Act, 2002 (Assam Act No. XVI of 2002) the Governor of Assam is hereby pleased to make the following rules, namely:-

**Short title and
Commencement**

1. (1) These rules may be called the **Assam Public Records Rules, 2019**.
- (2) They shall come into force on the date of their publication in the Official Gazette.

Definitions.

2. (1) In these rules, unless the context otherwise requires:-
 - (a) "Act" means the Assam Public Records Act, 2002 (Act No. XVI of 2002);
 - (b) "appraisal" means the evaluation of public records, in consultation with the State Archives, Assam;
 - (c) "classified records" means the files related to the public records classified as top-secret, secret, confidential and restricted in accordance with the procedure laid down in the

Manual / Departmental Security Instructions circulated by the Home & Political Department from time to time;

- (d) "custody" means the possession of public records;
- (e) "declassification" means downgrade the security classifications after their evaluation;
- (f) "defunct body" means a corporate or non-corporate body which has been wound up with no successor to carry on its functions;
- (g) "file" means a collection of papers relating to the public records on a specific subject-matter consisting of correspondence, notes and appendix thereto and assigned with a file number;
- (h) "form" means the form appended to these rules;
- (i) "non-current records" means not currently used and which are twenty five years old or more;
- (j) "private records" means records lying in the possession of a private, individual, family or with any non-governmental organization;
- (k) "recording" means the process of closing a file after action on all issues considered thereon has been completed;
- (l) "records of permanent nature" means the public records being maintained after recording for a period specified under sub-rule (1) of rule 5 by the records creating agency in accordance with the procedure laid in its respective Departmental Manual of Office procedure or Instructions from time to time on the subject;
- (m) "retention schedule of records" means a schedule which provides the period of retention;
- (n) "review" means periodical evaluation of recorded files on the expiry of the period of retention for determining their further retention or destruction, as the case may be;
- (o) "rules" means Assam Public Records Rules, 2019.
- (p) "section" means the Section of the Act;

(q) "semi-current records" means not currently used and which are below twenty five years old;

(r) "standing guard file" means a compilation of papers on a particular subject matter consisting of copies of policy decision, orders, instructions or any other matter incidental thereto arranged in a chronological order;

(2) words and expressions used herein and not defined, but defined in the Act shall have the same meanings respectively assigned to them in the Act.

**Nomination of
Records Officer**

3. The records creating agency shall by an office order issued in pursuance of the provision of sub-section (1) of section 5 of the Act nominate one of its officers, not below the rank of a class-II Gazetted Officer, as the Records Officer. A copy of such office order shall be forwarded to the Director of Archives.

**Maintenance of
standing guard file**

4. The Record officer shall be responsible for maintaining and keeping a standing guard file and proper record of the directions issued by the Director of Archives in pursuance of the provisions of sub-section (2) of section 6 and shall produce the same for inspection as and when required by the Director of Archives.

**Acceptance of public
records of permanent
nature.-**

(1) The Director of Archives shall accept for deposit and preservation of public records of permanent nature which have been retained after recording by the records creating agency in its records room for the last 25 (twenty five) years or more.

(2) Records officer shall intimate to the Director of Archives each year before 31st day of January, in Form-1, the particulars of all public records of permanent nature which are due for appraisal.

(3) On receipt of an intimation under sub-rule (2), the Director of Archives through his officers shall assist the Records officer in conducting the appraisal of public records. When the appraisal is over, the Records officer shall prepare, in triplicate, a transfer list in Form-2 of all public records and deposit the same for preservation with the Director of Archives who shall after his satisfaction, return one copy of the transfer list to the records officer as a receipt of the public records.

- (4) If the Records officer after appraisal deems it necessary to retain any record or file of permanent nature beyond the period of twenty five years, he may do so for reasons to be recorded in writing and under intimation to the Director of Archives.

Withdrawal of Public Records

- (1) If semi-current and public records deposited and preserved with the Director of Archives is required by the records creating agency for any official purpose, then the records officer shall send a duly signed and stamped requisition slip in Form-3 to the Director of Archives.
- (2) The public records requisitioned under sub-rule (1) may be returned as soon as the purpose is achieved but shall not be retained beyond the period of six months by the records officer or the record creating agencies.

Down-grading of classified records.-

7. (1) The records creating agency by an office order authorize an officer not below the rank of Under Secretary or class-I Gazetted officer of Govt. of Assam to evaluate and downgrade the classified records being maintained by it. A copy of such office order shall be forwarded to the Director of Archives.
- (2) The officer so authorized under sub-rule (1) shall evaluate the classified records every fifth year for the purpose of down-grading.
- (3) After down-grading if the officer declares any record as of permanent nature, the same shall be deposited and preserved with the Director of Archives after its appraisal.
- (4) The records deposited under this rule can be requisitioned for any official purpose and returned to the Director of Archives in the manner provided under rule 6.
- (5) Every year in the last week of June and December a half yearly statement in Form-4 shall be furnished by the officer authorized under sub-rule (1) to the Director of Archives on the action taken for evaluation and down-grading the classified records.

Submission of Annual Report.-

- (1) The Records officers nominated under rule 3 shall furnish to the Director of Archives an Annual Report in Form-5 every year in the month of March of the following year.

- (2) The Director of Archives shall thereafter submit a report to the Government every year on the action taken by the Records officer in pursuance to the provisions of clauses (a) to (l) of sub-section (1) of section 6 of the Act.

**Destruction of Public 9.
Records.-**

- (1) No public records shall be destroyed without being recorded and reviewed. In the month of January every year, each records creating agency shall record after consulting the records retention schedule all those files on which action has been completed. This work shall be accomplished in consultation with the Records officer.
- (2) No public record which is more than twenty five years old shall be destroyed by any records creating agency unless it is appraised.
- (3) A list of all such public records which are proposed to be destroyed shall be prepared by the record creating agency in Form-6 and retained the list for future reference.
- (4) The Records officer shall furnish a half yearly report in Form-7 on recording, indexing, reviewing and weeding of records to the Director of Archives.
- (5) Records shall be destroyed either by burning or shredding in presence of Records officer.

**Inspection of records 10.
rooms/offices**

- The Director of Archives shall supervise and inspect all record rooms/offices of the State including Muhapez Khana of the District/Subdivisions headquarters and tender necessary advices for record management and preservation and regulation.

**Acceptance of the 11.
records of the Defunct
bodies/offices**

- The Director of Archives shall accept all records of the defunct bodies/offices of the state and shall take all records in its custody for proper preservation.

**Digitization of Public 12.
Records**

- The Director of Archives shall use modern scientific techniques for digitalizing the old, rare and valuable documents for preservation and protection of such documents periodically in Archives.

**Access to private 13.
records**

- (1) Records acquired from private sources by way of gift or purchase or otherwise shall be made available for bona-fide research subject to the conditions laid down by the donor.

- (2) Research Scholar shall submit an application in Forms-8 to the Director of Archives for permission to consult records. The Director of Archives may refuse such permission in public interest and for reasons to be recorded on the said application.
- (3) Wherever micro film rolls may be available, the original records shall not be supplied for consultation to research scholars. No copy of any records shall be made by anyone without the prior permission of the Director of Archives. Photostat copies and print out copies of microfilm rolls may be taken on payment of such service charges as may be fixed by the Director of Archives from the time to time.

**Access to Public
Records.**

14. (1) The public records accepted for deposit and preservation under sub-rule (1) of rule 5 shall be made available for bonafide consultation and research purposes subject to the provision of sub-section (1) of section 12 and the following conditions, namely:
- (i) a person who intends to consult the public records shall apply to the Director of Archives in Form-8. The Director of Archives may refuse such permission in public interest and for reasons to be recorded on the said application;
 - (ii) foreign national intending to consult the public records may be permitted only on the production of letters of introduction from their sponsoring institution and diplomatic mission;
 - (iii) record, maps and cartographic records relating to the Ministry of External Affairs and Ministry of Defence, Home Political (Government of Assam), in respect of Arunachal Pradesh (including Eastern Section of the 'Sino-Indian' border), Sikkim, Bhutan, Nepal, Tibet, China and Myanmar and areas comprising Pakistan and Bangladesh may be made available for consultation keeping in view the security and the defence of India or of any part of the territory thereof. Records relating to the Ministry of External Affairs, Home Affairs and Human Resource Development in respect of Jammu and Kashmir (including Gilgit and Chitral) may also be made available for consultation keeping in view the security and defence of India or of any part of the territory thereof.

Provided that the Director of Archives may refuse such consultation.

- (iv) wherever microfilm rolls may be made available, the original records shall not be supplied for consultation to research scholar;
 - (v) reprographic and transcription facilities may be made available on submission of an application in Form-9 and for such services an applicant shall have to make the payment of such service charges as may be fixed by the Director of Archives from time to time;
 - (vi) a person consulting public records for the purpose of research and publishes the work which is based upon the material taken from the said records may acknowledge the same.
- (2) A person intending to consult the public records shall not,-
- (a) write or put any marks or indications on public records;
 - (b) fold, tear, cut, crease, or otherwise damage or mutilate public records;
 - (c) remove any public records without obtaining the permission from the Director of Archives;
 - (d) be allowed to take any eatable or drinking products or smoking while consulting public records;
 - (e) place anything or object on any public records with a view to make out any copy of the said records;
 - (f) disturb or interrupt any other person while consulting the public records; and
 - (g) behave in a manner which, in the opinion of the Director of Archives is detrimental to the maintenance and preservation of public records.

Allowances to the member of the Archival Advisory Board .-

15. The member of the Archival Advisory Board nominated by the State Government under clause (e), (f) and (g) of sub-section (2) of section 13 shall draw travelling allowances and daily allowance for attending the meetings of Archival Advisory Board at the rates admissible to Sr. Class-I officers of the State Government.

J. BARUA,

Additional Chief Secretary to the Government of Assam,
Secretariat Administration Department (Archives).

Form-1
[See rule 5(2)]

Particulars of records of permanent nature due for appraisal during the year -

Total number of classified records lying at present in the Organisation.	No. of classified Records due for reviewing	No. of files reviewed and down grade during the period under report	Remarks
1	2	3	4

Form-2
[See rule 5(3)]

Transfer List.

Name of the records creating agency i.e. Department/Office/Public undertaking etc. :

Name and particulars of the records officer :

Name of the Branch/Section :

Year:

Sl. No.	File No.	Subject matter of the file	Remarks if any
1	2	3	4

Signature and seal of the records officer.

Form-3
[See rule 6(1)]
Requisition slip

Name of the records creating agency i.e. Department/Office :

Name and particulars of the records officer :

Particulars of records or File No. requisitioned :

Purpose for which required :

Undertaking by the records officer - I _____ hereby declare that the records/file requisitioned shall be returned to the Director/ the head of Archives before the expiry of six months as required under sub-rule (2) of rule 6.

Date _____

Signature and seal of the Record Officer.

Form - 4

[See rule 7(5)]

(Half yearly statement on periodical review of classified records)

Total number of classified records lying at present in the Organisation	No. of classified Records due for reviewing	No. of files reviewed and down grade during the period under report	Remarks
1	2	3	4

Form - 5

[See rule 8(1)]

Form for the submission of Annual Report to Director of Archives by the Record Officer
(See sub- rule (1) of rule 8)

1. A. Setting up organized Departmental Records room - whether your organization has set up an organized record room, and if so, is the space sufficient?
- B. Nominations of Records Officers - Whether your organization has nominated an officer as Departmental Records Officer, and if not give reasons.
- C. Training of Records Officer and Staff:
 - (i) Whether Departmental Records Officer has received training in Records Management?
 - (ii) Whether the junior staff working in the Departmental Records Room are trained in various aspects of Records Management?
 - (iii) If not, are you willing to avail training facilities existing at State Archives, Assam?
- D. 1. Sharing of space for housing semi-current records at State Archives of Assam.
 - (i) Whether your organization is willing to share space at State Archives of Assam?
 - (ii) If yes, please state bulk of records proposed to be transferred.
2. Periodical recording, reviewing and weeding out of semi-current records:
 - (i) Whether your organization has taken steps for recording, reviewing and weeding out of ephemeral records?
 - (ii) Indicate the total number of records recorded, reviewed and weeded out during the period under report.
3. Appraisal of Non-current records
 - (i) Whether your organization has initiated action to get non-current records appraisal in consultation with the State Archives.
 - (ii) State the total bulk of records awaiting appraisal.

4. Compilation/Revision of Retention Schedule of Records :

- (i) Whether your organization has compiled Record Retention Schedule of substantive functions in consultation with State Archives and if not what action do you propose to take?
- (ii) Has your organization taken steps to revise the above schedule after five years?

5. Periodical review of Classified records :

- (i) Whether your organization has de-classified the classified records during the period under report?
- (ii) If not, state reasons?

6. Compilation of Annual Indices to Records :

- (i) Whether your organization has compiled annual indices?
- (ii) State inclusive years with the name of the series?

7. Compilation of Organizational history :

Has your organization compiled organizational history reflecting various functions along with the date of their creation and if so furnish a copy of State Archives.

8. Records of Defunct Bodies :-;

- (i) Whether your organization has got records of defunct bodies give details?
- (ii) If yes, what action have you initiated for their transfer to State Archives?

Form - 6

[See rule 9(3)]

Particulars of records destroyed during the year _____

Sl. No.	File Nos.	Subject of the files	Remarks
1	2	3	4

Form - 7

[See rule 9(4)]

Half yearly report on recording, indexing, reviewing and weeding of records during the half year ending

Sl. No.	Total no of files recorded	Total no of files indexed	Total no of file reviewed	Total no of files weeded out, if any	Remarks
1	2	3	4	5	6

Form - 8 :

[See rule 12(2) and rule 13 (1) (i)]

(Application form for permission to consult records)

To

The Director, Assam State Archives
Government of Assam,
Dispur, Guwahati-6.

Sir,

I hereby apply for enrollment as a research scholar for consulting records in the Research Room of the State Archives of Assam. I agree to comply with the rules and conditions in force and promise to deposit a copy of each of my work based on the materials consulted at the State Archives of Assam immediately after the publication.

1. Name, including Surname : Sh./Smt./Km./Dr.
2. Father's/ Husband's name :
3. Date of Birth :
4. Qualifications :
5. Nationality :
6. Profession :
7. Subject of search :
8. Guide's recommendation letter :
9. Period for which admission is sought :
10. Signature and date :
11. Address :-

(i) Local :

(ii) Permanent :

Signature.

Particulars of records to be consulted :

Department	Period	Remarks
1.		
2.		
3.		
4.		

- Scholars are requested to attach a letter of recommendation from their University /Institutions /Department. However, the foreign scholars are requested to bring a letter of accreditation from the diplomatic representatives of their country in India as well.

Form - 9

[See rule 13(1)(v)]

Application for Reprographic/ Transcription facilities

To

The Director, Assam State Archives,
Government of Assam,
Dispur, Guwahati - 6.

Sir,

Kindly supply me photo copies/ Xerox Transcripts of the material(s) indicated in the enclosed list for my research/ publication/ University. The material is from the Department(s) of _____ it consists of _____ pages/ items and covers the period from _____ to _____

1. I declare that the above material is for my research / publication/ University.
2. I undertake to pay the charge as per schedule of rates prevailing at the time of completion of work. I understand and accept that the estimated cost, when supplied is only tentative and the rates are also liable to revision without notice time to time.
3. The photocopies/ transcripts supplied will not be sold/ transferred to any other person without prior permission of the Director of Archives.
4. The material, if published, will be suitably acknowledged and provisions of copyright, where applicable, will be complied with.
5. I hereby deposit a Sum of Rs. as advance.

Permanent address :
(in block letters)

Your faithfully,

Signature

Name (in block letters)

Local address:

FOR OFFICE USE.

Advance received vide receipt No. dated for Rs.

Service charge have come to Rs.

Balance receipt vide Receipt No. dated Rs.

Cleared for photo-copying transcription subject to following:

(1).....

Signature of Archivist