

The Assam Board of Revenue (Amendment) Bill, 2017**A
Bill**

further to amend the Assam Board of Revenue Act, 1962.

Preamble

Whereas it is expedient further to amend the Assam Board of Revenue Act, 1962, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam
Act No.
XXI of
1962

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Board of Revenue (Amendment) Act, 2017.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment
of section 3

2. In the principal Act, in section 3, for sub-section (7), the following shall be substituted, namely :-

“(7) No person shall be retained as member of the Board after he/she has attained the age of 62 years except for those members who are borne on a particular service, in which case, their date of retirement shall be governed by their respective service conditions.”

STATEMENT OF OBJECTS AND REASONS

1. The Assam Board of Revenue is an appellate Court / Tribunal and the nature of their works is quasi judicial and equivalent to the highest Judicial Court / Tribunal.
2. At the time of inception of the Board, the retirement age of other State Govt. employees was 55 years and the superannuation age of members of the Board was fixed at 60 years.
3. Subsequently, the age of the other State Govt. employees has been enhanced first from 55 years to 58 years and then to 60 years, but no initiative was taken to enhance the superannuation age of the member of the Board.
4. The upper age limit and duration of service of the members of other equivalent Courts / Tribunals like Assam Human Rights Commission is 5 years of service and will be eligible for re-employment for another 5 years, provided that no member shall hold office after he has attained the age of 70 years, Assam Public Service Commission is 6 years of service or 62 years of age, whichever is earlier, Assam Electricity Regulatory Commission is 5 years of service or 65 years of age, whichever is earlier.
5. The matter of upward revision of the age of superannuation of the members of the Board was taken up by this Department and the proposal for amendment of section 3 (7) of the Assam Board of Revenue Act, 1962 for enhancement of the superannuation age of the member from 60 to 62 years was placed before the Cabinet for approval and introduction of the amendment Bill in the next session of Assam Legislative Assembly for consideration.
6. The Cabinet in its meeting held on 17.03.2017 approved the proposal for enhancement of the superannuation age of the member from 60 to 62 years except for those members who are borne on a particular service, in which case, their date of retirement will be governed by their respective service conditions.

In view of the above, Assam Board of Revenue (Amendment) Bill, 2017 is prepared to amend the section 3 (7) of the Assam Board of Revenue Act, 1962.

MINISTER
Revenue & D.M. Department,
Assam, Dispur.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

MEMORANDUM OF DELEGATED LEGISLATION

There is no delegation of legislative powers proposed in the Bill.

MINISTER
Revenue & D.M. Department,
Assam, Dispur.

Bill Corrected
and Final to Print

FINANCIAL MEMORANDUM

There is no extra financial involvement for implementation of the Bill.

MINISTER
Revenue & D.M. Department,
Assam, Dispur.

**EXTRACT OF THE RELEVANT SECTION OF THE ASSAM BOARD OF REVENUE
ACT, 1962 AND THE ASSAM BOARD OF REVENUE (AMENDMENT) BILL,
2017 TO BE AMENDED BY THE BILL.**

Provisions of section 3(7) of the
Assam Board of Revenue Act, 1962

“(7) No person shall be retained as a member of the Board after he has attained the age of sixty years.”

Proposed amendment of section 3(7)

“(7) No person shall be retained as member of the Board after he/she has attained the age of 62 years except for those members who are borne on a particular service, in which case, their date of retirement shall be governed by their respective service conditions.”

Bill corrected
and Final to Print

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.