

The Nagaland Civil Service (Class I) Rules, 1967

NAGALAND

India

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Rule THE-NAGALAND-CIVIL-SERVICE-CLASS-I-RULES-1967 of 1967

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The Nagaland Civil Service (Class I) Rules, 1967Last Updated 15th February, 2020In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Nagaland in pleased to make the following rules regulating recruitment and the conditions of service of persons appointed to the Nagaland Civil Service (Class I).

1. Short title.

(a)These Rules may be called the Nagaland Civil Service (Class I) Rules, 1967.(b)They shall come into force from the date of this notification.

2. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context-(a)"Constitution" means the Constitution of India;(b)"Commission " means the Nagaland Public Service Commission;(c)"Committee" means a committee constituted in accordance with sub-rule (a) of Rule 6;(d)"Government" means the State Government of Nagaland;(e)"Governor" means the Governor of Nagaland;(f)"Member of the Service" means a member of the Nagaland Civil Service (Class 1) recruited to the Service either before or after the commencement of these Rules;(g)"Recommending authority" means the Head of the Department under whose department a person is serving for the time being;(h)"Service" means the Nagaland Civil Service (Class I);(i)"Year" means a calendar year;(j)"Gazette" means Nagaland Gazette; and(k)"Board" means a board constituted in accordance with sub-rule (2) of Rule 25.

3. Designation.

(a)The members of the Nagaland Civil Service (Class I) while holding the post in the junior grade shall be designated as Extra Assistant Commissioner, Block Development Officer in charge of Tribal

Block, Sub-Divisional Officer, Under-Secretary to the Government and such other designation which the Governor will decide from time to time of the posts, which shall be included in the Nagaland Civil Service (Class I) junior grade.(b)The members of the Nagaland Civil Service (Class I) while holding the post in the senior grade, shall be designated as Deputy Commissioner, Additional Deputy Commissioner, Director of a Department, Secretary, Joint Secretary and Deputy Secretary to the Government and such other designation, which the Governor will decide from time to time as the case may be, when the posts are not held by the officers belonging to IF AS/LAS cadre and which shall be included in the Nagaland Civil Service (Class I) senior grade.

4. Recruitment.

- Recruitment to the service after the commencement of these Rules, shall be by the following methods, namely:(a)by a competitive examination conducted by the Commission. In addition such vacancies, Government may reserve a certain percentage thereof to local tribal candidates as may be specified before the holding of examination;(b)by promotion of confirmed members of the Nagaland Civil Service (Class II); and(c)by selection in special cases from among persons other than members of the Nagaland Civil Service (Class II) serving under the Government of Nagaland:Provided that the number of persons recruited under Clause (a) shall not exceed 40% of the total number of vacancies to be filled in a year and that the persons recruited under Clause (b) shall not exceed 50% of the total number of vacancies to be filled in a year and persons recruited under Clause (c) shall not exceed 10% of the total number of vacancies to be filled in a year.

5. Recruitment by competitive examination.

(a)A competitive examination for recruitment to the service shall be held at such intervals as the Governor, in consultation with the Commission, from time to time, may determine.(b)The examination shall be conducted by the Commission in accordance with such rules and regulations as the Governor may, from time to time, make in consultation with the Commission.(c)The Commission shall prepare a list of all candidates who have qualified in the examination in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate, and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relative merit which shall be determined in accordance with the general suitability of the candidates to the service:Provided that in so preparing the list, the names of qualified tribal candidates shall first be shown against the vacancies reserved for them. The list shall be forwarded to the Governor and may also be published in the Gazette.(d)The inclusion of a candidate's name in the list of successful candidates published in the Gazette shall confer no right to appointment unless the Governor is satisfied after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment to the service.(e)The remaining list of successful candidates so published in the Gazette, but who could not be selected due to lack of vacancies, shall remain eligible for appointment against the subsequent vacancies for a further period of six months from the date of publication of such result.

6. Recruitment by promotion.

(a) There shall be a Selection Committee consisting of the following, namely: (1) Chairman, Nagaland Public Service Commission or, a Member of the Nagaland Public Service Commission nominated by the Chairman-Chairman. (2) Chief Secretary to the Government-Member. (3) The Commissioner, Nagaland-Member. (4) The Development Commissioner, Nagaland-Member. (5) The Secretary to the Government of Nagaland, Home Department-Member. (b) The Governor shall call upon the Committee to select, from amongst the confirmed members of the Nagaland Civil Service (Class II) who on the first day of the January of that year had completed not less than 7 years of service in Nagaland Civil Service (Class II), persons considered suitable for promotion to the service indicating the number of vacancies to be filled by such promotion and shall simultaneously forward to the Committee the character rolls, personal files and other relevant papers of eligible members of that service. (c) The selection shall be based on merit and suitability with due regard to seniority and the following aspects of a candidates, namely: (1) personality and character; (2) tact, energy and general intelligence; (3) integrity; (4) previous record of service; (d) The Committee shall prepare a list of such persons in order of preference, as far as practicable equal to double the number of vacancies to be filled up by promotion. In every case, where junior member of the Nagaland Civil Service (Class II) is selected in preference to his senior in that Service, the Committee shall record in writing the reasons for such supersession.

7. Recruitment by selection.

(1) The Governor may, from time to time, for the purpose of recruitment to the service under Cl (c) of Rule 4, call upon the Recommending Authorities to submit recommendations in respect of persons who, - (a) are of outstanding merit and ability; (b) have completed not less than seven years' continuous service under the Government in a post involving duties comparable in importance and responsibility of that of the Nagaland Civil Service (Class I) or Nagaland Civil Service (Class II); (c) possess the academic and other qualifications except that of age referred to in Rule 10 necessary for a candidate to appear at a competitive examination. (2) The Governor shall refer the case of persons recommended under sub-rule (1) to the Committee. The Committee shall on initial scrutiny of the recommendations and the Character Rolls, call such persons, as it may consider prima facie suitable for interview and prepare a list of selected candidates as far as practicable equal to double the number of vacancies for recruitment by selection in order of preference with a note against each candidate: Provided that no person shall be recommended under sub-rule (1) nor shall the Committee select any such person unless the recommending authority and the Committee, as the case may be, has taken into consideration the requirements of sub-rule (c) of Rule 6.

8. Preparation of a combined list for recruitment by promotion and by selection.

(1) The Committee shall consolidate the list prepared under sub-rule (d) of Rule 6 and under sub-rule (2) of Rule 7 in order of preference. (2) On receipt of the list as aforesaid, the Governor shall forward the same to the Commission together with the character rolls and other relevant

papers.(3)The Commission shall consider the list prepared by the Committee along with other documents received from the Governor or on receipt of the other documents as may be called for by the Commission, and unless it considers any change necessary, approve the list.(4)If the Commission considers it necessary to make any changes in the list received from the Governor, the Commission shall inform the Governor of the changes proposed and after taking into account the comments, if any, of the Governor, may approve the list finally with such modifications, if any, as may, in its opinion, be just and proper.(5)The list as finally approved by the Commission shall be forwarded to the Governor along with all the papers received under sub-rule (2) and sub-rule (3), if any.

9. Strength of the service.

(1)The strength of the service and nature of posts therein shall be as determined by the Governor from time to time.(2)On the commencement of these Rules, the strength of the service and the nature of posts therein shall be as given in Schedule I.Qualification for Recruitment by Competitive Examination

10. Age.

- The candidates shall belong to the age group of 21-25 years on the first day of January of the year in which the competitive examination is held. The age limit can be relaxed by five years in the case of candidates belonging to the local Scheduled Tribes and local Scheduled Castes in accordance with the general order issued from time to time by the Governor.

11. Academic qualifications.

- A candidate shall hold a degree in Arts. Science or Commerce of the Universities (mentioned in Schedule II) recognised by the Government of Nagaland.

12. Character.

- A candidate shall produce to the Commission certificates of good character in the manner prescribed under sub-rule (b) of Rule 5 from-(a)the Principal Academic Officer of the University or College in which he last studied, and(b)two Gazetted Officers/Members of Legislative Assembly/Members of Parliament (non related to the candidate) who. are will acquainted with him.

13. Physical fitnesssc.

(1)A candidate shall be of sound health, bothmentally and physically, and shall be free from organic defects or bodily infirmity likely to interfere with the efficient performance of his duties.(2)A candidate shall be required to undergo a medical examination under a Medical Board approved by the Government before final approval for appointment to the service in accordance with the rules framed under sub-rule (b) of Rule 5.

14. Disqualification for appointment.

(1) No person shall be qualified for appointment for the service unless he is a citizen of India. (2) No person who has more than one wife living shall be eligible for appointment to the service: Provided that the Governor may, if he is satisfied that there are special grounds or doing so, exempt any person from the operation of this sub-rule. (3) No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral, shall be appointed to the service.

15. Appointment to the service.

(1) All appointments to the service shall be made by the Governor and shall be notified in the official Gazette. (2) A person shall join within 30 days from the date of issue of the order of appointment in case of direct recruits failing which and unless the Governor extends the period, which shall not exceed two months, the appointment shall be cancelled. (3) Subject to the provisions of sub-rules, (c) and (d) of Rule 5 appointment under Clause (a) of Rule 4 shall be made in the order the names appear in the list prepared and forwarded by the Commission. (4) Appointments under Clause (b) and (c) of Rule 4 shall be made in the order the names appear in the list prepared by the Committee under Rule 8 and approved by the Commission.

16. Probation.

(1) All persons recruited direct to the service shall be on probation for a period of two years; provided that a member of the Nagaland Civil Service (Class II), so recruited who has already successfully undergone such training and passed all the Department Examination as prescribed for the service shall be substantively appointed to the service; Provided that a member of the Nagaland Civil Service (Class II) recruited to the service who has not passed the Department Examinations completely and successfully and such training prescribed for the service shall be on probation up to the date of his passing Departmental Examinations completely and successfully undergoing the said training or for two years, whichever is earlier; Provided further that the period of probation may, for good and sufficient reasons, be extended by the Governor in individual cases by a period not exceeding two years. (2) Every probationer shall during the period of probation successfully undergo such other training as the Governor may, from time to time, prescribe and shall appear at and pass the Departmental Examinations conducted by the Commissioner.

17. Discharge of a probationer.

- A probationer shall be liable to be discharged from the service. -(a) if he fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfaction, during of at the end of the period of probation; or (b) if he fails to pass the Department Examinations unless the Governor permits him to sit for re-examination in the subject or subjects in which he failed; or (c) if on any information received relating to his nationality, age, health, character and antecedents, the Governor is satisfied that the probationer is ineligible or otherwise unfit for being a member of the

service; or(d)if he fails to comply with any of the provisions of these Rules.

18. Confirmation.

- Where a probationer has completed his period of probation to the satisfaction of the Governor, he shall be confirmed in the service if-(a)He has passed the Departmental Examinations completely and has successfully undergone the prescribed training.(b)He is considered otherwise fit for confirmation by the Governor:Provided that where a probationer is not given an opportunity for undergoing the prescribed training during the period of probation, his confirmation shall not be held up for reasons of not successfully undergoing such training; but such a probationer shall, when called upon by the Governor and opportunity given, successfully undergo the said training failing which he shall be liable to removal from service unless the Governor allows him other chances.(c)A member of the Nagaland Civil Service (Class I) who has rendered 15 completed years of continuous service in the Ngaland Civil Service (Class II) and (Class I) cadre or continuous gazetted post in other service of the equivalent status and who has already been holding the senior grade time scale of the service before these Rules came into force, shall be deemed to have been confirmed against such senior grade in the cadre.(d)The officers appointed to the Ngaland Civil Service (Class I) before these Rules came into force shall be confirmed or crossing the first stage of the efficiency bar in their respective grades; but they will be required to appear in such prescribed departmental examinations and training before they are allowed to cross the second stage of the efficiency bar in the same grade. This departmental examination shall not apply to those officers promoted to the senior grade of the Nagaland Civil Service (Class I).(e)No member of the service other than those governed by Clause (c) and (d) of Rule 18 shall be confirmed in any grade of the service unless the member successfully passes such departmental examination conducted in any of the Naga languages approved by the Government for this purpose. The member of the service shall not be entitled to his usual increment in time scale of pay of his grade vide Rule 23 (3) if he fails to pass in the departmental examination conducted in any of the Naga languages approved for the purpose except under Rule 23 (1).

19. Seniority.

(1)The seniority of members of the service shall be determined according to the order of merit in the list prepared under sub-rule (c) of Rule 5 in the case of direct recruits or approved under Rule 8 if the members join their appointments within 30 days from the date of issue of the order of appointment. Thereafter, the seniority shall be determined in accordance with the date of joining irrespective of merit list:Provided that in case a serving member under the Government of Nagaland is prevented from joining within the said period of 30 days by circumstances of a public nature or reasons beyond his control, the Governor may extend it for a reasonable period of time depending on the circumstances of public nature.(2)Members of the service recruited in a year under Clause (b) of Rule 4 shall be senior to members recruited in the same year and in the same batch under Clause (a) and (c) of Rule 4.(3)If the confirmation of a member of the service is delayed beyond two years of probation on account of his failure to qualify or such confirmation, he shall lose his position in the order of seniority vis-a-vis such of his juniors as may be confirmed earlier than he. His original position shall, however, be restored on his confirmation subsequently in the same grade only. Pay, Increments, ETC.

20. Time scale of pay.

(1)The time scales of pay admissible to a member of the service shall be as follows:(2)(a)Senior Grade: Rs. 1100-60-1280-(EB)-60-1400 per month.This grade will include all posts of Deputy Commissioner, Additional Deputy Commissioner, Secretary, Joint Secretary and Deputy Secretary to the Government when not held by officers belonging to IF AS/IAS cadre.(b)Junior Grade : Rs. 385-30-505-(EB)-35-855-(EB)-35- 1100 per month.This grade will include the posts of Extra Assistant Commissioner, Sub-Divisional Officer and Under-Secretary to the Government when not held by officers belonging to IFAS/LAS cadre. Officers of this grade of the Nagaland Civil Service may hold posts of Block Development Officer (Extra Assistant Commissioner grade). On appointment to such posts, they will continue to draw pay of the grade in the same cadre.

21. Special pay.

- The officers belonging to the Nagaland Civil Service (Class I) when appointed against any of the following posts will be eligible to the following special pay per mensem as indicated below against each post. The Government may grant a special pay for any other such posts as may from time to time, be determined by him:

(a) Deputy Commissioner	Rs. 200
(b) Additional Deputy Commissioner	Rs. 100
(c) Secretary to Government	Rs. 250
(d) Joint Secretary to Government	Rs. 150
(e) Deputy Secretary to the Government	Rs. 100
(f) Under-Secretary to the Government	Rs. 200
(g) Sub-Divisional Officer	Rs. 200

22. Fixation of initial pay in the time scale.

(1)On first appointment to the service, the initial pay of a member of the service, shall be fixed at the minimum of the junior grade time scale unless under the Central Fundamental Rules and Central Subsidiary Rules or under any other rules governing the fixation of pay, for the time being in force, he is entitled to his pay fixed at the higher stage at that time scale.(2)On promotion to the senior grade time scale, the initial pay shall be fixed in accordance with the Central Fundamental Rules and Central Subsidiary Rules or in any other rules for the time being in force.

23. Increments.

(1)The first increment admissible to a member of the service in the junior grade time scale shall accrue on the expiry of one year from the date of his joining the service and he shall be admissible to the second increment; but the third increment due shall be admissible only on his confirmation in the service.(2)The pay of a member of the service on confirmation shall be fixed at such stage in the junior grade time scale as if he has been allowed his usual increment due; but he shall not be

entitled to any arrear of pay on account of withholding of the due increment for the period prior to the date of his confirmation.(3)The Governor may withhold, for such time as he may direct, an increment or increments due to a substantive member of the service who has failed to pass the Departmental Examination or Examinations within such time as the Governor may, by general or special order, prescribe; but the withholding of such increment will have no cumulative effect.

24. Crossing the Efficiency Bar.

- A member of the service shall not be allowed to cross the first or the second stage of efficiency bar in the junior grade time scale and the efficiency bar in the senior grade time scale unless the Governor is satisfied about his ability and integrity.

25. Promotion to senior grade time scale.

(1)A member of the service in the junior grade time scale shall be eligible for promotion to the senior grade time scale. But no member of the service shall be promoted unless he has served in the junior grade time scale for a minimum period of seven years and the Governor is satisfied with his ability, integrity and character Selection to the senior grade time scale shall be made only from the confirmed members of the junior grade of the same service.(2)The appointment to the senior grade time scale shall be made by the Governor from a list of suitable members of the service, as prepared from time to time and reviewed as and when necessary, by the Selection Board consisting of the following namely,-(a)Chairman, Nagaland Public Service Commission or Member of the Nagaland Public Service Commission-Chairman(b)Chief Secretary to the Government-Member(c)The Commissioner, Nagaland-Member

26. Seniority in senior grade.

- The seniority of members of the service promoted to the senior grade time scale shall be in the order in which their names are arranged by the Selection Board under sub-rule (2) of Rule 25 for the purpose of promotion to that grade.

27. Power of the Governor to dispense with or relax any rule.

- Where the Governor is satisfied that the operation of any of these Rules causes undue hardship in any particular case, it may be ordered to dispense with or relax the requirement of that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner. And that no injustice shall be done to any member of the service under this rule:Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided by any of these Rules.

28. Miscellaneous provisions.

- Except as provided in these Rules, all matters relating to pay, allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules framed under Art. 309 of the Constitution or continued to be in force under Art. 372 of the Constitution governing such matters.

29. Interpretation.

- If any question arises relating to the interpretation of these Rules, it shall be referred to the Government whose decision thereon shall be final.

30. Validation of past actions.

- All orders made or action taken prior to the commencement of these Rules in respect of matters for which there was no specific provision in the Rules shall be deemed to have been validly made or taken.

I

[Rule 9(2)]

(1) Senior Grade	11
This grade will include those posts of Deputy Commissioner, Additional Deputy Commissioner, Secretary, Joint Secretary and Deputy Secretary to the Government when not held by officers belonging to IFAS/IAS cadre, and other equivalent posts which may be determined from time to time by the Governor.	
(2) Junior Grade	50
This grade will include all posts of Extra Assistant Commissioner, Sub-Divisional Officer and Under-Secretary to the Government when not held by officers belonging to IFAS/IAS cadre. Officers of this grade of Nagaland Civil Service may hold posts of Block Development Officers (EAC Grade). On appointment to such posts, they will continue to draw pay of the grade in the same cadre.	
(3) Deputation reserve at 10 per cent	6
(4) Leave reserve at 10 per cent	6
(5) Training reserve at 10 per cent	6
Grand Total	79

II

[Rule 11] List of Universities approved by the Government of Nagaland Indian Universities Any University incorporated by an Act of the Central or State Legislature in India. English and Welsh Universities The Universities of Birmingham, Bristol, Cambridge, Durham, Leeds, Liverpool,

London, Manchester, Oxford, Reading, Sheffield and Wales. Scottish Universities The Universities of Aberdeen, Edinburgh, Glasgow and St. Andrews, Irish Universities The University of Dublin (Trinity College). The National University of Dublin. The Queen's University, Belfast. Universities of Pakistan The University of Punjab The Dacca University. (It is now under Bangladesh). The University of Sind. Universities of America The University of Harvard. The University of Yale. The University of Columbia. The University of Michigan.