

Meghalaya Health Service Rules, 1982

MEGHALAYA

India

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Meghalaya Health Service Rules, 1982Published vide Notification No. Health 184/76/89Last Updated 19th February, 2020Notification No. Health 184/76/89. - In exercise of the powers conferred under the the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to regulate the appointment and other conditions of service of the members of the Meghalaya Health Service.

1. Title and commencement.

(1)These rules may be called the Meghalaya Health Service Rules, 1982.(2)They shall come into force from the date of notification in the official Gazette.

2. Definitions.

- In these rules unless there is anything repugnant to the subject context-(a)'Appointing Authority' means the Governor of Meghalaya.(b)'Committee' means the Departmental Promotion Committee constituted under Rule 8.(c)'Commission' means the Meghalaya Public Service Commission.(d)'Constitution' means the Constitution of India.(e)'Government' means then Government of Meghalaya.(f)'Governor' means the Governor of Meghalaya.(g)'Member of the Service' means a Member of the Meghalaya Health Service.(h)'Schedule' means a schedule appointed to these rules.(i)'University' means the University established by an Act of the Central or State Legislature of India and includes any other Universities recognised by the Indian Medical Council subject to such limitations or conditions as may be deemed necessary.(j)'Service' means the Meghalaya Health Service.(k)'Year' means a calendar year.

3. Constitution of the service and status of the members.

(1)The service shall consist of the following persons, namely :(a)Members of the Assam Health Service who are allocated to the State of Meghalaya in accordance with the provisions of Section 64

(1) of the North Eastern Areas (Re- organisation) Act, 1971.(b)Persons appointed to different posts in the service by the Government of Meghalaya on the recommendation of the Assam Public Service Commission prior to 21st January, 1972.(c)Persons appointed to different posts in the service on the recommendation of the Meghalaya Public Service Commission before the commencement of the rules.(d)Persons appointed to the service in accordance with the provisions of the rules.(e)Persons serving in connection with the affairs of other State Governments or Central Government and who have been brought on deputation on or before 1st December, 1975 and who have been permanently absorbed under the Government of Meghalaya before the commencement of these rules.(2)Status of the members of the service. - All members of the service shall be of Gazetted status. Members of the service holding posts in the Grade II and above shall be of Class I Officers and those holding posts in the Grade III shall be of Class II Officers.

4. Composition of the service.

(1)The service shall comprise of grades and posts as listed in Scheduled I.(2)Each of the categories of posts as listed in Scheduled I shall form an independent grade. Members of the lower grade shall have no claim for appointment to any of the higher grade except in accordance with the provisions made in these rules.

5. Strength of service.

(1)The strength and composition on each grade of the service shall be such as may be determined by the Governor from time to time.(2)At the commencement of these rules the strength in each grade of the service shall be as shown in Schedule I.

6. Appointment and promotions.

(1)Appointment to any post in the Grade III of the service shall be made by direct recruitment conducted by the Meghalaya Public Service Commission.(2)Appointment to any post in the Grade II and Grade I of the service shall be made by promotion from among the members belonging respectively to Grade III and Grade II and included in the select list approved under sub-Rule (4) of Rule 10 ;Provided that for the post of Specialist, Post-graduate degree/diploma holders and training/experience in the line as prescribed in Schedule II will get preference over those who do not possess requisite qualification and experience notwithstanding their seniority.(3)Appointment to any post in the senior grade of the service shall be made by promotion from amongst the members holding the next lower posts in that grade and those belonging to the Grade I and included in the select list approved under sub-Rule (4) of Rule 10 :Provided that no member shall be eligible for consideration for promotion under sub-Rules (2) and (3) unless he has completed not less than three years of continuous service in that grade and possess the qualifications specified in Schedule II;Provided further that the Governor may, for good and sufficient reasons to be recorded in writing, relax the requirement of this rule in the cases of the members of the service borne in the Grade III for promotion to post of Specialists in the Grade II;Provided still further that if the Committee cannot recommend any members for such promotion the Government may refer the matter to the Commission for recommending names for appointment by direct recruitment.(4)Notwithstanding

anything contained in sub-Rules (1) and (2) above appointment to any of the posts in any grade of the service may also in exceptional cases, be made by absorption of tribal employees of other State Government or Central Government who have been brought on deputation to the Government of Meghalaya on or before 31st December, 1975 and have been serving continuously under the Government of Meghalaya till the date they are considered for such absorption.

7. Direct recruitment.

(1) Direct recruitment shall be made in accordance with the procedures hereinafter provided. (2) A candidate for direct recruitment to any of the posts of the service should possess the qualifications experience and other conditions as specified in Schedule II. (3) The Governor, in consultation with the Commission from time to time, may make appointment to the service by direct recruitment. (4) On the number of vacancies to be filled, up there shall be reservation in favour of candidates belonging to Scheduled Cast and Scheduled Tribes to the extent and subject to the conditions as the Government may, from time to time prescribe. (5) The Commission shall prepare a list of all the candidate who have qualified in order of merit in accordance with the general suitability of the candidate for appointment to the service. The list shall be forwarded to the Government. (6) The inclusion of candidate's name in the list confers no right to appointment unless the Governor is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the service.

8. The Departmental Promotion Committee.

(1) For the purpose of promotion to any grade in the service there shall be Department Promotion Committee consisting of the following members namely : Chairman-(a) The Chief Secretary to the Government of Meghalaya. Member-Secretary-(b) The Special Secretary/Secretary in the Health and Family Welfare Department. Members-(c) The special Secretary/Secretary in the Personnel Department. (d) The Special/Secretary in the Finance Department. (e) The Director of Health Services, Meghalaya. (2) If necessary, the Government may co-opt in expert as member of the Committee.

9. Occurrence of vacancy.

(1) At the beginning of each year the Government shall refer to the Committee the approximate number of vacancies likely to occur in each grade (excepting Grade III) of the services during that year and to enable the Committee to prepare the select lists for promotion to those grades furnish it with the following documents namely : (a) for vacancies in the Grade I or Grade II, a list of members respectively Grade II or Grade III of the service drawn up in the order of seniority; (b) for any vacancy in the senior grade, a list of members holding lower posts in that grade and also of those belonging to Grade I of the service drawn up in the order of their seniority ; (c) the Character Rolls and Service Records of such members ; and (d) any other documents and information as may be considered necessary by the Government or required by the Committee. (2) The names to be furnished under Rule (1) shall, as far as possible, be approximately five times the number of vacancies likely to occur. (3) The Committee after examining the Character Rolls, Service Records

and the other documents in respect of all such persons shall prepare a select list based on individual merit and suitability with due regard to seniority.(4)The names of the persons in the select lists shall be placed in the order of preference for promotion. In every case where a junior member is select in preference to his seniors the Committee shall record in writing the reasons for doing so.

10. Consultation with the Commission.

(1)The Governor shall forward the select lists prepared under Rule 9 to the Commission along with the Character Rolls, Service Records and other relevant documents in respect of each person in the lists.(2)The Commission shall consider the lists and documents referred to in sub-Rule (1) and such other documents as it may call for, and unless it considers that any change is necessary, approve the select lists.(3)If the Commission considers it necessary to make changes in the select list as received from the Governor it shall inform him of the changes proposed and after taking into account the comments, if any, of the Governor, may approve the said lists finally with or without modifications as may, in its opinion and proper.(4)The lists as approved by the Commission either under sub-Rule (2) or sub-Rule (3) shall be the final select lists for the purpose of promotion under these rules.

11. Validity of select list.

(1)The select lists shall ordinarily be in force until it is reviewed or revised ;Provided that in the event of any grave lapse in the conduct or performance of duties on the part of any person in the select list, the Governor may, if he thinks fit, remove the name of such person from the select lists in consultation with the Commission.(2)The Committee shall meet once a year to review the select lists.

12. Appointment to the service.

(1)Appointment whether by direct recruitment or by promotion, to any post in the service shall be made by the Governor and shall be published in the official Gazette.(2)A person shall join with 15 days from the date of receipt of the order appointment failing which, and unless the Governor extends the period which shall not in any case exceed months, the appointment shall be cancelled.(3)Subject to the provisions of sub-Rules (4) and (6) of Rule 7 and the proviso to sub-Rule (1) of Rule 11, appointment shall be made from time to time in the order the names of the candidates appear in the lists referred to in sub-Rule (5) Rule 7 and sub- Rule (4) of Rule 10.

13. Training.

- A member of the services be required to undergo such training and pass such departmental examinations as may be prescribed from time to time.

14. Discharge or reversion.

- A temporary or officiating member shall be liable to be discharged or reverted to a lower post in the service if-(a)he fails to make profitable use of the opportunity given during any training or to render satisfactory service Government; or(b)it is found on subsequent verification that he was initially not qualified for appointment in the service or that he had furnished any false or incorrect information with regard to his appointment.

15. Seniority.

(1)The inter se seniority in any grade of the service of the members who belonged originally to and appointed by the Government of Assam before 21st January, 1972 and who were allocated or may be allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North-Eastern Areas (Re-organisation) Act, 1971 in the respective grade shall be as it was in the corresponding grade under the Government of Assam prior to their allocation to the State of Meghalaya.(2)Notwithstanding anything contained in sub-Rule (1) the inter se seniority in any grade of the service of persons appointed by the Government of Meghalaya on the recommendation of the Assam Public Service Commission during the period between 2nd April, 1970 and 20th January, 1972 (both days inclusive), vis-a-vis those appointed by the Government of Assam under the same recommendation shall be determined according to the dates the persons joined the posts.(3)The inter se seniority of members appointed either by direct recruitment or by promotion on or after 21st January, 1972 shall be in the order their names appear in the list prepared by the Commission under sub-Rule (5) of Rule 7 in the Select List approved under Rule 10 or any other list recommended by the Commission for the purpose of such appointment and such members shall be junior to the members mentioned in sub-rules (1) and (2) in respective grades.(4)The seniority in any grade of the persons brought from the Central Government or from any other State Government on deputation and sub-sequently absorbed permanently under the Government of Meghalaya before or after the commencement of these rules shall be determined with effect from the date such persons started serving continuously in that grade as a deputationist and will rank Junior to the junior-most person in position in that particular grade at the particular time :Provided that the inter se seniority of the officers brought from the Central Government or from other Governments on deputation amongst themselves shall be as it was under those Governments.(5)In any grade a member of the service appointed by promotion shall be senior to a member appointed by direct recruitment where both the appointments fall in the same year.(6)If the confirmation of any member of the service in any grade is delayed on account of his failure to qualify for such confirmation he shall lose his seniority vis-a-vis such of his junior who have been confirmed earlier than him. His original position shall, however, be restored on his confirmation subsequently.

16. Probation and confirmation.

- Subject to availability of a permanent post in any grade a member appointed on or after the commencement of these rules shall be placed, according to seniority, on probation for a period of two years before he is confirmed in that post:Provided that the period of probation may, for good and sufficient reasons be extended by the Governor for any further period not exceeding two years

;Provided further that in the case of any member of the service who could not be placed on probation for want of a permanent post and in the case of any other member appointed or promoted before the commencement of these rules any period during which he has been continuously officiating in a post falling in the same grade may, having regard to his performance in such post, be counted towards the period of probation.

17. Gradation list.

- There shall be prepared and published every year a gradation list consisting of the names of all members of the service grade-wise and drawn up in the order of seniority, and particulars relating to date of birth and appointment and such other details relevant to the service career shall also be indicated against each name.

18. Time scale of pay.

- The time scale of pay admissible to the members of the service shall be as shown in the Schedule III subject to revision by the Government from time to time.

19. Fixation of initial pay in the time scale.

(1)Except as otherwise admissible under the Fundamental Rules or under special order of the Government on first appointment the initial pay of any member of the service shall be fixed at the minimum of the time scale.(2)The pay of the members of the service absorbed from other States or Central Government shall be fixed in the respective scales of pay under normal rules unless the Government otherwise direct.(3)On promotion from one grade or post to another in the service the pay shall be fixed in accordance with the rules, for the time being in force.

20. Increment.

- The first increment admissible to a member in the time scale of pay in the respective grade shall accrue on the expiry of 1 (one) year from the date of his/her joining the service and the date of subsequent increments shall be regulated in accordance with the date exiting rules/orders in force.

21. Other conditions of service.

- All matters relating to allowances, increments, leave, pension, discipline and other conditions of service shall be governed by the general rules and orders made by the Government from time to time.

22. Power of the Governor to dispense with or relax any rules.

- Where the Governor is satisfied that the operation of any of the provisions of these rules causes undue hardship it may in any particular se dispense with or relax the requirement of the rules to

such extent and subject to such conditions as it may consider necessary 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 than that provided under these rules.

23. Interpretation.

- If any question arises relating to the interpretation of these rules the decision of the Government in the Health and Family Welfare Department shall be final.

24. Repeal and savings.

- All rules, orders or Notification corresponding to and in force immediately before commencement of these rules are hereby repealed :Provided that all orders made or action taken under the rules, orders or Notifications so repealed or any action pursuant thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

I

[Rules 4 (1) and 5 (2)]Composition and strength of the Service

1. Senior Grade Post	No of posts
Director of Health Service	1
Director of Pasteur Institute	1
Additional Director of Health Services	1
Joint Director of Health Services/Consultant	3
	6
2. Grade I	No. of posts
Deputy Director of Health Services/Senior Specialists	8
Deputy Director of Pasteur Institute	1
District Medical and Health Officers	5
Additional District Medical and Health Officers	4
Superintendent of Hospitals	3
Additional Superintendent of Hospital	1
Principal, Regional Family Welfare Training Centre	1
	23
3. Grade II	
Sub-divisional Medical and Health Officers	5
Specialists (General-cum-Plastic Surgery)	1
Specialists (Surgery)	3
Specialists (Medicine)	4

Specialists (Obstetrics and Gynaecology)	5
Specialists (Ophthalmology)	2
Specialists (Radiology)	1
Specialists (Psychiatry)	1
Specialists (E.N.T.)	1
Specialists (Pathology)	1
Zonal Leprosy Officer	1
Medical Lecturer-cum-Demonstrator	1
District Tuberculosis Officers	1
Assistant Director of Pasteur Institute	1
	28
4. Grade III	
Medical and Health Officers	182
5. Total	239
6. Leave Reserve at 5 per cent of 5 above	12
7. Training Reserve at 10 per cent of 5 above	24
8. Deputation Reserve at 2.5 per cent of 5 above	6
9. Total authorised strength	281

II

Serial No.	Post held	Qualification	Lower age limit	Upper age limit	Experience	Preference, research works and papers
1.	Director of Health Service	Post-Graduate Degree	40 years	50 years	At least 16 years' practical and administrative experience in large health programme and hospital administration and in the field of public health organisation	Preference to candidates with original research works and papers credited to and published in their names
2.	Director of Pasteur Institute	Post-Graduate Degree in Pathology or Bacteriology or Microbiology	Do	Do	At least 12 years' standing experience in the profession with extensive practical and	Do

					administrative experience in the field of Medical Research, Medical Education or Health Organisation	
3.	Additional Director	M.B.B.S.	Do	Do	Do	Do
4.	Joint Director of Health Services (Genl.)	M.B.B.S.	Do	Do	Do	Do
5.	Joint Director of Health Services (MCH and FW)	M.B.B.S. with Post-Graduate Degree/Diploma in Public Health and Maternal and Child Health and trained under F.W. and M C . H. programme	40 years	50 years	At least 12 year's standing experience in the profession with extensive practical and administrative experience in the field of Medical Research, Medical Education or Public Health Organisation	Preference to candidates with original research works and papers credited to and published in their names
6.	Consultant	Post-Graduate Degree in the profession relevant to the post	Do	Do	Do	Do
7.	Deputy Director of Pasteur Institute	Post-Graduate Degree in Pathology or Bacteriology or microbiology	35 years	45 years	At least 6 years' standing experience in the profession with extensive practical and administrative experience in the field of Medical Research, Medical Education or Public Health Organisation	Do
8.		M.B.B.S.	Do	Do	Do	Do

	Deputy Director/ District Medical and Health Officer/ Addl. District Medical and Health Officer					
9.	Superintendents/ Additional Superintendents of Hospitals/Senior Specialists	Post-Graduate Degree in the profession relevant to the post	Do	Do	At least 6 years' practical administrative experience in large health programme and hospital administration	Preference to candidates with original research works and papers credited to and published in their names.
10.	Principal, Regional Health and Family Welfare Training Centre	M.B.B.S. with Post-Graduate qualification in DPH/MPH/Dr.PH/Ph. D. in public health/ D MCW/DGO/ MD (Preventive and Social Medicine)	45 years	50 years	Experience in Public Health Administrative and Family Welfare Administration and teaching for a period of at least 10 years	Preference to candidates with teaching experience.
11.	Sub-District Medical and Health Officer	M.B.B.S.	35 years	45 years	At least 4 years' practical and administrative experience in large health programme and hospital administration	Preference to candidates with original research works and papers credited to and published their names.
12.	Specialists	Post-Graduate Degree/Diploma the profession relevant to the post	Do	Do	At least 4 years' practical and administrative experience in large health programme and hospital administrative for Post-Graduate Degree holder and at least 8 years,	Do

				experience for Post-Graduate Diploma holder after graduation	
				29 years relaxable to 35 years for P.G.D. holder	Preference will be given to candidates in the following order: (i) P.G. Degree (ii) Practical administrative and professional experience. (iii) Published research works and papers.
13.	Medical and Health Officer	M.B.B.S.	23 years		

Conditions: - (i) A candidate must be citizen of India. (ii) No person shall be eligible for appointment to the service if he/she has more than one wife/husband living unless exempted by the Government on special grounds. (iii) Canvassing in any form shall be construed as disqualification. Note. - The age limits as prescribed above shall be relaxed in case of candidate belonging to Scheduled Castes, Scheduled Tribes or any other category as laid down by order of Government from time to time.

III

[Rule 18] The scale of pay for the respective grades will be shown below :

1. Senior Grade

Director of Health Services (Rs. 1,800-85-2,14-)-EB-90-2,500) Director of Pasteur Institute (Rs. 1,600-75-1,900-EB-80-2,300) Additional Director of Health Services (Rs. 1,600-75-1,900-EB-80-2,300) Joint Director of Health Services/Consultant (Rs. 1,400-65-1,725-EB-75-2,100)

2. Grade I

(Rs. 1,200-60-1,620-EB-70-1,900)

3. Grade II

(Rs. 1,000-55-1,330-EB-70-1,750)

4. Grade III

(Rs. 700-40-900-EB-40-1,100-EB-45-1,550)