



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

DEPARTMENT OF PERSONNEL ::: PERSONNEL (B)

NOTIFICATION

The 5th March, 2022

No. ABP.13/2022/24.- In exercise of the powers conferred by section 15 of the Assam Direct Recruitment Commissions for Analogous Posts in Class III and Class IV Act, 2021, the Government of Assam makes the following Rules for carrying out the provisions of the Act, namely: -

- Short title and commencement
1. (i) These rules may be called the Assam Direct Recruitment for Class III and Class IV Analogous Posts Rules, 2022.
- (ii) They shall come into force on the date of their publication in the Assam Gazette.
- Definition
2. In these rules unless there is anything repugnant in the subject or context: -
- (a) 'Act' means the Assam Direct Recruitment Commissions for Analogous Posts in Class III and Class IV Act, 2021;
- (b) 'Additional/ Specialised qualification' means eligibility qualification for a post in addition to the General qualification like Bachelor's degree, HSSLC, HSLC or equivalent;

- (c) 'Appointing Authority' means the Authority to whom the power of appointment is delegated as per existing provisions;
- (d) 'Class- III posts' means posts under Group-C as defined by Assam Services (Revision of Pay) Rules, 2017;
- (e) 'Class- IV posts' means posts under Group-D as defined by Assam Services (Revision of Pay) Rules, 2017;
- (f) 'Commission' means the recruitment commissions constituted under the Act;
- (g) 'Chairman' means the Chairman appointed under sub-section (2)(b) of section 5 of the Act;
- (h) 'Department' means the Administrative Departments of the Government of Assam;
- (i) 'Executive order' / 'Service Order' means an order issued by the Governor for regulating the recruitment and other conditions of service of a person appointed in the service, rules for which are yet to be framed under the proviso to Article 309 of the Constitution of India or any other Act;
- (j) 'Essential qualification' means eligibility conditions as to minimum educational qualification, essential experience, if any, applicable in respect of any post or category of posts. This may be of one or two parts, namely, General qualification and Additional/ Specialised qualification;
- (k) 'General qualification' means the educational qualifications like Bachelor's degree, Higher Secondary or equivalent examination passed or HSLC or equivalent examination passed;

- (l) 'Government' means the Government of Assam in the Personnel Department;
- (m) 'Member' means the Member appointed as per sub-section (2)(b) of section 5 of the Act and includes the Chairman;
- (n) 'Non-Technical posts' means such posts for which eligibility conditions as to minimum educational qualification is Bachelor's degree, Higher Secondary passed or Class ten passed with or without computer skill;
- (o) 'Prescribed' means prescribed by these rules made under the Act;
- (p) 'Reserved categories' means and includes the Scheduled Castes, Scheduled Tribes (Plains), Scheduled Tribes (Hills) and OBC including MOBC, Ex-Serviceman, Persons with Benchmark Disabilities and any other category of persons declared as such by Government from time to time;
- (q) 'Specified' means specified by these rules made under the Act;
- (r) 'Staff' means staff engaged to assist the Commissions under the provisions of the Act;
- (s) 'Technical posts' means such posts for which there are certain requisite special or specified eligibility qualification/ condition, in addition to the general qualifications of Bachelor's degree, Higher Secondary or HSLC or equivalent examination passed or computer skill;
- (t) 'Year' means the English calendar year;
- (u) Words and expressions used herein but not defined in this Rules shall have the same meaning assigned to them in the Act.

Applications.

3. (1) These rules shall apply to all Class III posts, both technical and non-technical, and Class IV posts under the Government of Assam including the posts or category of posts, in respect of which the eligibility conditions as to minimum educational qualification, essential experience, if any, have been prescribed or modified under the provision of sub-section (1) of Section 10 of the Act, unless the posts are otherwise excluded from the purview of the Act.
- (2) The Commissions through the Personnel Department may notify the posts or category of posts, in respect of which the eligibility conditions as to minimum educational qualification, essential experience, if any, have been prescribed or modified shall be as per format in the Schedule- III for Class- III posts and Schedule- IV for Class- IV posts of these rules.
- (3) The pay band and grade pay of the posts are as per Assam Services (Revision of Pay) Rules, 2017 and as amended.
- (4) The names of posts or categories of posts, excluded from the purview of these rules are at Schedule- I for Class- III and Schedule- II for Class- IV posts.
- (5) The Commissions through the Personnel Department may, considering the prerequisites or any special circumstances, notify names of posts or categories of posts:
 - (a) shown as per format in the Schedule- I and Schedule- II of these rules, to which the provisions of these rules shall not apply;

(b) shown as per format in the Schedule-III and Schedule-IV of these rules, to which the provisions of these rules shall apply.

Note: Schedules will be applicable at appropriate time.

Constitution of Commissions

4. (1) The Governor shall, by Notification, constitute two Commissions, namely, the State Level Recruitment Commission for Class-III Posts and the State Level Recruitment Commission for Class-IV Posts under Section 5 of the Act.
- (2) Each of the Commissions shall consist of a Chairman, who is serving in the rank of Additional Chief Secretary/ Principal Secretary to the Government of Assam and two members who are serving in the rank of Commissioner and Secretary/Secretary to the Government of Assam. The Personnel Department shall issue the notifications placing the services of the officers partially at the disposal of the respective Commissions.
- (3) The terms of office of the Chairman and Members of the Commissions shall be for a period to be notified by the Government from time to time.

Staff of the Commissions

5. (1) An officer not below the rank of a Deputy Secretary shall be notified by the Personnel Department as Secretary to a Commission partially placing his services at the disposal of the Commission for a period of three years or such period as the Government may decide.

(2) A number of officers, as and when necessary, may also be appointed by the Government, placing their services at the disposal of the respective Commissions for such period as the Government may notify from time to time.

(3) Other staff of the Commissions may initially be appointed temporarily as additional charge or on secondment basis till such time the Government makes appointments through direct recruitment. For temporary appointments and as and when necessary, the Personnel Department shall request the Secretariat Administration Department for placing the services of required staff at the disposal of the Commissions

Conditions of service of the Chairman, Members and other Officers and Staff of the Commissions

6. (1) The pay and other conditions of service of the Chairman, Members, Secretary, other officers and staff of the two Commissions shall be as per the terms of service to which one belongs or as per the extant policy of the Government

(2) Conduct and discipline of the Chairman, Members, Secretary, other officers and staff of the two Commissions shall be as applicable to the service to which one belongs or as per the extant policy of the Government.

Powers and Functions of the Commissions

7. (1) The Commissions shall hold test, written examination, practical examination or interview for selection and recommendation of candidates against vacant posts in respect of the vacant posts, other than the posts that are excluded from the purview of the Act under Section 3 as per procedure prescribed hereinafter.

- (2) The respective Commissions shall decide about setting question papers and evaluating the answer scripts and may conduct any part or the whole of the recruitment process themselves or through a University, Board of Secondary Education, Assam or any other agency/agencies as deemed to be competent with the approval of the Government.
- (3) Decision of the majority of all the Members, including the Chairman, shall be the decision of the Commission and no Member of the Commissions shall abstain from any decision-making meeting of the respective Commissions.
- (4) A true and faithful record of the proceedings of the Commissions authenticated by the Chairman shall be caused to be maintained by the respective Secretaries of the Commissions.
- (5) The Commissions shall, in the discharge of their duties, be guided by any general or particular directions as may be given by the Government.

Direct
Recruitment

8. Direct recruitment to the posts, other than those excluded from the purview of these rule, shall be made by the Commissions constituted in accordance with the provisions of the Act and the procedure hereinafter provided.

General
Procedure for
Direct
Recruitment

9. (1) (i) Immediately after constitution, the Commissions shall inform the departments to submit requisition in the model format at Annexure- I within a specified date or as determined under provision of sub-section

2(c) of section 16 of the Act, for selection and recommendation of candidates against vacancies for any posts other than those posts excluded from the purview of the Act.

(ii) The Appointing Authorities shall make assessments regarding the existing and likely vacancies to be filled by direct recruitment and, within the date specified by the Commissions, shall through their administrative Departments, intimate the same to the respective Commissions together with all details including that about reservation for the reserved categories in the model format at Annexure- I of these rules;

(iii) Thereafter, before the end of each year, the Appointing Authorities shall make assessments regarding the existing vacancies and the likely number of vacancies to be filled by direct recruitment during the next twelve months and, through their administrative Departments, shall intimate the same to the respective Commissions together with the details about reservation for the reserved categories in the model format at Annexure- I of these rules;

(iv) On receipt of the requisitions for selection of candidates, the Commissions, in addition to any other details, shall check the following: -

- i. the number of vacancies,
- ii. whether any post or category of posts, for which requisition has been submitted for direct recruitment, have

- been excluded by any Notification under the provision of Section 3 of the Act,
- iii. details of minimum essential qualification,
 - iv. essential experience, if any,
 - v. pay band and grade pay,
 - vi. age limits,
 - vii. reservation of posts for reserved categories
 - viii. names of department, office or offices and appointing authority,

(2) (i) On being satisfied on the correctness of the details furnished by the departments, the Commissions shall sort out the non-technical and technical posts,

(ii) The respective Commissions shall also sort out the posts depending upon the minimum essential qualifications and group the posts having same requisite qualifications irrespective of different Grade Pay within the same Pay Band.

(iii) the Commissions, after completing all necessary processes, shall publish advertisements for Class- III and Class- IV posts through widely circulated local newspapers calling for applications from aspiring candidates and making all details and application forms available online in the Commission's website or authorized agency's website as determined by the Commission under provision of sub-section 2(f) of section 16 of the Act;

(iv) The manner of receipt of applications and issuing of admit card and other related tasks for holding of examination shall be as determined by the Commission or its authorized agency.

- (3) Eligibility conditions as to minimum educational qualification, essential experience, if any, shall be as mentioned by the Administrative Departments for the posts other than those posts/ category of posts for which eligibility criteria have been modified or prescribed under the provision of sub-section (1) of section 10 of the Act.
- (4) After holding examinations as provided for hereinafter, the Commissions shall select the candidates and recommend the names of successful candidates to the Departments concerned as per rule 10 of these rules for appointment by the Appointing Authorities.
- Scheme of examination for Class- III posts
10. (1) The Commission shall select candidates for recommendation by conducting of examination as provided for hereinafter;
- (2) The Commission shall select candidates for recommendation on merit, in order of higher Grade Pay taking into consideration reservations for Scheduled Casts, Scheduled Tribes, Other/ More Other Backward classes and other categories;
- (3) The question paper shall be as mentioned hereinafter.
- (4) The Examination Centres shall be as decided by the Commission depending upon the number of candidates.
- (5) Candidates shall have to appear in a written examination and Computer test/ other test as provided hereunder.
- (6) The examinations shall be held separately on different dates as follows so as to enable higher degree holders to appear in more than one examination: -

(a) For Bachelor's degree level:

Separate examinations as per following eligibility qualifications for the posts:

- (i) Bachelor's degree
- (ii) Bachelor's degree with computer skill
- (iii) Bachelor's degree in Science
- (iv) Bachelor's degree in Commerce
- (v) Bachelor's degree with Economics/ Statistics/ Mathematics

Stage- 1: -

(i) Written examination shall consist of a single Paper of multiple-choice objective type questions as decided by the Commission.

Duration- three hours,

Maximum marks- 175:

Stage- 2: -

Computer test/ other test or interview-25 marks.

(b) For class- XII level:

Separate examinations as per following eligibility qualifications for the posts:

- (i) Higher Secondary or equivalent examination passed
- (ii) Higher Secondary or equivalent examination passed with computer skill
- (iii) Higher Secondary Science or equivalent examination passed

Stage- 1: -

There shall be a single paper of maximum marks of 150, with objective type questions as decided by the Commission.

Duration: Two and a half hours.

Stage- 2: -

Computer test/ other test or interview-25 marks.

(c) For class- X level :

Separate examinations as per following eligibility qualifications for the posts:

(i) High School Leaving Certificate Examination (Class 10) or equivalent examination passed

(ii) High School Leaving Certificate Examination (Class 10) or equivalent examination passed with Driving license

Stage- 1: -

There shall be a single paper of maximum marks of 150 with objective type questions as decided by the Commission.

Duration: Two and a half hours.

Stage- 2: -

Other test or interview/ Practical test (for driver posts candidates): 25 marks

- (7) (a) On the basis of the marks obtained in the written examination a list of all candidates shall be prepared in order of merit.
- (b) For Non-Technical posts, minimum qualifying marks, of the marks obtained in the written examination, for General Candidates and Candidates belonging to the different reserved categories, shall be determined by the Commission to short list candidates, from the above list, to be called for Computer test/ other test/ practical test in a ratio to be decided by the Commission depending upon the number of vacancies.
- (c) Similarly, for Technical posts, other lists requiring different specialized qualifications shall be prepared as per merit and

reservations, with names of candidates having respective specialized qualification, in a ratio to be decided by the Commission depending upon the number of vacancies.

(8) The Commission shall determine minimum qualifying marks for Computer test/ other test/ practical test.

(9) Candidates securing less than the qualifying marks in the Computer test/ other test/ practical test shall not be eligible for selection.

Scheme of Examination for Class IV posts

11. (1) The Commission shall select candidates for recommendation by conducting of examination as provided for hereinafter;

(2) The Commission shall select candidates for recommendation on merit, in order of higher Grade Pay, taking into consideration reservations for Scheduled Casts, Scheduled Tribes, Other/ More Other Backward classes and other categories;

(3) The question paper shall be as mentioned hereinafter.

(4) The Examination Centres shall be as decided by the Commission depending upon the number of candidates.

(5) There shall be a single paper/s of 135marks with objective type questions of Class ten level/ below Class ten level as decided by the Commission and interview/ other test of 15 marks.

Common Procedure for recommendation and appointment of candidates

12. (1) The Commission, in the manner described hereinafter, shall, after conducting necessary examination/ computer test/ other test/ practical test as applicable, prepare a list of successful candidates in order of merit and higher Grade Pay under

the signatures of the Chairman and all other Members of the Commission and furnish to the respective Departments recommending appointment.

(2) The merit lists shall be published under the signatures of the Chairman, and all other Members of the Commission and a copy of the list signed by all of them shall be forwarded to the respective departments.

(3) In the event of the Commission being unable to recommend sufficient number of candidates to fill up all the vacancies in a year, it shall, in consultation with the Appointing Authority, repeat the procedure of recruitment for recommending a subsequent list in the year:

Provided that during the period of validity of an earlier list the Appointing Authority shall not make appointment of any candidate from a subsequent list until all the candidates of that earlier list have been offered the appointment.

Preparation of
Merit lists for
Class- III posts

13. (1) (a) Merit list of candidates for Class- III posts shall be based on the total of marks obtained in the written examination and Computer test/ other test/ practical test, as applicable as per the scheme of examination under rule 10.

(b) For selection of the last candidate or determining merit, where a specified number of candidates have to be selected, if two or more candidates have same marks, the following procedure shall be followed: -

-
- (i) The candidate obtaining higher marks in the written examination shall be selected;
- (iii) If selection could not be made after following the above process, the candidate with earlier date of birth shall be selected;
- (iv) If the selection could not be made even after following the above process, the selection may be made by a draw of lots by the Commission.
- (2) The following process shall be followed for preparation of the merit lists, for Class- III posts, with the names of successful candidates for recommendation to the respective departments:
- (a) The individual marks obtained in the Computer test/ other test/ practical test, as applicable, shall be added to the marks obtained in the written examination, for the grand total to prepare merit lists.
- (b) Posts having higher Grade Pay shall be filled by candidates securing higher marks subject to filling up of posts meant for reserved category by the corresponding reserved category candidates.
- (c) Candidates within a particular Grade Pay shall be allotted departments by draw of lots by the respective Commissions.
- (d) The Commission shall send the Final Merit Lists to the respective departments as recommendation for appointment against the vacant posts under the department as per requisition submitted by the department.

(e) Places of posting shall be decided by the respective departments in a manner as decided by the concerned department after receipt of the merit lists.

(f) The department, through the Appointing Authorities shall appoint the recommended candidates subject to fulfilling the conditions mentioned in sub-rule (2) of rule 15 and rule 16.

Preparation of the merit lists for Class- IV posts

14. (1) (a) Merit list of candidates for Class- IV posts shall be based on the total of marks obtained in the written examination and interview, as applicable as per the scheme of examination under rule 11.

(b) For selection of the last candidate or determining merit, where a specified number of candidates have to be selected, if two or more candidates have same marks, the following procedure shall be followed: -

(i) The candidate obtaining higher marks in the written examination shall be selected;

(ii) If selection could not be made after following the above process, the candidate with earlier date of birth shall be selected;

(iii) If the selection could not be made even after following the above process, the selection may be made by a draw of lots by the Commission.

(2) The following process shall be followed for preparation of the merit lists, for Class- III posts, with the names of successful candidates for recommendation to the respective departments:

(a) The individual marks obtained in the interview, as applicable, shall be

added to the marks obtained in the written examination, for the grand total to prepare merit lists.

- (b) Posts having higher Grade Pay shall be filled by candidates securing higher marks subject to filling up of posts meant for reserved category by the corresponding reserved category candidates.
- (c) Candidates within a particular Grade Pay shall be allotted departments by draw of lots by the respective Commissions
- (d) The Commission shall send this Final Merit List to the respective departments as recommendation for appointment against the vacant posts under the department as per requisition submitted by the department.
- (e) Places of posting after receipt of the merit lists shall be decided by the respective departments in a manner as per the policy of the concerned department.
- (f) The department, through the Appointing Authorities shall appoint the recommended candidates in order of merit as per the recommendation.

Appointment 15. (1) The appointment shall be made strictly in order of merit as per the merit list with due regard to the provisions of reservation for the Scheduled Tribes (Plains), Scheduled Tribes (Hills) and other Backward Classes/More other Backward Classes and other reserved categories as per the provisions of the relevant Act, Rules and

Government instructions. Any appointment made otherwise shall be void ab-initio.

- (2) The merit lists mentioned above shall remain valid for 12 months from the date of the recommendation by the Commission.
- (3) No person shall be eligible for appointment to the service: -
 - (a) unless he is a citizen of India;
 - (b) if he has more than one wife living or in case of a female candidate who has married a person who has one wife living:
Provided that the Government may, if it is satisfied that there are special grounds for doing so, exempt any person from the operation of this clause;
 - (c) in contravention of the provisions of the Assam Public Services (Application of Small Family Norms in Direct Recruitment) Rules, 2019;
 - (d) if he is otherwise found not suitable.
 - (e) if he attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the post.
- (4) A person appointed by direct recruitment shall be employed in such manner as the Appointing Authority may decide.
- (5) A person appointed by direct recruitment shall be liable to be posted anywhere within the State of Assam or outside Assam, or to any other department of the Government, a body corporate, in the affairs of which the Government may be

substantially interested, if so required in the interest of public service and in such case the person so appointed shall not have any option against such posting of or transfer.

Health,
character and
antecedents

16. (1) A candidate for direct recruitment shall be of sound health, both mentally and physically and free from organic defect or bodily infirmity, likely to interfere with the efficient performance of his duties and selected candidates shall have to submit medical fitness certificate as and when directed by the Appointing Authority.
- (2) A selected candidate shall have to submit a notarized affidavit regarding character and antecedents as per provision of the OM No. ABP.78/2021/01 Dated. 18-11-2021 in the format prescribed therein.

Service
conditions,
pay etc.

17. (1) Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of service, on appointment, shall be regulated by respective Service Rules, the general rules and/or orders of the Government, for the time being in force.
- (2) The conditions of service of the persons appointed under these rules, in respect of matters, for which no provision has been made in these rules, shall be the same, as are for the time being, applicable to other employees of the Government of the corresponding status and having similar functions by general orders, instructions or rules of the Government.

Reservation.

18. In all cases of appointment by direct recruitment, there shall be reservation in

case of candidates belonging to the members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, More Other Backward Classes, Ex-Service men, Persons with Benchmark Disabilities, Economically Weaker Sections, Women etc. as per provisions of respective Acts, Rules or General orders in this regard be in force for the time being.

Power of
Government

19. (1) Nothing contained in these rules shall limit or abridge the power of the Government to deal with the case of any person claiming appointment to a post under these rules in such manner as may appear to the Government to be just and suitable not inconsistent with the provisions of the Act.
- (2) Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may, dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary, not inconsistent with the provisions of the Act, for dealing with the case in a just and equitable manner:
Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided in these rules.
- (3) If any difficulty arises in giving effect to the provisions of these rules, the Governor may by an order in writing, issue directions, not inconsistent with the provisions of the Act, which appear to be necessary for the purpose of removing such difficulties.
- (4) If any question arises relating to the interpretation of these rules, it shall be

- referred to the Government in Personnel (B) Department, whose decision thereon shall be final.
- Overriding effect 20. The provisions of section 20 of the Act shall on other laws have overriding effect, notwithstanding anything inconsistent therewith contained in other state laws for the time being in force.
- Repeal and 21. The provisions for direct recruitment Savings incorporated in any rules or orders in respect of the Class III and Class IV posts, other than such posts which are excluded from the purview of the Act under section 3, are repealed by section 21 of the Act: Provided that:
- (a) any recruitment process, for which advertisement/s has been issued or, which is at any stage of recruitment shall be completed as per the existing provision under which advertisement/s was made;
 - (b) the other service conditions of all posts, whether or not listed under the Schedules of these rules, shall continue to be governed as per the existing provisions in the respective Rules or Orders where these are incorporated;
 - (c) the provisions of direct recruitment to posts which are listed in Schedule- I and Schedule- II of these rules, shall continue to be governed as per the existing provisions in the respective Rules or Orders where these are incorporated.

NIRAJ VERMA,

Principal Secretary to the Government of Assam,
Personnel Department.

Schedule- I

(See sub-rule 4 of Rule 3)

The following posts are excluded from the purview of the Act :

All posts/ categories of posts for which Recruitment is done through specially constituted Commissions/ Boards by Health and Family Welfare, Environment and Forest, Education and Home departments (Notification No ABP 13/2022/22 dated 5th March, 2022)

Name of Post	Eligibility Criteria	Name of Department/ Office	Notification Number
1	2	3	4
Posts requiring the eligibility criteria shown in column 2.	Bachelor's degree in Engineering, Certificate course in Textile, Diploma in Engineering, Diploma in Surveying, Draughtsmanship, ITI certificates/ diploma in different trades (other than in Computer for Jr. Assistant and similar posts and for Stenographer Grade- III), Master's degree in any discipline, RCC Training.	All Departments/ offices concerned having such posts	No ABP 13/2022/22 dated 5 th March, 2022
Audio Visual Operator, Compounder, Dresser, Engine boat driver, Laboratory Assistant, Laboratory Technician, Pharmacist, Tracer,	As per respective existing service rules	All concerned Departments/ offices	No ABP 13/2022/22 dated 5 th March, 2022
Physical Instructor, Coach	As per respective existing service rules	Sports and Youth Welfare Department,	No ABP 13/2022/22 dated 5 th March, 2022
Teachers and Instructors	As per respective existing service rules	Social Welfare Department.	No ABP 13/2022/22 dated 5 th March, 2022

Schedule- II

(See sub-rule 4 of Rule 3)

Class- IV

The following posts are excluded from the purview of the Act :

All posts/ categories of posts for which Recruitment is done through specially constituted Commissions/ Boards by Health and Family Welfare, Environment and Forest, Education and Home departments (Notificatin No ABP 13/2022/23 dated 5th March, 2022)

Name of Post	Eligibility Criteria	Name of Department/ Office	Notification Number
1	2	3	4
–	–	–	–

Schedule- III

(See sub-rule 2 of Rule 3)

Class- III

Name of Posts	Name of Department/ Office	Modified / Specified minimum educational qualification	Notification No.
1	2	3	4

Schedule- IV

(See sub-rule 2 of Rule 3)

Class-IV

Name of Posts	Name of Department/ Office	Modified / Specified minimum essential qualification	Notification No.
1	2	3	4