

The Meghalaya Civil Service Rules, 1975

MEGHALAYA

India

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The Meghalaya Civil Service Rules, 1975 Published vide Notification No. PER-240/75/43 Last Updated 19th February, 2020 No. PER-240/75/43. - In exercise of the powers conferred by the proviso to Art. 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules regulating recruitment and the conditions of service of persons appointed to the Meghalaya Civil Service.

1. Short title and commencement.

(1) These Rules may be called the Meghalaya Civil Service Rules, 1975. (2) 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)"Commission" means the Meghalaya Public Service Commission;(b)"Committee" means the committee constituted under Rule 7;(c)"Government" means the State Government of Meghalaya;(d)"Governor" means the Governor of Meghalaya;(e)"Member of the Service" means a member of the Meghalaya Civil Service;(f)"Recommending Authority" means the Secretary to the Government of Meghalaya or the Heads of Departments under the Government of Meghalaya, as the case may be under whose administrative control a person is serving for the time being;(g)"Service" means the Meghalaya Civil Service;(h)"State" means the State of Meghalaya;(i)"Year" means a calendar year.

3. Constitution.

- The service shall consist of the following persons, namely:(a)Members of the Assam Civil Service Class I who are 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.(b)Members of

the Assam Civil Service Class II who are 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.(c)Persons appointed to posts on the basis of emergency recruitment made through the Meghalaya Public Service Commission as per advertisement No. 15MPSC/18/2/73/74, dated 27th March, 1974.(d)Persons recruited in the service in accordance with the provisions of these Rules.

4. Composition and strength of the service.

(1)The strength and composition of the service and the nature of posts therein shall be as determined by the Governor from time to time.(2)At the commencement of these Rules, the strength and composition of the service and the nature of posts therein shall be as shown in Schedule I.Method of Recruitment

5. Method of recruitment.

(1)Recruitment to the service after the commencement of these Rules, shall be by the following methods, namely:(1)By a competitive examination conducted by the Commission.(2)By selection from among persons serving in connection with the affairs of the State.(2)The proportion of vacancies to be filled up in any year in accordance with Clause (a) and (b) above shall be 75 : 25 respectively:Provided that the number of persons recruited under Clause (b) shall not at any time exceed 25% of the total strength of the service.(3)Notwithstanding anything contained in sub-rule (1), if in the opinion of the Governor, the exigencies of the service so require, the Governor may, after consultation with the Commission, adopt such method of recruitment to the service, other than those specified in the said sub-rule, as he may, by regulations made in this behalf, prescribe:Provided that the number of persons recruited under sub-rule (3) shall be as determined by the Governor from time to time.

6. Recruitment by competitive examination.

(1)A competitive examination for recruitment to the service shall be held at such intervals as the Governor may, in consultation with the Commission, from time to time, determine.(2)The examination shall be conducted by the Commission in accordance with such rules and syllabus as the Governor may, from time to time, make in consultation with the Commission.(3)Of the number of vacancies to be filled up on the results of each examination there shall be reservation in favour of candidates belonging to Scheduled Castes, Scheduled Tribes to the extent and subject to the conditions as the Government may, from time to time, prescribe.(4)The Commission shall prepare a list of all candidates who have qualified in the examination in order or 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 for appointment to the service. The list shall be forwarded to the Governor and may also be published in the Gazette of Meghalaya.(5)The inclusion of a candidate's name in the list 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.

7. Recruitment by selection.

(1) There shall be a Selection Committee consisting of the following, namely: (a) Chairman, Meghalaya Public Service Commission or, where the Chairman is unable to attend, a Member, Meghalaya Public Service Commission; (b) Chief Secretary to the Government; (c) Commissioner of Divisions, Meghalaya; (d) Secretary of the Government of Nagaland, Personnel Department. The Chairman or the Member, Meghalaya Public Service Commission as the case may be, shall preside at the meetings of the Selection Committee at which he is present. (2) The Governor shall call upon the Recommending Authority to submit recommendations in respect of persons serving in connection with the affairs of the State—(a) who are of outstanding merit and ability; and (b) who, on the first day of that year, have completed not less than eight years' continuous service under the Government in a post not below the rank of an Upper Division Assistant in the Meghalaya Secretariat or offices of the Heads of Departments or in any post under the Government carrying a pay scale of Rs. 400-650 and above and who is holding that post in a substantive capacity. (3) The Governor shall refer the cases of persons recommended under sub-rule (2) to the Committee and shall simultaneously forward to the Committee the recommendations of the Recommending Authority together with the Character Rolls and Service Records of such persons and shall also, indicate for approximate number of vacancies to be filled by selection. (4) The Committee shall, on initial scrutiny of the recommendations and the Character Rolls and Service Records, call such persons, as it may consider prima facie suitable, for interview and prepare a list of such persons, who in its opinion are suitable for appointments to the service, in order of preference which shall be determined to accordance with the general suitability of such persons for appointment to the service: Provided that no person shall be recommended under sub-rule (2) nor shall the Committee select any such persons unless the recommending authority and/or the Committee, as the case may be, and is further satisfied that—(a) he has executive ability; (b) his services can more profitably be utilised by appointment to the service; and (c) he possesses the academic and higher qualifications except that of age laid down in Rule 9 for the purpose of appointment to the service by competitive examination. (5) The number of persons to be included in such list shall not exceed twice the number of vacancies to be filled by selection.

8. Consultation with the Committee.

(1) The list prepared under Rule 7 shall be forwarded by the Governor to the Commission along with the Character Rolls, Service Records and other relevant papers. (2) The Commission shall consider the list prepared by the Committee along with other documents received from the Governor or on receipt of other documents as may be called for by the Commission and unless it considers any change necessary, approve the list. (3) If the Commission considers it necessary to make any change in the list received from the Governor, the Commission shall inform the Governor of the changes proposed and taking into account the comments, if any, of the Governor, may approve the list finally with such modification, if any, as may, in its opinion, be just and proper. (4) The list as finally approved by the Commission shall be forwarded to the Governor along with all the papers received under sub-rule (1) and sub-rule (2), if any. Conditions of Eligibility for Appearing at The Competitive Examination

9. Conditions of eligibility for appearing at the competitive examination.

- In order to be eligible to compete at the Examination, a candidate must satisfy the following conditions, namely:(i)Nationality. He must be a citizen of India;(ii)Age. He must have attained the age of 21 but must not have exceeded the age of 27 on the first day of the year of advertisement:Provided that the upper age limit may be relaxed in respect of candidates belonging to special categories in accordance with any general or special order issued by the Government from time to time.(iii)Educational qualifications, (a) He must hold a degree of any University recognised by the Governor for this purpose;(b)On the commencement of these Rules, the Universities recognised shall be as given in Schedule II;(iv)He must pay the fees prescribed by the Commission.

10. Disqualification for appointment to the service.

(1)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 for doing so, exempt any person from the operation of this sub-rule.(2)No woman who is married to any person who has a wife living shall be eligible for appointment to the service;Provided that the Governor may, if he is satisfied that there are special grounds for 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 or by any other means, shall be appointed to the service.

11. Appointment to the service.

(1)Appointment to the service shall be made by the Governor and shall be notified in the official Gazette of Meghalaya.(2)A person shall join within 15 days of the date of receipt of the order of appointment failing which and unless the Governor extends the period, which shall not exceed three months, the appointment shall be cancelled.(3)Subject to the provisions of sub-rules (3) and (5) of Rule 6 appointment under Clause (a) of sub-rule (1) of Rule 5 shall be made in the order in which the names appear in the list prepared by the Commission.(4)Appointments under Clause (b) of sub-rule (1) of Rule 5 shall be made in the order in which the names appear in the list prepared by the Commission under Rule 8.

12. Probation.

(1)Every person recruited to the service in accordance with these Rules including those recruited through the emergency recruitment referred to in Clause (c) of Rule 3 shall be on probation for a period of two years:Provided 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)A member of the service who originally belonged to the Assam Civil Service Class I/Assam Civil Service Class II and who has not been confirmed in the Assam Civil Service Class I/Assam Civil Service Class II shall be on probation for a period of two years:Provided that the period of probation in cases of such persons may for good and sufficient reasons be reduced by the Governor in individual cases.

13. Departmental Examination and training.

(1) Every probationer shall during the period of probation successfully undergo the Survey and Settlement Training and such other training as the Governor may, from time to time, prescribe and shall appear at and pass the prescribed Departmental Examinations conducted by the Commission. (2) A member of the service who has been confirmed in the Assam Civil Service Class II but who has not passed all the Departmental Examinations prescribed for the service shall within a period of two years appear at and pass the prescribed departmental examinations conducted by the Commission in the subjects in which he has not passed and shall also be required to successfully undergo the Survey and Settlement Training if he has not already undergone the said training.

14. Discharge of a probationer.

- A probationer shall be liable to be discharged from the service or shall be liable to be reverted to his substantive post in case of persons recruited under Clause (b) of sub-rule (1) of Rule 5-(1) if he fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfaction, during or at the end of the period of probation; or (2) if he fails to pass the Departmental Examinations unless the Governor permits him to sit for re-examination in the subject or subjects in which he failed; or (3) 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 (4) if he fails to comply with any of the provisions of these Rules.

15. 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 Examination completely and has successfully undergone the Survey and Settlement training; and (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 Survey and Settlement training during the period of probation, his confirmation shall not be held up for reasons of not successfully undergoing the said 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; Provided further that the Governor may for good and sufficient reasons exempt a member of the service from passing any one or more of the prescribed Departmental Examinations and confirm him in the service.

16. Seniority.

(1) The inter se seniority of the members of the service who originally belonged to the Assam Civil Service Class I and recruited on or before 21st January, 1972 and who are 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, shall be as it is under the Government of Assam prior to their allocation to the State of Meghalaya. (2) The inter se seniority of the members of the

service who originally belonged to the Assam Civil Service Class II and recruited on or before 21st January, 1972 and who are 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 shall be as it is under the Government of Assam prior to their allocation to the State of Meghalaya. Such members of the service shall be junior to all members of the service mentioned in sub-rule (1) above.(3)The inter se seniority of the member of the service recruited through the emergency recruitment referred to in Clause (c) of Rule 3 shall be in the order in which their names appear in the list furnished by the Meghalaya Public Service Commission for the purpose of such emergency recruitment. Such members of the service shall be junior to all members of the service mentioned in sub-rules (1) and (2) above:Provided that any person who is already in Assam Civil Service Class II and appointed to the post on the basis of the emergency recruitment, his seniority shall be decided by virtue of his position in the Assam Civil Service Class II if he is permanently allocated to the Government of Meghalaya.(4)The seniority of the members of the service recruited after the commencement of these Rules shall be in the order in which their names appear in the list prepared under sub-rule (4) of Rule 6 or approved under Rule 8:Provided that the members of the service recruited in a year under Clause (b) of sub-rule (1) of Rule 5 shall be senior to the members recruited in the same year under Clause (a) of sub-rule (1) of Rule 5.(5)If the confirmation of a member of the service is delayed beyond two years of probation on account of his failure to qualify for 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.Pay, Increments, ETC.

17. Time scale of pay.

(1)The time scales of pay admissible to a member of the service shall be as follows subject to revision by the Governor from time to time:Junior Grade Rs. 525-35-700-EB-40-1,100-EB-43-1,325.Senior Grade Rs. 1,200-55-1,363-EB-60-1,725.

18. Special pay.

- The Governor may grant a special pay for any of the posts either individually or with reference to a group or class of such posts as may, from time to time, be determined by him.

19. 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 Fundamental Rules and Subsidiary Rules or any other rules governing the fixation of pay for the time being in Force, he is entitled to have his pay fixed at a higher stage at that time scale.(2)The initial pay of a member of the service who originally belonged to the Assam Civil Service Class II shall be fixed in the Junior grade time-scale of the service corresponding to the stage in the time-scale of the Assam Civil Service Class II which he has been drawing immediately prior to his becoming a member of the service and if there be no stage, his initial pay shall be fixed at the stage next below that pay plus the grant of personal pay equal to the difference to be merged in future increment(s).(3)The initial pay of the members of the

service recruited through the emergency recruitment referred to in Clause (c) of Rule 3 shall be fixed under the normal rules.(4)On promotion of a member of the service to the senior grade time scale, the initial pay shall be fixed in accordance with the principles governing such fixation in the Fundamental Rules and Subsidiary Rules or in any other rules for the time being in force.

20. 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 but the further increments due shall be allowed only on his confirmation in the service.(2)The pay of a member of the service on confirmation shall be fixed at such a 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 increments 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 shall have no cumulative effect.

21. Crossing the Efficiency Bar.

- A member of the service shall not be allowed to cross the first or the second 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.

22. Promotion to selection 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 about his ability, integrity and character.(2)The appointments 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 a Selection Board, consisting of the following namely,-(a)Chief Secretary to the Government-Chairman.(b)Commissioner of Division-Member.(c)Two Senior-most Secretaries to the Government-Members

23.

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 22 for the purpose or promotion to that grade.

24. 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 by the Governor from time to time.

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

- Where the Governor is satisfied that the operation of any of any of these Rules causes undue hardship in any particular case, he may dispense with or relax 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: 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.

26. 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.

I

[Rule 4(2)]

1. Senior Duty Post	15
2. Junior Duty Post	60
	75
3. Deputation Reserve at 20 per cent of (1) and (2)	15
4. Leave Reserve at 11 per cent of (1) and (2)	8
5. Training Reserve at 10-5 per cent of (1) and (2)	8
Total Authorised Strength	106

II

[Rule 9(b)] List of Universities approved by the Government of Meghalaya
 Indian Universities Any University incorporated by an Act of the Central or State Legislature in India.
 Universities in Burma The University of Rangoon. 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 University of Sind. University in Bangladesh The Dacca University. The University of America. The University of Harvard. The University of Yale. The University of Columbia. The University of Michigan.