

Manipur Finance Service Rules, 1979

MANIPUR

India

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Rule MANIPUR-FINANCE-SERVICE-RULES-1979 of 1979

- Published on 3 July 1979
- Commenced on 3 July 1979
- [This is the version of this document from 3 July 1979.]
- [Note: The original publication document is not available and this content could not be verified.]

Manipur Finance Service Rules, 1979Published vide Notification No. 1/21/73-S/DP, dated 3-7-1979, in the Manipur Gazette, Extraordinary No. 122, dated 21-7-1979Last Updated 7th February, 2020

Part I – General

1. Short title and commencement.

- These Rules may be called the Manipur Finance Service Rules, 1979.They shall come into force from the date of notification in the official Gazette of Manipur.

2. Definitions.

- In these Rules, unless the context otherwise requires:(a)"Government" means the State Government of Manipur;(b)"Governor" means the Governor of Manipur;(c)"Commission" means the Manipur Public Service Commission;(d)"Committee" means the Selection Committee constituted under Rule 14;(e)"Constitution" means the Constitution of India;(f)"Service" means the Manipur Finance Service;(g)"Member of the Service" means the person appointed in a substantive capacity to either grades of the service and includes a person appointed on probation to Grade II of the Service;(h)"Scheduled Castes and Scheduled Tribes" means the community declared under Article 341 or 342 of the Constitution as the case may be;(i)"Duty post" means any post specified in Schedule I and includes a temporary post carrying the same designation as any of the posts specified in that Schedule and the scale of pay of which is identical to that attached to any of the two grades of the service and also any other temporary post carrying duties and responsibilities of like nature which is declared as the duty post by the Governor;(j)"Year" means a calendar year;(k)"Schedule" means a Schedule appended to these Rules.

3. Constitution of service and its classification.

(1) There shall be constituted a Finance and Accounts Service to be known as the Manipur Finance Service. (2) The Service shall have two grades, namely : (a) Grade I (Selection Grade); and (b) Grade II. (3) The posts in Grade I shall be Class I gazetted and the posts in Grade II shall be Class II gazetted.

Part II – Authorised Strength

4. Strength of the Service.

- (i) The authorised permanent strength of the service and the posts included therein shall be as specified in Schedule I; provided that the Governor may hold in abeyance any post or posts as and when considered necessary. (ii) The number of Section Grade posts in the service shall be 10 per cent of the authorised permanent strength of the service. (iii) The Governor may, subject to such conditions and limitations as may be prescribed by Regulation under Rule 31, create duty posts for such period as may be specified therein.

5. Method of recruitment.

(1) Save as provided in Rule 6 appointment to the Grade II of the service shall be made by the following methods, namely : (a) 50% of the substantive vacancies which occur from time to time in the service in Grade II shall be filled by direct recruitment in the manner specified in Part V of these Rules; and (b) The remaining 50% of such vacancies be filled by promotion in the manner specified in Part VI of these rules from amongst- (i) Officers who were considered for appointment to the service at its initial constitution but not appointed thereto under Rule 6 and who, at the commencement of the rules, hold substantively any posts in the Schedule 1 as it stood at such commencement and continued to hold any duty post. (ii) Officers who, having held any of the posts in Schedule II in a regular capacity for not less than the period mentioned against each, have been confirmed in any of the posts in that Schedule; Provided that nothing in this rule shall preclude the Government from holding a vacancy in abeyance, or filling it on an officiating basis in accordance with the provisions in Part VIII of these Rules. Explanation I. - The inter se seniority principle of the eligible officers under Rule 5 (1) (b) (i) shall be determined from the dates of their regular appointments to the posts in Schedule I as it stood at the commencement of these Rules which he held substantively at such commencement. The consolidated seniority list of the eligible officers under Rule 5 (1) (b) (ii) shall be determined from the dates they become eligible for consideration for promotion; provided that an officer senior to any other officer so include from the same cadre should retain that seniority. - Explanation II. - In fixing the inter se seniority between the officers under Rule 5 (1) (b) (i) and those under Rule 5 (1) (b) (ii), the former will stand en bloc senior to the latter for purpose of promotion to the Grade II of the Service. (2) If the exigencies of the service so require, the Government may, in consultation with the Commission, vary the percentage of posts to be filled by each method specified in sub-rule (1) above.

Part III – * * *

Part IV – Initial Constitution of Service

6. Initial appointment of persons to the service.

(1)The Governor may, at the commencement of these rules, appoint to the service any person who at such commencement is holding any of the posts specified in Schedule I:Provided that the appointment to the service of those officers who belong to, or are on deputation from a service under the Central or a State Government shall be made with their consent and with the concurrence of the Department or the Government concerned to which they may belong as the case may be.Explanation. - For the purpose of this sub-rule, a person who would have continued to hold a post mentioned in Schedule I but for his being on leave or on foreign service or but for his temporary or officiating appointment to an equivalent or higher post, shall be deemed to be holding such a post.(2)(i)For the purpose of appointment of persons referred to in sub-rule (1), the Governor shall require the Selection Committee referred to in Rule 14 to make a preliminary selection from among the officers referred to in that sub-rule of such of them who in its opinion are suitable for appointment to the service. The names of the officers so selected shall be arranged by the Committee in the order of merit with due regard to seniority.(ii)The list prepared under Clause (i) shall be forwarded by the Committee to the Governor. Thereupon, the Governor shall forward the same to the Commission along with the relevant records.(iii)If the Commission consider it necessary to make any changes in the list received from the Governor the Commission shall inform the Governor of the changes proposed.(iv)The list shall finally be approved by the Governor after taking into account the changes, if any, proposed by the Commission.(3)Initial appointment to the service shall be made in order of merit of persons included in the finally approved list referred to in Clause (iv) of sub-rule (2).

Part V – Direct Recruitment

7.

(1)A competitive examination for direct recruitment to Grade II of the service shall be held at such intervals as the Governor may, in consultation with the Commission from time to time, determine. The dates on which and the places at which the examination shall be held shall be fixed by the Commission and the number of vacancies advertised shall include actual number of vacancies in the permanent strength of the Grade II of the service and also the vacancies anticipated to arise in the authorised permanent strength, and additions likely to be made to the permanent strength, till the time of next direct recruitment in the direct recruitment quota.(2)The qualifications for admission to the examination and the conduct thereof shall be in accordance with such regulations as the Governor may, from time to time, issue in this behalf in consultation with the Commission.

8. Decision of the Commission to be final.

- The decision of the Commission as to eligibility or otherwise of the candidates for admission to the examination shall be final and no candidate to whom a certificate of admission has not been issued by the Commission shall be admitted to the examination.

9. Commission to forward a list in order of merit.

- The Commission shall forward to the Government a list arranged in order of merit of the candidates who have qualified by such standards the Commission may determine, and of the candidates belonging to the Scheduled Castes and Scheduled Tribes who though not qualified by the standard are declared by the Commission to be suitable for appointment to the service with due regard to the maintenance of efficiency of administration.

10. Result to be published in official Gazette.

- The list forwarded by the Commission shall be published by the Government in the official Gazette.

11. Physical fitness.

- No candidate shall be appointed to the service unless he is declared after such medical examination as the Governor may prescribe, to be in good mental and bodily health and free from any mental or physical defect likely to interfere with the discharge of the duties of the service.

12. Inclusion in the list not to confer right to appointment.

- The inclusion of candidate's name in the list referred to in Rule 9 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 respects for appointment to the service and an actual offer of appointment is made.

13. Order of appointment of candidates in the list.

- Subject to the provisions of these rules, the candidates included in the list referred to in Rule 10 shall be appointed to the service in order of merit according to the availability of vacancies.

Part VI – Recruitment by Promotion

14. Constitution of Selection Committee.

- Recruitment under Clause (b) of sub-rule (1) of Rule 5 and Rule 6 shall be made on the recommendation of Selection Committee consisting of-

- (i) Chairman or Member of the Commission - Chairman.
- (ii) Chief Secretary, Govt, of Manipur - Member.
- (iii) Secretary (Finance), Govt, of Manipur - Member.

15. Conditions of eligibility and procedure for selection.

(1)The Committee shall consider from time to time the cases of officers eligible under Cl. (b) of sub-rule (1) of Rule 5, who have served in the respective grades or posts, as the case may be, for not less than specified years of services as mentioned in Scheduled II against each grade or post and prepare a list of officers recommended, taking into account the actual vacancies at the time of selection and those likely to occur during a year. The selection for inclusion in the list shall be based on the merit with due regard to seniority.(2)The names of persons included in the list shall be arranged in order of merit.(3)The list so prepared shall be forwarded by the Committee to the Governor.

16. Consultation with the Commission.

(1)The list prepared under Rule 15 shall be forwarded by the Governor to the Commission, where consultation with the Commission is necessary, or where the Chairman of the Committee desires that a reference be made to the Commission, along with the relevant records.(2)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.(3)The list shall be finally approved by the Governor after taking into account the changes, if any, proposed by the Commission.(4)The list thus finally approved shall ordinarily be in force until a fresh list is prepared for the purpose in accordance with these Rules.

17. Appointment to the service.

- Appointment to the service shall be made in the order of merit in the list referred to in sub-rule (4) of Rule 16 with due regard to the proportion specified in Rule 5.

Part VII – Appointment, Probation, Training and Confirmation

18. Appointment.

- All appointments to the service shall be made to Grade I or Grade II of the service and not against any specific post included in the service.

19. Disqualification.

(a)No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall

be eligible for appointment to the service; and (b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to the service : Provided that the Governor may, if satisfied that there are special grounds for so doing, exempt any person from the operation of this rule.

20. Special provision for Scheduled Castes and Scheduled Tribes.

- Appointment to the service made by direct recruitment and promotion shall be subject to the Acts and Rules/Orders regarding special representation in the service for Scheduled Castes/Tribes as enacted and issued by the Government from time to time.

21. Period of probation.

- (i) Every person appointed to the service under Rule 5 or Rule 6 or Rule 30, as the case may be, shall be on probation for a period of 2 years : Provided that in case of any person required to the service in accordance with Rule 6 or Rule 5 (b) any period for which he had held, as the case may be, a post in Schedule I or any duty post, having regard to his performance in such post, be counted towards the period of probation. (ii) The Governor may, in exceptional circumstances of any case, after consulting the Commission, curtail the period of probation. (iii) The Governor may, if he so thinks fit, in the case of any person or class of persons extend the period of probation. (iv) A person on probation shall be liable to discharge from the service at any time without assigning any reason; provided that if he holds a lien on any permanent posts under the Central Government, a State Government or Government of Manipur he shall be liable to be reverted to that post.

22. Training and departmental examination.

- A person appointed under Rule 5 or Rule 6 or to the service shall undergo such training and pass, during the period of probation, such departmental examinations as the Governor may, from time to time, prescribe : Provided that the Governor may, in any case where the previous special experience or training of a person renders the prescribed training or departmental examinations superfluous, exempt a person, appointed under Clause (b) of Rule 5 or Rule 6 subject to such conditions as he may impose, either wholly or partly from the prescribed training or departmental examination.

23. Confirmation in the Service.

- A person who has been declared to have satisfactorily completed his period of probation may be confirmed in the service.

Part VIII – Officiating Appointment

24. Selection for officiating appointment.

- If at any time the Governor is of opinion that the number of officers available in the list referred to in sub-rule (4) of Rule 16 for appointment to duty posts, is not adequate having regard to the vacancies in such posts he may, direct the Committee to consider the case of officers who have officiated for a period of not less than four years to any of the posts mentioned in Schedule II and prepare a separate list of officer selected. The selection for inclusion in the list shall be based on merit and suitability in all respects for officiating appointments to duty posts with due regard to seniority. The provisions of sub-rules (2) and (3) of Rule 15 and Rule 16 shall apply mutatis-mutandis in the preparation of the list under this rule.

25. Officiating appointment to the service.

(1) If a member of the service is not available for holding duty post, the post may be filled on an officiating basis-(a) by the appointment of an officer included in the list referred to in sub-rule (4) of Rule 16; or (b) if no such officer is available, by the appointment of an officer included in the list prepared under Rule 24. (2) Notwithstanding anything contained in these Rules, if the exigencies of service, so require, a duty post for which a member of the service is not available, may after consultation with the Commission, be filled on the officiating basis by the appointment of officer belonging to Finance Accounts Service of another State Governments or Central Government or Manipur Civil Service or an officer in the cadre of Under-Secretary, Manipur Secretariat, not being a member of M.C.S. on deputation for such period or periods as ordinarily not exceeding three years.

26. Posting of members of the service.

- Every member of the service shall, unless he/she is appointed to an ex-cadre post, or is otherwise not available for holding a duty post owing to the exigencies of service, be posted against a duty post under the Government of Manipur by the Governor.

27. Duty post to be held by a member of the service.

- Every duty post shall be held by a member of the service or an officer appointed to officiate under Part VIII of these Rules.

28. Seniority.

- The Governor shall prepare a list of members of the service arranged in order of seniority as determined in the manner specified below : (i) The seniority of the Members appointed at the initial constitution of the service shall be determined in accordance with the order of merit indicated by the Departmental Selection Committee as per Rule 6. (ii) The seniority of officers recruited on the result of the Competitive Examination in any year shall be determined in order of merit in which they are placed in the Competitive Examination. (iii) The relative seniority of persons recruited by promotion under Clause (b) of sub-rule (1) of Rule 5 shall be determined on the basis on which their names are

arranged in the list prepared under Rule 16.(iv)The relative seniority of direct recruits and promotees shall be determined according to the rotation of vacancies between the promotees and direct recruitment on the basis of quota of vacancies indicated in Rule 5.

29. Pay and allowances.

(1)The scale of pay attached to the service shall be as follows:(i)Grade I (Selection Grade)-Rs. 1150-50-1400-EB- 60-1700.(ii)Grade II (Time scale)-Rs.500-35-745-EB-40-1065- EB-42-1245.(2)A person recruited on the results of Competitive Examination shall, on appointment to the service, draw pay at the minimum of the time scale; provided that if held a permanent post, other than a tenure post in a substantive capacity prior to his appointment to the service, his pay during the period of his probation in the service shall be regulated under the provisions of Fundamental Rule 22-B(i). The pay and increment in the cases of other persons appointed to the service shall be regulated in accordance with the Fundamental Rules.(3)Dearness and other allowances shall be paid to the persons holding duty posts at such rates as may be determined by the Governor from time to time.

30. Appointment to the Grade I.

- (i) Appointment of members of the service to the Grade I (Selection Grade) shall be made in consultation with the Commission on the basis of merit with due regard to seniority.(ii)An officer with a minimum of 12 years' service in the Grade II shall be eligible for appointment to the Selection Grade; provided that-(iii)service in a duty post or an equivalent or higher post under the Central Government or Government of Manipur or in any other State Finance Service shall count towards the required period of service;(iv)where a person is considered for such appointment, all persons senior to him shall also be considered irrespective of the fact whether or not they fulfil the requirement as to the minimum of 12 years' service.

31. Regulations.

- The Governor may make regulations not inconsistent with these rules to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

32. Residuary matters.

- In regard to matters not specifically covered by these rules or by regulations or orders issued thereunder or special orders, the members of the service shall be governed by the rules, the regulations and orders applicable to corresponding officers serving in connection with the affairs of the State.

33. Power to relax.

- Where the Governor is of the opinion, that it is necessary or expedient so to do, he may order, for reasons to be recorded in writing and in consultation with the Commission, for relaxation of any of the provisions of these rules with respect to any Class or category of persons or posts.

34. Transitional provision.

(1) On and after the commencement of these rules and until persons are appointed to hold the duty posts in accordance with the provisions of these rules such posts may continue to be held by officers who are holding such posts at the commencement of these rules as if these rules have not come into force. (2) This rule shall cease to be in force after a period of two years from the date of commencement of these rules.

I

[See Rules 4, 5 and 6] The authorised permanent strength of the service and the nature of posts included in the service are as follows : Sanctioned strength:

1. Specified posts under the Government of Manipur	31
2. Deputation, Leave and Training Reserves	15
Total	46
3. The above figures include the following posts :	
(1) Under-Secretary	1
(2) Deputy Examiner of Local Fund Accounts	1
(3) Accounts Officers (Trg)	2
(4) Senior Treasury Officer, Imphal	1
(5) Senior Accounts Officer	3
(6) Accounts Officer	9
(7) Treasury Officer	5
(8) Sub-Treasury Officer	4
(9) Addl. Taxation Officer	2
(10) Asstt. Examiner of Local Funds Accounts	2
(11) Internal Audit Officer (Edn. Deptt.)	1
Total No. of specified posts	31
4. Deputation Reserve	@30% 9
5. Training Reserve	@10% 3
6. Leave Reserve	@10% 3

	15
	46
Total Cadre Strength	46

II

[See Rules 5, 15 and 24]

1. Accounts in the scale of Rs. 405-675 for not less than 5 years.
2. Sr. Accounts and Sadar Accounts Rs.325-710 do
3. Head Clerks in the scale of Rs.405-675 do

Explanation. - While computing the minimum prescribed years of service as shown against each of the above posts the period of service rendered by the Officer in any of the posts enumerated above will be taken into consideration.