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~~ANNEXURE - 1~~

GOVERNMENT OF MEGHALAYA
.....DEPARTMENT.

N O T I F I C A T I O N

Dated Shillong, the 19th May, 1994

No. PER(SRC) 34/84/125 - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is please to make the following rules, regulating the recruitment and the conditions of service of persons appointed to different posts in different Directorates of the Government of Meghalaya.

1. Short Title and Commencement :- (1) These Rules may be called "The Meghalaya Directorate (Duftry, Jamadar etc and Grade IV) Service Rules, 1994".

(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) "Appointing Authority" means the Head of Department of the respect Directorate of the Government of Meghalaya.
- (b) "Promotion Committee" means the Departmental Promotion Committee constituted under Rule 7.
- (c) "Selection Committee" means the Departmental Selection Committee constituted under Rule 8.
- (d) "Directorate" means the Office of the Head of Department.
- (e) "Government" means the Government of Meghalaya.
- (f) "Member of the Service" means a member of the Meghalaya Directorate(Duftry, Jamadar etc and Grade IV) service in the respective Directorates.
- (g) "Service" means the Meghalaya Directorate (Duftry, Jamadar etc and Grade IV) Service.
- (h) "State" means the State of Meghalaya.
- (i) "Year" means the Calendar Year.

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3. Constitution of the Service :- The Service shall be known as the Meghalaya Directorate (Duftry, Jamadar etc and Grade IV) Service separately for each Directorate and consist of the following persons, namely :-

(1) Persons holding posts of Jamadar, Duftry, Head Chowkidar, Head Mali and Grade IV posts as specified under category (B) of sub-rule (1) of Rule 4 in the Office of the Head of Department of the Government of Assam who are allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North Eastern Areas (Reorganisation) Act, 1971.

(2) Persons appointed to different posts specified under sub-rule (1) of Rule 4 in the Offices of the respective Head of Department before the commencement of these Rules.

(3) Persons appointed to different posts specified under sub-rule (1) of Rule 4 in the Offices of the respective Head of Department in accordance with the provisions of the Rules.

4. Composition :- (1) The Service shall consist of the following category of posts :-

A. Category

- I. Duftry
- II. Jamadar
- III. Head Chowkidar
- IV. Head Mali.

B. Category

- I. Peon
- II. Chowkidar
- III. Cleaner
- IV. Mali
- V. Messenger
- VI. Helper
- VII. Handyman
- VIII. Sweeper
- IX. Khalasi
- X. Jugali
- XI. Mazdoor.

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(2) The category of posts under sub-rule (1) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any of the higher Cadre except in accordance with the provisions made in these Rules.

(3) The status of persons holding posts in the category A shall be Class III non Gazetted and those holding posts in the Category B shall be Class IV non Gazetted.

5. Strength of different posts :- The number of posts, permanent as well temporary, under each of the categories mentioned under sub-rule (1) of Rule 4 shall be such as may be determined by the Appointing Authority in the respective Directorates from time to time.
6. Method of Recruitment :- (1)(i) Duftry :- Appointment to the posts of Duftry shall be made by promotion from amongst the literate Peons in the respective Directorate possessing the qualification and experience as specified in Schedule I and included in the Select list approved under sub-rule (4) of Rule 9.
- (ii) Head Mali :- Appointment to the post of Head Mali shall be made by promotion from amongst Malis in the respective Directorates possessing the qualification and experience as specified in Schedule I and included in the Select list approved under sub-rule (4) of Rule 9.
- (iii) Jamadar/Head Chowkidar :- Appointment to the post Jamadar/Head Chowkidar shall be made by promotion from amongst Peons, Chowkidar, Sweeper, Cleaner, Messenger, Helper, Handyman, Khalasi, Jugali, Mazdoor available in the respective Directorates possessing the qualification and experience as specified in Schedule I and included in the Select list approved under sub-rule (4) of Rule 9.
- (2) Peon, Chowkidar, Cleaner, Sweeper and Mali etc :- Appointment to the posts of Peon, Chowkidar, Cleaner, Mali, Messenger, Helper, Handyman, Sweeper, Khalasi, Jugali and Mazdoor shall be made in the respective Directorates by direct recruitment from amongst the persons included in the merit list prepared under Rule 11.
7. Departmental Promotion Committee :- For the purpose of preparing the Select list for appointment by promotion under sub-rule (1) of Rule 6 there shall be a Departmental Promotion Committee in the respective Directorates consisting of the following members :-
1. Head of Department or Joint Head of Department. - Chairman
 2. Deputy Head of Department or any Officer nominated by the Head of Department. - Member

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3. To be nominated by the Head of Deptt. from the officers of the Directorate.

- Member Secretary

8. Departmental Selection Committee E- For the purpose of appointment by direct recruitment under sub-rule (2) of Rule 6 there shall be a Departmental Selection Committee in the respective Directorates consisting of the following members :-

1. Head of Department or Joint Head of Department.

- Chairman

2. Deputy Head of Department of any Officer nominated by the Head of Department.

- Member Secretary.

9. Procedure for preparing Select List :- (1) At the beginning of each year the Appointing Authority shall refer to the Promotion Committee the approximate number of vacancies likely to occur in different posts of category 'A' of sub-rule (1) of Rule 4 during the year. To enable the Promotion Committee to prepare the Select List it shall be furnished with the following documents :-

(i) A list of persons drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (1).

Provided that such restriction shall not apply in respect of post where the total number of eligible persons is less than three times the number of vacancies and in such a case the Promotion Committee shall consider all eligible persons.

(ii) The Character Rolls and Service Records of such persons.

(iii) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Promotion Committee.

(2) The Promotion Committee after examining the Character Rolls, Service Records and other documents in respect of all such persons shall prepare separate lists for different posts based on *seniority with due regard to individual merit and suitability*. The lists shall be forwarded to the Appointing Authority.

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(3) The names of persons in the list shall be placed in order of preference for promotion. In every case where a junior member is selected in preference to his seniors the Promotion Committee shall record in writing the reasons for doing so.

(4) The lists so prepared and approved by the Appointing Authority shall form the Select Lists for the purpose of promotion under sub-rule (1) of Rule 6.

10. Validity of the Select List :- (1) The Select List shall remain in force for a period of one year unless its validity is extended by the Head of Department.

Provided that such an extension shall not be for a total period exceeding six months:

Provided further, that in the event of any great lapse in the conduct or performance of duties on the part of any person in the Select list, the Appointing Authority may, if he thinks fit, remove the name of such person from the Select List prepared under Rule 6. The reasons for doing so shall be recorded in writing.

(2) The Promotion Committee shall meet once a year to review the Select Lists.

11. Direct Recruitment :- (1) Interview for appointment under sub-rule (2) of Rule 6 shall be held at such intervals as the Appointing Authority may from time to time determine. The date, time and place for holding interview shall be fixed by the Appointing Authority.

(2) Of the number of vacancies to be filled up on the result of each Interview, there shall be reservation in favour of candidates belonging to Scheduled Castes and Schedule Tribes to the extent and subject to the conditions as the Government may from time to time prescribe.

(3) On the basis of the result of the Interview, the Selection Committee shall prepare a list of all successful candidates 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 Selection Committee 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 post. The list shall be recommended and forwarded to the Appointing Authority who shall display the same in the Office's Notice Board.

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(4) The inclusion of a candidate's name in the list confer no right to appointment unless the Appointing Authority is satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post and that appointment to any post is subject to availability of vacancy.

12. Conditions of eligibility :- (1) In order to be eligible to appear in the interview for appointment under sub-rule (2) of Rule 6 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 18 years and must not have exceeded the age of 27 years on the first day of the year in which the advertisement for the post is made:

Provided that in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, the upper age limit will be subject to any relaxation made by Government from time to time.

(iii) Educational Qualification - He must have passed Class III or Lower Primary Examination or equivalent Examination.

Provided that in respect of candidates for the posts of Khalasi, Jugali, Sweeper and Mazddor the educational qualification prescribed shall not be made applicable.

(2) The decision of the Appointing Authority as to the eligibility or otherwise of a candidate to appear at the interview shall be final.

13. Disqualification for appointment to posts :- (1) No person shall be appointed who, after such medical examination as the Government may prescribe, is not found to be in good mental or bodily health and free from any physical defect which may render him unfit in the discharge of his duties.

(2) No person shall be appointed who has been convicted for any offence involving moral turpitude.

(3) No person who has more than one spouse living shall be eligible for appointment:

Provided that the Government may, if it is satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

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(4) No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral or by any other means, shall be appointed to the Service.

14. Appointment to Posts :- (1)(i) Subject to provisions of sub-rules (2) and (4) of Rule 11 appointment under sub-rule (2) of Rule 6 shall be made by the Appointing Authority in the order in which the names of candidates appear in the Merit List prepared under sub-rule (3) of Rule 11.

(ii) A person shall join within 15 days from the date of receipt of the order of appointment failing which, and unless the Appointing Authority extend the period of joining, which shall not in any case exceed three months, the appointment shall be cancelled.

(2) Appointment under sub-rule (1) of Rule 6 shall be made by the Appointing Authority in the order in which the names of candidates appear in the Select List prepared under Rule 9.

15. Probation :- Every person appointed under sub-rule (2) of Rule 6 shall be on probation for a period of 2(two) years:

Provided that period of probation may for good and sufficient reasons be extended by the Appointing Authority in any individual case by a period not exceeding 2(two) years:

Provided further that where a person appointed to a post could not be placed on probation for want of permanent vacancy any period which he has rendered in a temporary capacity, may, having regard to his performance be counted towards the period of probation.

16. Discharge :- A probationer shall be liable to be discharged if -

(1) he fails to give satisfactory performance during the period of probation: or

(2) on any information received relating to his nationality, age, health, character and antecedents, the Appointing Authority is satisfied that the probationer is ineligible or otherwise unfit for appointment to a post.

17. Seniority :- (1) The interse seniority of persons who originally belonged to and appointed by the Government of Assam before 21st January, 1972 and who are allocated to the State of Meghalaya in accordance with the provisions of Section 64(1) of the North

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North Eastern Areas (Reorganisation) Act, 1971, in the respective cadre shall be as it was in the corresponding cadre under the Government of Assam prior to their allocation to the State of Meghalaya.

(2) The interse seniority of persons mentioned in sub-rule (2) of Rule 3 shall be determined in the order in which their names appeared in the Merit Lists or Select Lists prepared by Selection Committee/Promotion Committee. Such persons shall be junior to all persons mentioned in sub-rule (1) above in the respective cadre under their respective Directorates.

(3) The interse seniority of persons who are appointed to different posts after the commencement of these Rules shall be in the order in which their names appear in the Select List approved under Rule 9 or in the Merit List prepared under Rule 11. Such persons shall be junior to all persons mentioned in sub-rules (1) and (2) above in the respective cadre under their respective Directorates.

18. Confirmation :- Confirmation of a person in a post shall be made according to his seniority in the respective cadre under/^{the}respective Directorates subject to the following conditions :-

(i) that he has completed the period of probation to the satisfaction of the Appointing Authority;

(ii) that he is otherwise considered fit for confirmation by the Appointing Authority;

(iii) subject to availability of vacancy.

19. Gradation List :- There shall be prepared and published by the respective Directorates a Gradation List consisting of the names of all persons Cadre-wise and drawn up in order of seniority and other particulars relating to the date of birth and appointment to the post and such other details relevant to the Service Career shall also be indicated against each name.

20. Time Scale Pay :- The time scale pay admissible to persons appointed to different posts shall be as shown in Schedule II subject to revision by Government from time to time.

21. Fixation of Initial Pay in the Time Scale :- (1) Except as otherwise admissible under the Fundamental Rules and Subsidiary Rules or under special order of the Government; on first appointment to a post, the pay of the employee shall be fixed at the minimum of the time scale.

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(2) On promotion from one cadre or post to another the pay shall be fixed in accordance with the principles governing such fixation in the Fundamental Rules and Subsidiary Rules or any other rules for the time being in force.

22. Increment :- (1) The first increment admissible to a probationer shall accrue on the expiry of one year from the date of his joining the post but subsequent increment shall be allowed only on his completion of the period of probation to the satisfaction of the Appointing Authority.

(2) The pay of the employee on successful completion of the period of probation shall be fixed at such a stage as if he has been allowed his usual increments due but he shall not be entitled to any arrear in pay on account of with holding of due increments for the period prior to the date of his successful completion of the period of probation.

23. Wearing Uniform :- ^{Subject to any general or special order as issued by Govt from time to time} Every employee shall compulsorily wear Uniform during working hours.

24. Leave, Pension etc. and other Conditions of Service :- Except as provided in these Rules, all matters generally relating to pay, allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules and orders made by the Government from time to time.

25. Power of Government to dispense with or relax any Rule :- Where the Government is satisfied that the operation of any of the provisions of these Rules causes undue hardship in any particular case, he may dispense with or relax the requirement of these 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 to him than that provided under these Rules.

26. Interpretation :- If any question arise relating to the interpretation of these rules, the decision of the Government in the Secret. Admin. (Staff) Department shall be final.

27. Repeal and Saving :- All rules, orders or notifications corresponding to and in force immediately before the commencement of these Rules are hereby repealed:

Provided that all orders made or action taken under the rules, order or notification so repealed or any action taken in pursuant thereto shall be deemed to have been validly made or taken under the corresponding provisions of these Rules.

Self - W.M.S. Parvat



SCHEDULE - I

(Sub-rule (1) of Rule 6)

Sl. No.	Name of Posts	Persons eligible for consideration for promotion to posts mentioned in column 2.	Qualification and experience.
1	2	3	4

1. Duftry

Peons

(i) Must have passed Class VI of Lower Primary Examination or equivalent examination, and

(ii) Must have rendered not less than 5 (five) years continuous service in the post shown in column 3 on the first day of the year in which the selection is made.

2. Head Mali

Malis

-do-

3. Jāmadār/Head Chowkidār.

Peons, Chowkidar, Sweeper, Cleaner, Messenger, helper, Handyman, Khalasi, Jugali, Mazdoor.

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S C H E D U L E - II

(Rule 20)

Sl. No.	Name of Posts	Time Scale Pay
1.	Duftry	Rs. 900-15-975- ED-20 -1115-26-1375 P.M.
2.	Jamadar	-do-
3.	Head Chowkidar	-do-
4.	Head Mali	-do-
5.	Peon	Rs. 820-10-870-EB-15-975-20-1175 P.M.
6.	Chowkidar	-do-
7.	Cleaner	-do-
8.	Mali	-do-
9.	Messenger	-do-
10.	Helper	-do-
11.	Handyman	-do-
12.	Khalasi	-do-
13.	Sweeper	-do-
14.	Jugali	-do-
15.	Mazdoor	-do-



Memo No. PER(SRC) 34/84/125-A

Dt. Shillong, the 19th May, 1994.

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Copy to :-

1. Director Printing and Stationery, Meghalaya for favour of publication in the Meghalaya Gazette. He is also requested to supply 500 printed copies of the notification.
2. Law/Finance Department.
3. Secretariat Administration (Estt) Department.
Secretariat Administration (Nagavat) Department

By order etc.,

D. C. S. G.

Deputy Secretary to the Govt. of Meghalaya,
Personnel & A.R. (A) Department,
(Service Rules Cell).

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