

**ASSAM EDUCATION (PROVINCIALISATION OF SERVICES OF
TEACHERS AND RE-ORGANISATION OF EDUCATIONAL INSTITUTIONS)
(AMENDMENT) BILL, 2025.**

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BILL

further to amend the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017.

Assam Act
No. XXV of
2017

Preamble

Whereas it is expedient to amend the Assam Education (Provincialisation of Services of Teachers and Re-organisation of Educational Institutions) Act, 2017, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

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 Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) (Amendment) Act, 2025.
- (2) It shall have the like extent as the principal Act.
- (3) It shall be deemed to have come into force on 11th April 2017.

Amendment of
section 2

2. In the principal Act, in section 2, -
 - (i) after clause (i), the following clause shall be inserted, namely:-

“(ia) UDISE Code” means the Unified District Information system for Education Code from the year 2012-2013 expanding its coverage to Secondary section till the highest class XII and now renamed as UDISE Plus 2018-2019, prepared by the Samagra Siksha Assam as available in the records of the National Institute of Educational Planning and Administration (NIEPA), New Delhi;”
 - (ii) for clause (u), the following shall be substituted, namely:-

(u) “tutor” means and includes Teachers, Assistant Teachers, Classical Teachers and also includes Lecturers, Assistant Professors, Associate Professors, Professors, Principal, Vice Principal, Demonstrator, Head Master and Assistant Head Master in a provincialised educational institution under this Act who had possessed the educational and professional qualification as was applicable during the initial period of appointment in the venture stage, but shall not be eligible for provincialisation of their services as Teachers under this Act due to lack of his or her educational and professional qualifications as applicable as per the

Central
Act No. 35
of 2009;

Central
Act No. 73

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existing Service Rules, the Right of Children to Free and Compulsory Education Act, 2009, National Council of Teachers Education Act, 1993, University Grant Commission Act 1956 and the relevant rules and regulations framed there under, and any other Act, as the case may be, as applicable, on the date of advertisement for provincialisation.

of 1993;

Central
Act No. 3
of 1956

However, his or her service shall be provincialised as a tutor with separate terms and conditions of service including emoluments, to be notified by the competent authority:

Provided that a tutor shall not be eligible to hold the post of Professor, Principal, Vice Principal, Demonstrator, Head Master, Assistant Head Master as the case may be, in an educational institution provincialised under this Act.

- (iii) for clause (w), the following shall be substituted, namely:—

“(w) “Venture Degree College” means a Degree College or a non provincialized stream of an existing provincialized Degree College or a non provincialized Department in a provincialized college imparting education beyond the Higher Secondary stage and established by the people of the locality before 01.01.2006 and which has also received no-objection certificate (NOC) or permission or affiliation for the First Year degree class or up to the highest class from the Government or concerned University of the State on or before 01.01.2006 and whereof the services of teachers have not been provincialised under any Act enacted by the State legislature till date.

- (iv) for clause (x), the following shall be substituted, namely:—

“(x) “Venture High School” means High School imparting education up to the class X and established by the people of the locality prior to 01.01.2006 which has received permission from the State Government or recognition from the Assam State School Education Board renamed as ASSEB Div-1 on or before 01.01.2006 and whereof the services of the teachers have not been provincialised under any Act enacted by the State legislature till date:

Provided that such institution and its employees are in the UDISE continuously.

- (v) for clause (y), the following shall be substituted, namely:—

“(y) “Venture Higher Secondary School” means a Higher Secondary School imparting education up to class XII or Venture Higher Secondary Section of class XI and class XII established by the people of the locality before 01.01.2006 in an existing

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provincialized High School or Venture additional stream in the provincialised Higher Secondary School and established by the people of the locality before 01.01.2006 which has received permission from the State Government or affiliation from Assam Higher Secondary Education Council, now renamed as ASSEB Div-2 on or before 01.01.2006 and whereas the services of teachers have not been provincialised under any Act earlier enacted by the State legislature till date:

Provided that such institution and its employees are in the UDISE continuously.

- (vi) for clause (z), the following shall be substituted, namely:-

“(z) Venture Junior College” means a Venture Junior College established by the people of the locality on or before 01.01.2006 (presently called the Senior Secondary School) which has received concurrence from the Government or permission or affiliation from the Assam Higher Secondary Education Council now renamed as ASSEB Div II on or before 01.01.2006 and whereof the services of teachers have not been provincialised under any Act earlier enacted by the State legislature till date:

Provided that such institution (presently called the Senior Secondary School) and its employees are in the UDISE continuously.

- (vii) for clause (za), the following shall be substituted, namely:-

“(za)“Venture Middle English (ME) School” means an Upper-Primary School imparting education from class V or VI up to class VII or VIII and established by the people of the locality prior to 01.01.2006, which has received recognition or permission from the competent authority on or before 01.01.2006 and the name of the Institution captured in the DISE Code up to 2009-10 and whereof the services of the teachers have not been provincialised under any Act enacted by the State legislature till date:

Provided that the names of teachers or tutors exist in the DISE and UDISE continuously.

- (viii) for clause (zb), the following shall be substituted, namely:-

“(zb) “Venture Lower Primary School” or “Venture LP School” means the then School imparting education up to class IV or up to class V as the case may be and established by the people of the locality prior to 01.01.2006 and the name of the school figure in the DISE Code up to 2009-10 and whereof the services of the teachers have not been provincialised under any Act enacted by the State legislature till date:

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Provided that the names of teachers or tutors exist in the DISE and UDISE continuously.

- (ix) for clause (zc), the following shall be substituted, namely:-

“(zc) “Venture Upper Primary School” means the school imparting education from class V or from class VI up to class VII or up to class VIII and established by the people of the locality prior to 01.01.2006, which has received recognition or permission from the competent authority on or before 01.01.2006 and whose name figure in the DISE Code up to 2009-10 and whereof the services of any teachers have not been provincialised under any Act enacted by the State legislature till date:

Provided that the name of the institution and the names of teachers or tutors exist in the DISE and UDISE data continuously.

- (x) for clause (zd), the following shall be substituted, namely:-

“(zd) “Venture Educational Institutions” means and includes Venture Degree College, Venture Higher Secondary School, Venture Junior College, Venture Senior Secondary School, Venture High School, Venture ME School, Venture Upper Primary School and Venture Lower Primary School situated within the State of Assam including the areas covered under the Sixth Schedule of the Constitution of India unless a separate notification for exclusion of the venture educational institution in such areas is issued and published by the Government in the Official Gazette:

Provided that the educational institutions which are providing professional courses and the private institutions functioning with the fees received from the students shall not come within the purview of the definition of Venture Educational Institution under this clause.

- (xi) for clause (ze), the following shall be substituted, namely:-

“(ze) “Sixth Schedule Districts” means the Districts having autonomous powers and functions under Article 244(2) and the Sixth Schedule of the Constitution of India and which may be notified from time to time as the Sixth Schedule Districts.

Amendment of section 3

3. In the principal Act, in section 3, in sub-section (1), -

- (i) for clause (i), the following shall be substituted, namely:-

“(i) The Venture Educational Institutions which have been established and have obtained the required NOC, permission, recognition, affiliation, concurrence, as the case may be, required for the concerned institution from the respective competent

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Authority or Authorities on or before 01.01.2006:

Provided that,

- (a) permission or affiliation for 1st year Higher Secondary classes in respect of Higher Secondary Schools;
- (b) concurrence or permission or affiliation for 1st year Higher Secondary classes in respect of Senior Secondary Schools (erstwhile Junior College);
- (c) permission or recognition for class-VIII or IX in respect of High Schools;
- (d) permission or affiliation or concurrence or No Objection Certificate for Three Year Degree Course (TDC) Part- I or Degree first year or stream or Department in respect of Degree College ,

received on or before 01.01.2006 shall be treated as the permission or concurrence or recognition or NOC as the case may be, for the purpose of provincialisation of services of teachers or tutors under this Act and shall be admissible as the case may be for the purpose of provincialisation of the services of the teaching staff :

Provided further that the order for such permission or recognition or concurrence or NOC, as the case may be, shall have to be issued on or before 01.01.2006, and any order issued thereafter with any retrospective effect shall not be considered for the purpose of provincialisation of services of any teacher and tutor, as the case may be, of the institution;

- (ii) for clause (iii), the following shall be substituted, namely:-

“(iii)The concerned Venture Educational Institution shall have land in the name of the Institution with clear and exclusive title and possession over the land before 01.01.2006 and any such lease or rent or donor agreement executed at any point of time, shall not be considered in any manner for this purpose:

Provided that,

- (a) the institutions situated in Government Land shall have land possession certificate from a competent revenue authority that the said institution is in possession of Government land prior to 01.01.2006;

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(b) the institutions situated in forest land, shall have Forest land possession certificate or Utilization certificate from a Competent Forest Authority that the said institution is in possession of the Forest Land prior to 01.01.2006;

(c) the institutions situated in Tea Gardens shall have certificates from Tea garden Authority certifying that the institution has been in possession of Tea Garden Land prior to 01.01.2006,

which shall have to be produced by the concerned educational institution before the District Scrutiny Committee constituted under section 13:

Provided the said venture institution is functioning continuously and reflected in DISE and UDISE.

(iii) for clause (iv), the following shall be substituted, namely:-

“(iv) Venture Educational Institutions which have a minimum total enrolment of 30 students as captured in the DISE and UDISE if it is a Venture Primary or Upper Primary School as on the date of coming into force of this Act:

Provided that, if the said venture institution is situated in the Sixth Schedule areas, then the said venture institution shall have a minimum total enrolment of 25 students.”

(iv) for clause (v), the following shall be substituted, namely:-

“(v) The Venture Educational Institutions shall have a minimum total enrolment of 25 students in class-X, if it is a Venture High School; 25 students in class-XII, if it is a Venture Higher Secondary School or a Venture Junior College or a Senior Secondary School; 30 students in the Final year of Three-Year Degree Course, if it is a Venture Degree College as on the date of Gazette Notification of the Act:

Provided that, if the said venture institution is situated in the Sixth Schedule Areas, then the said venture institution shall have a minimum total enrolment of 20 students in class X, if it is a Venture High School; 20 students in class XII, if it is a Venture Higher Secondary School or a Venture Junior College or a Senior Secondary School; 25 students in the Final year of Three-Year Degree Course or last class of the Degree course, if it is a Venture Degree College, as on the date of coming


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into force of this Act.”

- (v) for clause (vi), the following shall be substituted, namely:—

“(vi) In the case of a Venture High School or a Venture Higher Secondary School or a Venture Junior College or a Senior Secondary School or a Venture Degree College, the concerned Venture Educational Institution shall have a consistent good academic performance, which shall mean that at least 30% of the candidates appeared for the final examination as a whole shall have passed in each of the year for a period of three years up to the date of publication of advertisements for provincialisation by the Government without any exception in each year:

Provided that, in the case of a Venture High School or a Venture Higher Secondary School or a Venture Junior College or a Senior Secondary School or a Venture Degree College in the Sixth Schedule Areas, the concerned Venture Educational Institution shall have a consistent good academic performance which shall mean that at least 20% of the candidates appeared for the final examination as a whole shall have passed in each of the year for a period of three years up to the date of publication of advertisements for provincialisation by the Government without any exception in each year:

Provided further that enrolment of the students shall be counted for the purpose of percentage calculation on the basis of Admit Cards issued by the competent University or Board, as the case may be for that Institute only. If any Admit card is issued in the name of the Institute for the students studying in other Institutions, it shall not be taken into consideration. The data received from the University or Board shall also be verified with the data available from other sources. The number of students shall be taken into consideration, wherever it is found less:

Provided further that the repeaters shall not be counted for the purpose of provincialisation.

- (vi) for clause (vii), the following shall be substituted, namely:—

“(vii) For provincialisation of services of one teacher or tutor, as the case maybe, in each subject, including the core subjects, in case of Venture High School or Venture Higher Secondary School or Venture Senior Secondary School or Venture Junior College, at least 10 students shall have appeared having admit card in the last final examination in that particular subject from that institution. Further, for provincialisation of services of a maximum limit of three teachers or tutors in a specific subject, as the case may be, in the case of a Venture Degree College, at least 15 students in that particular

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subject shall have appeared or having admit card in the last final examination from that college;

Provided that, if the said venture institution, is situated in the Sixth Schedule Areas, then in the said venture institution for the purpose of provincialisation of services of one teacher or tutor, as the case maybe, in each subject, including the core subjects, in case of Venture High School or Venture Higher Secondary School or Venture Senior Secondary School, at least 08 students shall have appeared or having admit card in the last final examination in that particular subject from that institution and for provincialisation of services of a maximum limit of three teachers or tutors in a specific subject, as the case may be, in the case of a Venture Degree College, at least 10 students in that particular subject shall have appeared and having admit card in the last final examination from that college:

Provided that Repeaters shall not be counted for the purpose of Provincialisation of Services.”

- (vii) for clause (ix), the following shall be substituted, namely:—

“(ix) For provincialisation of services of additional teacher or tutor, as the case may be for a particular subject including the core subjects in any Venture High School or Venture Higher Secondary School or Venture Junior college or Senior Secondary School, the minimum students appeared having admit card of the said institution in the last final examination of the highest class of the said school for that particular subject shall have to exceed eighty students for one additional post and one-hundred fifty for the second additional post. Further, for provincialisation of services of additional teacher or tutor, as the case may be, for a particular subject in a Venture Degree College, the minimum students appeared having admit card of the said institution in the last final examination of the highest class for that particular subject shall have to be more than one hundred fifty for one additional post; for all purposes the repeaters shall not be counted for the purpose of the provincialisation of the services of the teaching staff:

Provided that for the Institutions in the Sixth Schedule Areas, the minimum students appeared having admit card of the said institution in the last final examination of the highest class of the said school for that particular subject shall exceed seventy for one additional post and one hundred forty for the second additional post:

Provided further that the Repeaters shall not be counted for the purpose of Provincialisation of Services.

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- (viii) for clause (xii), the following shall be substituted, namely:-

“(xii) The enrolment of Schools from class I to class XII and the name of the teachers and subjects in the venture institutions shall be verified with the DISE, UDISE and the UDISE Plus data, as the case may be and as applicable in respect of the Lower Primary Schools having class IV and V as the highest class, as the case may be, Upper Primary Schools having class VII or class VIII as the highest class, as the case may be; Secondary Schools having class X as the highest class and Higher Secondary Schools having class XII as the highest class as available and if necessary with the DISE, UDISE, UDISE Plus records in the National Institute of Educational Planning and Administration (NIEPA), New Delhi.”

Amendment of
section 4

4. In the principal Act, in section 4, in sub-section (2),-

- (i) for clause (i), the following shall be substituted, namely :-

“(i) shall have been working as a teacher in the concerned Venture Educational Institution up to the last and highest class that have been recognized by the competent authority on or before 01.01.2006 as mentioned in clause (i) of sub-rule (1) of section 3 of this Act and also verified in the DISE or UDISE or UDISE Plus;”

- (ii) for clause (iii), the following shall be substituted, namely :-

“(iii) shall have rendered continuous service in the venture institutions on or before 31.12.2010 and the names of teachers or tutors shall exist in the DISE and UDISE data, as the case may be, continuously;”

- (iii) for clause (iv), the following shall be substituted, namely :-

“(iv) in case of teachers and/ or Tutors of the Schools for special subjects like Sanskrit, Arabic, Hindi, craft teacher, music teacher and other classical teacher, the number of students appeared having admit card of the said institution in the concerned final examination like HSLC(class X final examination) and Higher Secondary Examination(class XII final exam) conducted by erstwhile SEBA or AHSEC now named as ASSEB (Division I and Division II), as the case may be, shall not be less than 10 students in each class per year during last three years prior to the date of publication of the advertisement for provincialisation:

Provided further that in case of the educational institutions in the Sixth Schedule areas, in case of teachers and/ or Tutors of the Schools for special

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subjects like Sanskrit, Arabic, Hindi, craft teacher, music teacher and other classical teacher, the number of students appeared having admit card of the said institution in the concerned final examination like HSLC(class X final examination) and Higher Secondary Examination(class XII final exam) conducted by erstwhile SEBA or AHSEC now named as ASSEB(Division I and Division II), as the case may be, shall not be less than 08 students in each class per year during last three years prior to the date of publication of the advertisement for provincialisation:

Provided that for all purpose repeaters shall not be counted for the purpose of provincialization of services.

Amendment of section 6

5. In the principal Act, in section 6, in sub-section (1),
- (i) for clause (c), the following shall be substituted, namely:-
- “(c) The Assam Secondary Education (Provincialised Schools) Service Rules, 2018.”

Amendment of section 7

6. In the principal Act, in section 7, in sub-section (1), the following shall be substituted, namely:-
- “(1) The tutor shall acquire the requisite educational and professional qualifications in force during the tenure as “Tutor” of the Provincial Schools from the appropriate Institutions within a period of seven (07) years from the date of notification of the order of provincialisation of services of the teachers and after acquirement of required qualification, they shall be eligible to be upgraded to the post of Teacher in appropriate cadre from the date of the issue of the Notification and not from the date of acquiring the requisite qualifications:

Provided that such qualification for betterment shall be acquired on the same subject from a recognized institution competent to award degrees in the State of Assam and with the prior approval of the Appointing Authority.”

Amendment of section 8

7. In the principal Act, in section 8, for sub-section (3), the following shall be substituted, namely:-
- (3) For tutors whose services are provincialised under this Act, the scope of work and other service conditions shall be notified separately by the concerned administrative department.

The emoluments of tutors shall be paid at the rates specified in the Schedule to this Act. The enhanced emoluments admissible after two years, as provided in the Schedule, shall be granted only upon submission of a satisfactory performance report by the Head of the concerned educational institution to the Drawing and Disbursing Officer.

After completion of five years of service from the date of provincialisation or from the date of notification, as

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applicable, the emoluments shall thereafter be enhanced annually at the rate of six percent (6%).

If a tutor acquires the prescribed educational and professional qualifications within seven years from the date of provincialisation of the services of teachers of the concerned Venture Educational Institution, he or she shall be eligible for upgradation to the appropriate teaching post. If the tutor fails to acquire the required qualifications within the said seven-year period, he or she shall continue as a tutor under the terms and conditions of service, including emoluments and allowances, as may be notified by the Government under sub-section (4) of this section.

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| Substitution of the word Deputy Commissioner | 8. | In the principal Act, for the words "Deputy Commissioner" wherever they occurs, the words "District Commissioner" shall be substituted. |
| Substitution of the word Additional Deputy Commissioner | 9. | In the principal Act, for the words "Additional Deputy Commissioner" wherever they occur, the words "Additional District Commissioner" shall be substituted. |
| Deletion of the word Madrassa | 10. | In the principal Act, the word "Madrassa" wherever they occur shall be omitted; |
| Substitution of the words Board of Secondary Education (SEBA) | 11. | In the principal Act, for the words "Board of Secondary Education (SEBA)" wherever they occur, the words "Assam State School Education Board (ASSEB Div I)" shall be substituted. |
| Substitution of the words Assam Higher Secondary Education Council (AHSEC) | 12. | In the principal Act, for the words "Assam Higher Secondary Education Council (AHSEC)" wherever they occur, the words "Assam State School Education Board (ASSEB Div II)" shall be substituted. |

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SCHEDULE

[see section 8(3)]

FIXED SALARY ADMISSIBLE TO A TUTOR

Category of Institution	Category of Post held by the employee in the institution prior to provincialisation	Fixed salary for 1 st to 2 nd year (in Rs.)	Fixed salary for 3 rd year to 5 th Year (in Rs.)	Fixed salary after completion of 5 years of service OR from the date of the Notification of enhancement
Degree college	Principal	36000	40000	Enhancement @ 6% annually shall be admissible.
	Assistant Professor	27000	30000	
Senior Secondary School	Principal	20700	23000	
	[Post Graduate Teacher]	16200	18000	
	Demonstrator	14400	16000	
Higher Secondary School	Subject Teacher	16200	18000	
	Demonstrator	14400	16000	
High School	Headmaster/ Superintendent	16200	18000	
	Assistant Headmaster/ Assistant Superintendent	14400	16000	
	Graduate Teacher (BA/B.Com/.B.Sc)	12600	14000	
	Sr. Hindi Teacher	12600	14000	
	Music Teacher/ Classical Teacher	12600	14000	
	Craft Teacher	99000	11000	
Upper Primary School Middle English School	Headmaster	12150	13500	
	Assistant Teacher	10800	12000	
	Graduate Teacher (Science/ Mathematics)	11700	13000	
	Hindi Teacher/ Arabic Teacher/ Language Teacher	10800	1200	
Primary School (Lower Primary School)	Assistant Teacher	10800	12000	

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