

CHAPTER- IX

GENERAL CONDITIONS OF SERVICE/APPOINTMENT ON THE RECOMMENDATION OF THE MEGHALAYA PUBLIC SERVICE COMMISSION/DEPARTMENTAL SELECTION COMMITTEE.

Regularisation of appointment under Regulations 3(e) / 3(f) of the Public Service Commission Regulations

*U.O.No.PER.106
/71/17,dt. 27th
March, 1971*

1.1. The scope and functions of the Public Service Commission are laid down in Article 320 of the Constitution of India. Under this Article it is obligatory to consult the Public Service Commission on matter relating to recruitment to Civil Services and Civil posts.

1.2 So far the Meghalaya Government is concerned, the Assam Public Service Commission Regulations, 1951 and the Assam Public Service Commission (Limitation of Functions) Regulations, 1951, and all orders relating thereto issued by the Assam Government are applicable and are to be followed in all cases. According to the present regulations it is necessary for the Assam Public Service Commission to be consulted in the matter of recruitment to posts the maximum of which are Rs. 501 /- per month and above.

1.3. At present there are a number of posts falling under the above category which cannot be filled up by requisition from the Assam Government and where some percentage has to be filled up by direct recruitment through Assam Public Service Commission. It appears that the departments have been making appointments under Reg.3(f) of the Assam Public Service Commission Regulations in a number of cases. There may also be instances where persons, if any, appointed under Regulations by the Assam Government have been released for service under this Government before their appointments have been regularised. All such cases require immediate regularisation of their appointments through the Commission and it is the responsibility of the authorities concerned to take necessary steps as per standing instructions issued by the Government of Assam.

1.4. Particulars of such cases are to be furnished to Personnel Department in the Proforma given below :-

PROFORMA

Name	Designation of the post	No. & date of order of appointment (copy is to be enclosed)	Whether the APSC has been approached to advertise the post. If so, No.& date of letter.	Remarks
1	2	3	4	5

All persons appointed under Regulations 3(e) / 3(f) of the Assam Public Commission Regulations, by Government of Assam and have since been released for service under the Meghalaya Government before their appointments are regularised should also be included in the above proforma.

<p><i>O.M.No.PER. 96/72/2, dtd. 26th May, 1972</i></p>	<p>2.1 Section 70 of the North-Eastern Areas (Reorganisation) Act, 1971 provides inter alia that the Public Service Commission for the existing State of Assam shall, on and from the appointed day, be deemed to be the Public Service Commission of the State of Assam (as defined in the aforesaid Act), and to say that the Assam Public Service Commission ceased to have jurisdiction over the State of Meghalaya in matters of recruitment to posts and services in connection with the affairs of Meghalaya on and from 21st January, 1972 (the appointed day), and consequently, the Assam Public Service Commission (Limitation of Functions) Regulations, 1951 as amended, ceased to be applicable in respect of any recruitment matter provided thereunder concerning posts and services under the Government of Meghalaya.</p> <p>2.2. The question of having the necessary arrangements concerning Public Service Commission matters as contemplated under Chapter II of Part XIV of the Constitution of India is under consideration of Government. Pending finalisation of the matter, it has been decided that</p> <p>in respect of posts carrying pay scales with maximum of Rs. 501 /- and above, which have to be filled up immediately, appointments to such posts may be offered on contract basis for short periods not exceeding six months.</p>
---	---

2.3. Consequent on the above decisions, following action shall have to be taken immediately, namely :-

- (a) All provisional appointments made before 21.1.1972 under Regulation 3(f) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951 as amended, which have not been regularised by the Assam Public Service Commission of the undivided State of Assam before 21.1.1972 should be made on contract basis with effect from 21.1.1972 (or) the date of expiry of the appointment made initially under the said Regulation 3(f), whichever is later (*).
- (b) All appointments made on or after 21.1.1972 expressly under Regulation 3(f) of the aforesaid Regulations or otherwise in respect of which appointments could have been made under the said Regulation 3(f) had the Assam Public Service Commission (Limitation of Functions) Regulations, 1951 as amended, continued to apply to the State of Meghalaya on and after 21.1.1972 should be made on contract basis from the date of such appointment for such period as the Administrative Department concerned consider necessary subject to the limit of six months.
- (c) All advertisement in respect of posts which have not been filled up should be re-advertised (offering appointments on contract basis for a period not exceeding six months).

.....
(*) Inserted as per Corrigendum No.PER. 98/72/7 dtd.4th August, 1972

2.4. As regards recruitment to posts on pay scales with the maxima of Rs. 500/- and below, the existing procedure of recruitment through the Selection Board, Meghalaya shall continue as usual.

2.5. The question of counting the period rendered on contract service on

	<p>the appointee being subsequently appointed in the regular manner, is receiving the attention of Government and a further communication will follow. Model Contract Deed will follow.</p>
<p><i>O.M.No.PER. 96/72/6, dtd., 14th June, 1972</i></p>	<p>3. The types of appointment coming within the purview of the orders contained in Office Memorandum No-PAR.96/72/2, dated 26th May, 1972 vide Para 2.1 above, have been clearly specified in paragraphs 2.3(a) and 2.3(b) thereof. A doubt has, however, arisen as to whether the orders contained in the said Office Memorandum also cover cases of appointments involving promotion. It is hereby clarified that where appointment to posts carrying pay scales with maximum of Rs. 501/- and above involves officiating promotion to the post in direct line of promotion without having to consult the Public Service Commission or where appointment is to be made by taking persons on deputation, such appointments need not be made on contract basis as contemplated in the orders referred to above but may be made in usual manner.</p>
<p><i>O.M.No.PER. 98/72/25, dtd. 1st Nov, 1972</i></p>	<p>4. In the Office Memorandum no-par.96/72/2, dated 26th May, 1972 (read with Corrigendum No. .PAR. 96/72/7, dtd. 4th August, 1972) vide Para 2.1 above, it has been provided that (a) all provisional appointments made before 21.1.1972 under Regulation 3(f) of the Assam Public Commission (Limitation of Functions) Regulations, 1951, as amended, which have not been regularised by the Assam Public Service Commission of the undivided State of Assam before 21.1.1972 should be made on contract basis with effect from 21.1.1972 or with effect from the date of expiry of the appointment made initially under the said appointments made on or after 21.1.1972 expressly under Regulation 3(f) of the aforesaid Regulations or otherwise in respect of which appointments could have been made under the said Reg. 3(f) had the Assam Public Service Commission (Limitation of Functions) Regulations</p> <p>1951, as amended, continued to apply to the State of Meghalaya on and after 21.1.1972 should be made on contract basis from the date of such appointment for such period as the Administrative Department concerned consider necessary subject to the limit of six months. The Government have since constituted the Meghalaya Public Service Commission and</p>

also promulgated the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 vide Notification Nos. PER.136/72/49, dated 14th September, 1972 and PER. 136/72/56, dated 14th September, 1972, respectively. It is possible that the term of the contract appointments so made might, in certain cases, have expired before 14.9.1972. While in certain cases the term of such contract appointments continued beyond 14.9.1972. The question of regularisation of the contract appointments made in pursuance of the orders contained in the aforesaid Office Memorandum has been considered in view that the Meghalaya Public Service Commission has been constituted, and it has been decided as follows, namely:-

- (a) all contract appointments coming within the purview of para 2.3 (a) and (b) above, the term of which expired on a date prior to 14.9.1972 may be extended for a further period upto 13.9.1972;
- (b) all contract appointments coming within the purview of the said paragraph which are continuing beyond 14.9.1972 may, by mutual consent of the parties to the contract, be terminated earlier on a date mutually agreed to by the parties;
- (c) on the termination of the terms of the contract appointments contemplated at (a) and (b) above, the filling up of the posts may be made in the usual manner taking into consideration the provision of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972.
- (c) for the purpose of regularisation of provisional appointments under the relevant paragraphs of the Meghalaya Public Service Commission (Limitation of Functions) Regulations 1972, the

instructions and orders contained in paragraphs 1.1 to 1.3 shall, until amended, continue to apply and any reference therein or in the Annexure thereto to the Assam Public Service Commission (Limitation of Functions) Regulations 1951, shall be taken to

	<p>mean the Meghalaya Public Service Commission (Limitation of Functions) Regulations 1972 as the case may be;</p> <p>(e) all unexpired advertisements made in pursuance of the orders contained in paragraph 2.3 © above may now be made in the usual manner through the Meghalaya Public Service Commission.</p>
<p>No.PER.98/7 2/35, dtd. 2nd Nov, 1972</p>	<p>5.1. In pursuance of the orders contained in paragraphs 2.1 to 2.5 above, some of the provisional appointments made prior to 21.1.1972 under Regulation 3(f) of the Assam Public Service Commission (Limitation of Functions) Regulations, 1951, as amended, expired after a period of four months when they were initially made, on a date prior to 21.1.1972. It is hereby clarified that such provisional appointments made under Reg. 3(f) of the Assam Service Commission (Limitation of Functions) Regulation 1951, as amended, continued to be in force even after 21.1.1972 notwithstanding the cessation of the Assam Public Service Commission's jurisdiction over the State of Meghalaya. Such provisional appointments under Reg. 3 (f) herein referred to remain, in view of Government orders vide paragraphs 2.1 to 2.5 above, to be in force:-</p> <p>(i) in the case of such appointments where the initial period of four months expired on any date prior to 21.1.1972, till 20.1.1972, and,</p> <p>(ii) in the case of such appointments where the initial period of four months expired on any date after 21.1.1972 till the date of expiry of the aforesaid period.</p> <p>5.2. Consequently and notwithstanding the standing instructions contained in the model Notification below paragraph 1.3 above all appointees falling under category (i) above shall be paid their pay, etc accordingly.</p>

<p>No.PER81/7/ 24, dtd. 30th April, 1974</p>	<p style="text-align: center;">Appointment made on the recommendation of Meghalaya Public Service Commission.</p> <p>6.1. The Government have noticed that various appointing authorities have made appointments under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulation, 1972, as amended, and later when the names of these incumbents were subsequently recommended by the Commission, their regular appointments were given effect from the date of their earlier temporary appointment under Reg. 3(f). This is irregular, as the question of giving them regular appointments will arise only after their names are recommended by the Meghalaya Public Service Commission.</p> <p>6.2. It is to be ensured that when an incumbent appointed under Reg. 3(f) to a post is subsequently recommended by the Meghalaya Public Service Commission to that same post, such incumbent, if according to merit is eligible to be appointed, should be given regular appointment only with effect from the date of such recommendation or from any date subsequent thereto, preferably the date of issue of orders by the Department.</p>
<p><i>O.M.No.PER. 21/10/19, dtd. 11th March, 1980</i></p>	<p>7.1 According to Rule 57(4)(iii) of the Rules of Executive Business of the Government of the State of Meghalaya, concurrence of the Personnel & A.R. (A) Department shall be obtained by other Administrative Department in the matter of appointment to any gazetted post carrying a scale of pay the maximum of which is Rs. 1325/- and above or a fixed pay of Rs. 1325/- and above per month. It has been noticed that some Administrative Departments did not obtain the concurrence of the above Department before making appointment to such posts. Such action is highly irregular.</p> <p>7.2. It is, therefore, reiterated that the concurrence of the Personnel and A.R. (A) Department must invariably be obtained by all Administrative Departments before any appointment is made to such posts whether such</p>

<p><i>No. PER. 21/80/25, dtd 15th Oct, 1980</i></p> <p><i>No. PER..21/80/Pt/5, dt 13th April, 1989</i></p>	<p>appointment is made under Reg. 3(e), 3(f) and 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 or on the recommendation of the Meghalaya Public Service Commission or otherwise and notwithstanding the fact that such posts were created with the approval of the said Department as required under the proviso to Rule 10 (I)(c) of the Rules of Executive Business of the Government of the State of Meghalaya. It is further clarified that when appointment of any person to such a post has been made under Reg. 3(e), 3(f) and 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 with the prior approval of the Personnel & A.R. (A) Department, the Appointing Authority concerned shall not again be required to obtain the approval for regularisation of such appointment on the recommendation of the Commission.</p> <p>8. Consequent on the amendments of the proviso to Rule 10(I)(c) of the Rules of Executive Business of the Government of the State of Meghalaya and Rule 57(4)(iii) ibid vide Cabinet Affairs' Department's Notification No. CA. 42/80/3, dated the 10th October, 1980, the approval of the Personnel & A.R. (A) Department is necessary to be obtained in the matters relating to creation of gazetted posts of Class I Service carrying scales of pay the maximum of which are Rs 1650/- and above or a fixed pay of Rs. 1650/- and above per month including appointment thereto and payment of additional remuneration to any such gazetted Officers.</p> <p>9. Consequent on the amendment of the proviso to Rule 10(I)(c) and Rules 57(4)(iii) of the Rules of Executive Business of the Government of the State of Meghalaya vide Cabinet Affairs' Department Notification No.CA. 65/85/Pt-III/9, dated the 5th April, 1989, the approval of the Personnel & A.R. (A) Department is necessary to be obtained in the matters pertaining to creation of posts carrying a revised scale of pay the maximum of which is Rs. 4150/- and above or those carrying the fixed pay of Rs. 4150/- and above per month including the appointment thereto and payment of additional remuneration to any such Officer</p>
--	--

<p><i>No.PER.. 81/ 74/70, dt,23rd July,1974</i></p>	<p style="text-align: center;">Period of validity of the recommendations of the Meghalaya Public Service Commission.</p> <p>10. The recommendation(s) of the Meghalaya Public Service Commission for appointment to posts and services under the Government shall remain valid for a period of one year with effect from the date of its submission by the Commission.</p>
<p><i>U.O.No.PER. 72/47 dt.9th May, 1973</i></p>	<p style="text-align: center;">Appointment on contract- counting of contract service for the purpose of leave, increments, etc.</p> <p>11. The question of counting the period or periods of contract service rendered as a result of appointment or appointments in terms of Para 2.5 and Para 4 above for the purpose of leave, increment, pension, etc has been considered by the Government. It has been decided that in the case of persons who at the time of such contract appointment/appointments were already in Government employ whether substantively or otherwise and in the case of such contract appointees not in Government service at the time of such appointment, the question of counting the period of contract service for purposes of leave , increments and pension may, on such appointments having been regularised by the Meghalaya Public Service Commission, be examined individually on the merit of each case in consultation with Personnel and Finance Department.</p>
<p><i>No.PER. (AR) 193/78/160,dt. 20th Nov, 1978</i></p>	<p style="text-align: center;">Counting of the period of officiating appointment or on adhoc appointment or appointment under Reg. 3(f) of the Meghalaya Service Commission (Limitation of Functions) Regulations, 1972 for the leave, increment, etc.</p> <p>12. A question has been raised as to whether the period spent by a Government servant during the period of officiating appointment under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 could count for the purpose of leave, increment and pension. Under F.R. 26(a) of the Assam F.Rs and S.Rs as</p>

	<p>adopted by the Government of Meghalaya, “all duty in a post on a time scale count for increments in that time scale”. It is, therefore, clarified that the period of continuous officiating appointment under Reg 3 (f) or on adhoc appointment of Government servants will also count towards leave, increment, pension, etc., on their appointments having been regularised on the recommendation of the Meghalaya Public Service Commission/District Selection Committee or any other authority approved on this behalf.</p>
<p><i>No.PER (AR) 193/78/220, dtd. 8th July, 1983</i></p>	<p>13. Persons appointed under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulation, 1972 or on ad hoc basis fall within the category of temporary Government employees even before regularisation of their appointments through the Meghalaya Public Service Commission or the District Selection Committee, as the case may be. It is now clarified, in partial modification of orders at para 12 above, the concerned persons would be entitled to all such kinds of leave (including Maternity Leave), increments, etc as are entitled to other temporary Government employees under the Revised Leave Rules, 1934, as amended.</p> <p>Extract of Finance (Pay Revision) Department Office Memorandum No. F(PR)-10/80/1. Dated, 16th June, 1980.</p> <p>“In pursuance of the recommendations of the Meghalaya Pay Commission, 1979, the Government of Meghalaya is pleased to order liberalisation of existing rules governing certain kinds of leave including Maternity leave, as incorporated in the Assam F.Rs and S.Rs (as adapted by Meghalaya) to the extent as indicated below with immediate effect (16.06.1980).</p> <p style="text-align: center;">“Earned Leave” - Rule 10 of Revised Leave Rules, 1934 – Appendix – 11 of F.Rs & S.Rs.</p> <p>Temporary Government employees, irrespective of the length of service, serving in a non-vacation department shall be eligible for</p>

earned leave at the rate of one-eleventh of the period spent on duty as admissible to permanent Government employees under Rule 9 of the said Rules except that they will not be eligible for any leave not due.

“Commuted Leave” - (Rule 13(c) of the Revised Leave Rule – Appendix –11. *ibid*:

Other conditions remaining the same, the benefit of commuted leave shall also be extended to temporary Government employees irrespective of the length of service, and the limit of 240 days during the entire service shall stand removed.

Half-Pay Leave to the maximum extent of 180 days during the entire service shall be allowed to be commuted without production of medical certificate, for the purpose of prosecuting an approved course of study certified to be in the public interest by the competent authority.

“Maternity Leave” - (S.R – 120)

A female Government employee shall be granted maternity leave for the periods specified in S.R. 120 on full leave salary instead of on full pay as hitherto admissible and the benefit of this kind of leave shall be extended to temporary female Government employees who have rendered less than year of service also.

“Study Leave” - (Appendix 15 of F.Rs & S.Rs)

Other conditions remaining the same, a Government employee, during the period of study leave, shall be eligible for full leave salary instead of leave salary admissible during half-pay leave, as provided for under Rule 10 of the Study Leave Rules, without any

other allowances except Dearness Allowances.

“Hospital Leave” - (S.R. 122)

Hospital leave admissible in certain categories of Government employees under S.R. 122 of the F.Rs & S.Rs shall stand discontinued.

“Leave for Government employees suffering from TB/Cancer/Leprosy (Appendix 31 of F.Rs & S.Rs read with Finance Department O.M. No. FEG.40/77/5, dated, 13th April, 1977.

All other conditions remaining the same, the benefit of leave on average pay as admissible under Rule 3 of Appendix –31 of the F.Rs & S.Rs read with Finance Department O.M. No. FEG.40/77/5, dated the 13th April, 1977 shall be extended to those temporary Government employees who have put in less than one year of service also.

“Leave Salary” - (Rule-15 of Revised Leave Rules, 1934-Appendix-11 of F.Rs & S.Rs.

A Government employee on earned leave shall be eligible for leave salary equivalent to the pay drawn immediately before proceeding on earned leave instead of the average monthly pay earned during the ten completed months immediately preceding the month in which the leave commences provided for under Rule 15 of the Revised Leave Rules, 1934.

“ The existing provisions shall be deemed to have been modified to the extent indicated above and necessary amendments to the rules involved will be made in due course.”

Extract of Finance (Estt.) Department’s letter No. FEG.45/76/92, Dated 4th July, 1984.

	<p>“In the matter of leave, increment, etc., in respect of persons appointed under Reg.3(f) or on Adhoc basis, it has been clarified by the Personnel Department in their letter No. PER.(AR)193/78/220, dated 8.7.1983 (Para –13 above) that they are entitled to the same benefits as admissible to the regular Government employees. This being the position, the benefits will be available with effect from the date of their appointment as such provided their services are not interrupted otherwise.</p>
<p><i>No.PER.(AR) 193/78/190, dtd. 5th Nov, 1980</i></p>	<p style="text-align: center;">Fixation of Seniority-Principles to be followed</p> <p>14. The regular appointment takes effect from the date of recommendation of the Meghalaya Public Service Commission or from any date subsequent thereto, preferably the date of issue of orders by the Department in accordance with the Government orders at para 6.2 above. The period of continuous officiating appointment under Reg. 3(f) or on adhoc basis will not count toward seniority on the appointment being subsequently regularised. The seniority will be determined in accordance with the instructions contained in the Government of Assam’s Circulars No.ABP.51/63/1, dtd. 5.2.1954 (see Para 10 to 10.3, Pp. 96-98) of Hand Book of General Circulars and No.ABP.95/63/694, dtd. 1.6.1967 as incorporated in the Hand Book of General Circulars (Supplement No.1), Extracts given below :</p> <p>Extract of Assam Circular No. ABP.51/63/1, dated 5th February, 1954 (Pp. 96,97 & 98 of Hand Book of General Circulars).</p> <p>Para 10.-In the matter of fixation of seniority, the following instructions, incorporating all the principles enunciated in the past, are issued for the guidance of all Departments. These instructions will not, however, apply if there are specific rules on this matter.</p> <p>1. <u>Appointments made through the Assam Public Service Commission</u></p>

- (i) The seniority of candidates appointed on the recommendation of the Assam Public Service Commission, in one batch should be fixed according to their order in the merit list as arranged by the Assam Public Service Commission, if all the persons in the batch join the appointments within 15 days. But if a candidate is prevented from joining within this period by circumstances of a public nature and beyond his control, the period may be extended by the Appointing Authority. In that case, the seniority should be fixed according to his order of merit in the merit list of the Assam Public Service Commission. If the period is not so extended by the Appointing Authority, then his seniority will be fixed according to the date of joining.
- (ii) If two persons are appointed on the recommendation of the Assam Public Service Commission in two different batches, then the person who was recommended in the earlier batch should be considered senior to the person who was recommended in the later batch.
- (iii) Sometimes two or more persons are bracketed in the merit list of the Assam Public Service Commission. If there is any indication of preference in the merit list about their suitability for the post in question, the seniority should be fixed according to the preference indicated, otherwise the inter se seniority of those persons should be determined in accordance with the date of birth.

Para.10.2. Appointments made under Regulations 3(a) and 3(f) of the P.S.C. (Limitation of Functions) Regulations and later regularised through the Assam Public Service Commission.

Normally the appointments made under these two Regulations should be regularised within the time limits specified in the Regulation itself. The seniority of the persons whose appointments have (been)

regularised should be determined as follows :-

	<ul style="list-style-type: none">(i) If the appointments of two persons are regularised earlier, should be considered senior to the person whose appointment was regularised later.(ii) If the appointments of a number of persons are regularised on one batch, then the inter se seniority of these persons should be according to the merit list of Assam Public Service Commission. Even if the Assam Public Service Commission does not give any merit list, the Appointing Authority should request the Assam Public Service Commission to indicate the order of preference of these persons.(iii) If the Assam Public Service Commission does not give any merit list inspite of specific request from the Appointing Authority, then the following principles should be adopted : -<ul style="list-style-type: none">(a) At the time of appointment under Regulation, the Appointing Authorities usually make appointments on the basis of the recommendations of a Departmental Selection Committee. The inter se seniority of persons who are appointed on the recommendations of such a Selection Committee should be fixed according to the order of preference indicated in the Selection Committee.(b) If there was no such Selection Committee, (or when the Selection Committee does not indicate any preference) then the date of the initial appointment under the Regulation should be the basis of fixing seniority, provided that at the time of initial appointment the persons concerned were fully qualified to hold the post and they join the posts within 15 days of their appointment. (But if a candidate is prevented from joining within this period, by circumstances of a public nature and beyond his control, the Appointing Authority may extend the period. In that case, the date of appointment will continue to govern seniority. If the period is not so extended, the date of joining will determine seniority).
--	--

In all other cases, a reference should be made to the Appointment Department.

Para.10.3. Appointments outside the purview of the A. P. S. C.

(i) Seniority of candidates selected in one batch should be fixed according to the merit list prepared by the Appointing Authority/Employment exchanges at the time of initial appointment, if they join their appointments within 15 days, (If a candidate is prevented from joining within this period by circumstances of a public nature and beyond his control the period may be extended by the Appointing Authority. In that case the date of appointment will continue to govern seniority. If the period is not so extended, the date of joining will determine seniority).

(ii) Persons appointed from other establishments in Grade-their seniority vis-à-vis the existing persons in the establishment :-

Inter se seniority of persons appointed from other establishment and the existing persons promoted in an establishment in a grade on the same date be according to the following orders :-

(i) Existing person promoted,

(ii) Persons appointed from other establishments.

Extract of Assam's Circular No. ABP.95/63/694, dated the 1st June, 1967 (Pp. 43 of Hand Book of General Circulars) (Supplement No.1)

B. FIXATION OF SENIORITY

Fixation of Seniority - Principles to be followed

In continuation of O.M. No. ABP.51/63/1, dated 5th February, 1954, the following principles should be observed by all Appointing

Authorities in cases where loss of seniority takes place of a person in a cadre of a service who could not qualify for confirmation in due time in that particular cadre and also in cases of his reversion to a lower cadre on which he holds a lien or discharge from the service as the case may be, if he fails to qualify for such confirmation after a second chance :

- (1) If confirmation of a member of the service in a cadre is delayed on account of his failure to qualify for such confirmation, he shall lose his position in order of seniority in that cadre vis-à-vis such of his juniors as may be confirmed earlier than him. His original position in that particular cadre shall, however, be restored on his confirmation subsequently.
- (2) At any time before confirmation, a member is liable to be reverted to his next lower rank or to a lower post on which he holds a lien or discharged from the service in case he is a direct recruit, if he cannot qualify for such confirmation even after a second chance or if his performance of duty has not been satisfactory and/or if the Appointing Authority finds him otherwise unfit to hold the post.

Cases already decided otherwise prior to the issue of this Office Memorandum will not be reopened.

Raising of upper age limit for entry into Government Service

*O.M. NoPER.
380 /71/124,
dt. 11th June,
1973*

15. According to the existing rules and orders, the upper age limit for entry into Government service has been fixed at 25 years of age on the first day of the year in which the recruitment is made, with certain relaxation in respect of candidates belonging to Scheduled Tribes and Scheduled Castes and subject to the exception as specified under S.R. 6 of the Fundamental Rules and Subsidiary Rules. After due consideration of the matter and keeping in view the recommendation of the Administrative Reforms Commission and the recent decisions of the Government of India and some State Government, the Governor of

	<p>Meghalaya is pleased to order that the present upper age limit for entry into Government Services, irrespective of qualifications, will be raised from 25 years to 27 years. Candidates belonging to Scheduled Tribes and Scheduled Castes will continue to enjoy a further relaxation of 5 years over the upper age limit fixed for general candidates.</p>
<p><i>No.PER.(AR) 99/80/2, dtd., 19th April, 1980</i></p> <p><i>No.PER (AR) 99/80/4/, dt. 5th Aug,1980</i></p>	<p>NOTE :- Government decision to take effect from 11th June, 1973</p> <p>Relaxation of age in respect of persons in Government Service</p> <p>16. The relaxation of age limit in respect of a class or category of candidates like Government servants or departmental candidates, etc, over and above the age limit fixed for the candidates in general as allowed in accordance with the Government of Assam's letter No. ABM. 104/66/50, dated, 21.08.1967 and as incorporated in Supplement No. I of the Hand Book of General Circular (reproduced below) is limited to the persons working under the Government of Meghalaya.</p> <p>“Assam Government's Letter No.ABM. 104/66/50, dated, 21.8.1967.”</p> <p>“In the case of recruitment through the Commission where it is considered necessary to allow relaxation of age limit in respect of a class or category of candidates like Government servants or departmental candidates, etc, over and above the age limit fixed for the candidates in</p> <p>general, the authorities concerned should do so with the approval of the Commission. In such cases, Appointment Department need not be consulted”.</p> <p>17. Whenever relaxation of age over and above the normal maximum age limit for entry into Government Service is allowed to Government employees for recruitment to posts through the Meghalaya Public Service Commission, District Selection Committee or any other agencies approved on this behalf, the Departments concerned should ensure that a clause to that effect is suitably inserted in their draft advertisement,</p>

<p><i>O.M.No.PER. 59/72/Part, dt.,21st,Feb, 1973</i></p>	<p>before sending to the Meghalay Public Service Commission and other authorities concerned.</p> <p>Temporary officiating arrangements against vacant posts in the Secretariat and Offices of the Heads of Departments</p> <p>18.1. The Government had decided that for filling up the vacancies only person holding corresponding position under the Assam Government are taken in and also not to confer any promotion benefit on the Government of Assam employees serving in connection with the affairs of this State for which they are not due had they continued to remain under the Government of Assam. As a result of the said decision, a number of supervisory posts, like Superintendent in the Secretariat and in the Offices of the Heads of Departments remained vacant on account of non-availability of such personnel from the Government of Assam, and the work pertaining to such supervisory posts is being carried on by the existing staff without the benefit of officiating appointment. Considering the changed circumstances resulting from the attainment of full-Statehood and the progress towards the execution of the agreement contemplated under Section 64(1) of the North Eastern Areas (Reorganisation) Act, 1971, Government after due and careful consideration have decided to review the said policy</p>
	<p>18.2. To remove administrative difficulties and keeping in view the proper maintenance of efficiency in administration, appointing authorities</p> <p>may whenever the necessity to resort to the making of temporary officiating arrangement in the supervisory posts of Superintendents in the Secretariat and in the Offices of the Heads of Departments, allow such officiating arrangement as a purely temporary departmental measure by the senior-most Assistant Superintendents/Upper Division Assistants, as the case may be, already in position in the concerned offices of the Heads of Departments, pending execution of the agreement contemplated under Section 64(1) of the North Eastern Areas (Reorganisation) Act, 1971, whenever such a course is in the public interest, i.e., in those cases where this would add to the efficient and smooth running of the administration</p>

	<p>and also subject to the suitability of such persons to be considered for such promotion.</p> <p>18.3. Such officiating arrangement, however, shall not prejudice in any way the claim of any Secretariat or Head of Department personnel of the Government of Assam, whose services may be requisitioned after the issue of this order, by virtue of his position in the respective Secretariat cadres of the Assam Secretariat or by virtue of his position in the respective ministerial cadre of the corresponding office of a Head of Department of the Assam Government.</p> <p>18.4. No deviation from the orders contained herein shall be made with - out the prior concurrence of Personnel Department.</p>
<p>No.PER.(AR) 158/76/104, dtd. 31st July, 1978</p>	<p style="text-align: center;">Temporary promotion of Officers of the Government of Assam serving in Meghalaya on deputation.</p> <p>19. There may be some officers serving in Meghalaya on deputation from the Government of Assam who have been allowed temporary promotion in Meghalaya prior to their permanent allocation to the State of Meghalaya under Section 64(1) of the North Eastern Areas (Reorganisastion) Act, 1971 with the prior approval of the Government of Assam. In case agreement with the Government of Assam for permanent allocation of those officers to the State of Meghalaya have since been executed with the Government of Assam, it will be necessary</p> <p>for all appointing authorities to issue fresh orders appointing those officers under Regulation 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 with effect from the date of their allocation to this State Government, and the period of temporary promotion in Meghalaya shall be deemed to be appointment made under the said regulations. The appointments will need to be regularised through Meghalaya Public Service Commission if necessary under the rules, if that had not already been done.</p>
<p>No.PER.(AR) 82/77/58,dtd.</p>	<p>20. The Government have noticed a wide variety in the form of</p>

21 st Jan,1980	<p>notifications issued by the various Departments in the case of officers who are allowed temporary officiating promotion with the prior approval of the Government of Assam while on deputation without deputation allowance to the Government of Meghalaya and again subsequently under Reg.4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 on their services having been permanently allocated to the Government of Meghalaya. In order to ensure uniformity of such appointments in all departments of the Government, all Departments are requested to notify the appointments under the aforesaid regulations (in the case of officers allowed temporary officiating promotion with the Government of Assam's concurrence as above only) in the Model Form given below.</p>
---------------------------	--

Model Form

NOTIFICATION

Dated Shillong, the19..... No..... ÷ On his/her services having been permanently allocated to the State of Meghalaya with effect from Shri/Smti is allowed officiating promotion as in the scale of pay of Rs..... per month plus other allowances as admissible under the rules under Regulation 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 with effect from the above date and until further orders.

The period of his/her temporary promotion as made vide this Department's *Notification No.....dated.....shall be deemed to be officiating promotion made under Reg.4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972.

Secretary to the Govt. of Meghalaya,
Department.

* Here insert the No. and date of the Notification allowing the Officer temporary officiating promotion with the approval of the Government of Assam while on

deputation to Meghalaya.

Note :- This form is NOT to be used in case of Officer recruited by the Government of Meghalaya.

<p><i>No.PER.(AR) 158/76/74, dt. 16thDec,1976</i></p>	<p>21.1. It is necessary for the appointing authorities to obtain approval of the Commission for extension of the period of appointment under Regulation 3(e) and 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 beyond six months in the case of permanent post and four months in the case of temporary post to avoid delay in sending of the draft advertisement to the Commission</p> <p>by the appointing authority concerned and also to avoid future complications.</p> <p>21.2. As regards officiating promotion under Regulation 4(d) of the Meghalaya Public Commission (Limitation of Functions) Regulations, 1972, the provisions of the said regulation is applicable only when at the time of promotion, the period of promotion is not likely to last for more than one year. If subsequently the period is extended, the Commission should be consulted by the appointing authority concerned for their approval.</p> <p>21.3. In case of regular promotion to permanent post in the usual course, Regulation 4(d) is not applicable and prior consultation with the Commission in such case is obligatory.</p>
<p><i>No.PER.(AR). 158/76/105, dt .28th Feb, 1980</i></p>	<p>Promotion under reg 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulation, 1972:</p> <p>22.1. Promotion under Reg.4(d) of the Meghalaya Public Service Commission(Limitation of Functions) Regulations, 1972 should, as far as possible, be avoided by all concerned but where it is not possible to do so in the exigencies of public interest and where the period of promotion is expected to last more than one year, the appointing authorities concerned may do so only in exceptional cases subject to the following conditions:-</p>

	<p>(i) the appointing authorities concerned should make it a point to ensure that immediate steps for sending the relevant records, etc., to the Meghalaya Public Service Commission are taken in time with intimation to the Accountant General, Meghalaya as soon as such cases of promotion under Reg. 4(d) are taken recourse to ;</p> <p>(ii) that promotion under Reg.4(d) will be applicable only in respect of those persons who have been permanently allocated to the State of Meghalaya under Section 64(1) of the North Eastern Areas (Reorganisation) Act, 1971 and in respect of those persons absorbed permanently in Meghalaya from the Central Government or other State Governments ;</p> <p>(iii) that half yearly return of cases of promotion under Reg.4(d) which could not be regularised in time should be submitted to the Personnel & A. R. (B) Department by the first week of January and July, respectively of every year indicating the reason(s) withholding timely regularisation of such cases of promotion.</p> <p>22.2.. Failure on the part of any one to take prompt action in this regard shall be viewed very seriously and the Heads of Departments/Offices will be held personally responsible for such irregularities. Model Form of promotion order under Reg.4(d) to be issued by the appointing authorities is given below:-</p>
--	---

Model Form

Model form of Notification (for gazetted posts)/Office Order (for non-gazetted posts) for appointment/promotion under regulation 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972.

GOVERNMENT OF MEGHALAYA

.....DEPARTMENT / OFFICE OF

NOTIFICATION / OFFICE ORDER

Dated, Shillong, the 19
No. Subject to reversion without notice and without assigning any reason, thereof, Shri/Smti.(name and present designation) is promoted temporarily and until further orders to officiate as(post or designation) in the pay scale of Rs.under Regulation 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 with effect from the date of taking over charge and posted....(station/office) until further orders.

Secretary to the Govt. of Meghalaya
.....Department / Head of Office.

Memo No.

Dated, Shillong, the 19

Copy forwarded to :-

1. The Secretary, Meghalaya Public Service Commission, Shillong. It has been necessary in the public interest to make the above officiating appointment under Regulation 4(d) since prior consultation with the Commission is likely to cause undue delay and the appointment should be made immediately. As, however, the period of officiating is expected to last more than one year, it is requested that the Commission may kindly send its recommendations early to

this Department/Office. The relevant records etc are sent herewith. In case the recommendation of the Commission is delayed beyond one year, he is requested to intimate the fact to the Accountant General, Meghalaya, so that the Officer may be authorised pay beyond one year.

2. The Accountant General, Meghalaya, Addl. A.G. Building, Shillong-793 001 for information and necessary action. It is certified that the necessary records etc for regularisation of the appointment made under the above Notification have been sent to the Meghalaya Public Service Commission. He is requested to issue pay slip to the officer for a period of one year for the present. Pay-slips for any period beyond one year should not be issued except with the concurrence of the Meghalaya Public Service Commission.
3. The Secretary to the Govt. of Meghalaya, Personnel and A.R. (A) Department. The above appointment is made with the prior approval of the Personnel and A.R. (A) Department vide this U/O no. dated in this Department file No..... (only in cases where the approval of Personnel and A.R. (A) Department is necessary).
- 4.
- 5.
- 6.
- 7.

By order etc.,

Secretary to the Govt. of Meghalaya
.....Department
.....Head of Office

<i>No.PER(AR). 123/87/7, dt. 20thMay,1987</i>	<p style="text-align: center;">Regulation of appointments/promotion under Reg. 4(d) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations,1972 and date of effect thereof</p> <p>23. When an appointment/promotion is made by an appointing authority</p>
--	---

	<p>under Reg.4(d) of the Meghalaya Public Service Commission(Limitation of Functions) Regulations, 1972, as amended, on the recommendation of appointment/promotion is against a regular vacancy, regularisation is subsequently required to be made in consultation with the Meghalaya Public Service Commission. It has, however, been noticed in such cases that some doubt arises as to the date from which such a regular appointment/promotion is to be given effect to, in the absence of specific instructions in the matter. In order to clear any doubt on the matter, it is clarified that regular appointment/promotion, in such cases, should be taken to be with effect from the date as stipulated in the original</p> <p>Government notification/Office order by which such promotion under Reg.4(d) was made or, in the absence of a stipulated date therein, from the date of issue of that Government notification/Office order itself.</p>
<p><i>No.PER(AR) 188/85/40, dt. 13th Sept, 1996</i></p>	<p style="text-align: center;">Regularisation of promotion under Reg.4(d) and furnishing of documents, etc., to the Meghalaya Public Service Commission</p> <p>24.1. The Government have noticed that while matters are taken up with the Meghalaya Public Service Commission for approval to regularisation of the promotion of the Officers made under Reg.4(d) of Meghalaya Public Service Commission(Limitation of Functions)Regulations, 1972, the concerned Administrative Departments do not furnish necessary documents which are required by the Commission for examining the cases and for communicating their approval to regularisation of the promotion. As a result, there has been undue delay and harassment to the Officers concerned in a number of cases.</p> <p>24.2. In order to avoid undue delay the following documents should should invariably be furnished by all Administrative Departments to the Meghalaya Public Service Commission in all cases while taking up the matter for regularisation of promotion of their officers made under Reg.4(d) ; <i>ibid</i> : -</p> <p style="text-align: center;">(i) Original copy of the proceedings of the meeting of the Depart-</p>

	<p>mental Promotion Committee;</p> <p>(ii) Annual Confidential Reports preceding for the last 3(three) years;</p> <p>(iii) Original copy of Integrity Certificate;</p> <p>(iv) Service Rules / Draft Service Rules / Office Memorandum/ Executive Instructions governing the promotion of the Officers;</p> <p>(v) Government Order/Notification of promotion;</p> <p>(vi) Inter se Seniority List/Gradation List, and,</p> <p>(vii) A clear note on Departmental Proceedings/Court case, etc., if any against the officers.</p>
<p><i>No.PER..69 / 85/55, dt.,19th Nov., 1985.</i></p>	<p>Want of Service Rules not obligatory in the matter of regularisation in appointment/promotion of Officers made under Meghalaya Public Service Commission (Limitation of Functions), 1972.</p> <p>25. Absence of Service Rules is not a valid ground for non-regularisation of appointments including promotions duly made by Government. It has been held by the Supreme Court that it is not obligatory under Proviso to Article 309 of the Constitution that rules of recruitment, etc., should be made before a Service can be constituted or a post created or filled. The State Government has the extensive executive powers in regard to State Public Services and these powers cannot be suspended till rules for recruitment are framed in that behalf. The relevant extracts of the Supreme Court's judgements are given below :-</p> <div style="text-align: center;"> <pre> graph TD SC["SUPREME COURT OF INDIA"] --- L["B.N. Nagarajan and other"] SC --- R["State of Mysore and other"] L --- V["Vrs"] R --- V V --- C["A.I.S. , 1966 SC 1942"] </pre> </div> <p>“Mr Nambiar contends that the words ‘shall as set forth in the Rules of</p>

	<p>recruitment of such services specially made in that behalf ' that till the rules are made in that behalf no recruitment can be made to any service. We are unable to accept this contention. First, it is not obligatory under Proviso to Article 309 to make Rules of recruitment, etc., before the service can be constituted or a post created or filled. This is not to say that it is not desirable that ordinarily Rules should be made on all matters which are susceptible of being embodied in Rules. Secondly, the State Government has executive power, in relation to all matters with respect to which the Legislature of the State has power, to make laws. It follows from this that the State Government will have executive power in respect of "List II, Entry 41, State, Public Services".</p> <p style="text-align: center;"> Sent Ram Sharma Vrs State of Rajasthan and other </p> <p style="text-align: center;"><u>A.I.S. 1967 SC 1910</u></p> <p>“We proceed to consider the next contention of Mr N.C. Chatterjee that in the absence of any Statutory Rules governing promotion to selection grade posts the Government cannot issue administrative instructions and such administrative instructions cannot impose any restriction not found in the Rules already framed. We are unable to accept this argument as correct.</p>
--	---

<p><i>O.M.PER.124 /84/12, dtd. 3rd Feb, 1989</i></p>	<p style="text-align: center;">Promotion of State Government employees to higher posts / grades / cadres during pendency of Disciplinary/Court Proceedings and Principles to be followed</p> <p>26. The question as to whether Government servant can be considered for promotion or promoted to a higher post/cadre during the pendency of a vigilance or departmental inquiry against him has been under the consideration of the Government and it has been decided as follows:- “A Government servant who is under suspension or against whom disciplinary proceedings have been started or contemplated or a vigilance</p>
---	---

<p><i>No. PER.124/ 84/32, dtd. 17th Feb, 1996</i></p>	<p>inquiry is pending, should be considered along with other eligible Government servants for promotion to a higher post/cadre when he is due for such promotion. The findings of the Departmental Promotion Committee/Selection Committee as to the suitability or otherwise of such Government servant for promotion should be kept secret under sealed cover. It should be released after the vigilance inquiry or the disciplinary proceedings are completed and final orders are passed thereon. If he is completely exonerated in the disciplinary proceedings/vigilance inquiry and if it is held that the suspension was wholly unjustified, he should be immediately promoted to the higher post/cadre provided he had been found suitable for such promotion. On his promotion his pay and allowances shall be ordinarily fixed from the date of his promotion at the stage he would have reached had he been promoted in the normal course, but no arrears of pay and allowances would be admissible to him. His seniority in that cadre will be according to the order of preference as arranged in the Select List".</p> <p>27.1. Promotion is made on completion of a specified period of qualifying service in terms of the provisions of Service Rules/Draft Service Rules/Executive Instructions. There were/are, however, instances where the concerned Government employee had served for a short period in a particular grade/post/cadre and was found to have committed various irregularities and / or misconduct or was involved in financial irregularities and is/ was accordingly placed under suspension followed by disciplinary / court proceedings or vigilance enquiry.</p> <p>27.2. Meanwhile the question of filling up of higher post(s) in the grade / cadre may arise including whether the brief period of service rendered by the concerned Government employee immediately before the date of suspension and the period during which he / she was / is under suspension would count as qualifying service for the purpose or not. Government have reviewed the existing instructions and decided that the following procedure should be followed in this regard :-</p> <p>(1) The Screening Committee / Departmental Promotion Committee shall assess the suitability or otherwise of the Government employee under suspension or against whom disciplinary/court</p>
--	--

	proceedings or vigilance enquiry is pending or person against
--	---

whom action as such is contemplated. The assessment of the Screening Committee/Departmental Promotion Committee including “Unfit for promotion” and the Grading awarded by it should be kept in a sealed cover. The sealed cover should be superscribed “Findings regarding the suitability for promotion to the post/grade/cadre ofin respect of Shri/Smti.....(name of the Government employee). Not to be opened till the completion of the disciplinary/court proceedings/vigilance enquiry against Shri/Smti”. The proceeding of the Screening Committee/Departmental Promotion Committee should only contain the note: “ The findings are contained in the attached Sealed Cover.

(2)(a) On the conclusion of the disciplinary/court proceedings/vigilance enquiry/criminal prosecution, the “Sealed Cover” or “Covers” shall be opened. If the Government servant concerned is exonerated of all the charges and the period of suspension is/was treated as on duty for all purposes, it is clarified that the period rendered by the Government servant concerned before suspension and the period during which he was under suspension would also count for the purpose of promotion. For this purpose the due date of promotion will be determined with reference to the date of promotion of his/her next junior on the basis of the findings. The Government employee concerned may be promoted, if necessary, by reverting the junior-most officiating person. He would also be promoted notionally with reference to the date of promotion of his junior.

(2)(b) In the case of complete exoneration, the Government employee concerned shall be entitled to arrear of pay and allowances. In other cases the question of arrear on account shall be decided by the Government by taking into consideration of all facts and circumstances of the disciplinary/court proceedings or vigilance enquiry. But where the Government decides to withhold the payment of the arrear on

<p><i>O.M.No.PER. 17/88/1, dtd., 19th Feb, 1988</i></p>	<p>account of the pay and allowances either in full or in part, the reasons for doing so shall be recorded in writing.</p> <p>(3)(a) If major penalty is awarded on the Government employee concerned as a result of the disciplinary / court proceedings / vigilance enquiry or if he / she is found guilty in the criminal prosecution and a penalty is proposed but for any reasons the disciplinary / vigilance proceedings is dropped, the “sealed cover” shall not be acted upon but the concerned Government employee shall not be eligible for promotion. His/her promotion may be considered by the Screening Committee / Departmental Committee in the normal course after taking into consideration the penalty imposed or proposed to be imposed.</p> <p>(3)(b) In this connection, Government also reiterates that disciplinary / court proceedings / vigilance enquiry initiated against any person shall not be delayed or prolonged and all efforts should be made to reduce the number of “Sealed Cover” cases to the minimum. It is also decided that the case of a Government employee whose suitability for promotion had been kept in the “sealed cover” should be reviewed on the expiry of six months starting from the date of convening the last Screening Committee / Departmental Promotion Committee meeting. The review should also cover the progress made in the disciplinary / court proceedings / vigilance enquiry so as to expedite their finalisation.</p> <p style="text-align: center;">Dual charge arrangements-Admissibility of pay/additional pay or pay of higher post.</p> <p>28.1. F.R. 48 (iv) of the Meghalaya F.R.s and S.Rs stipulates that no additional pay shall be admissible to a Government servant who is appointed to hold current charge of another post or posts irrespective of the duration of the additional charges. Instances have occurred where the original notification allowing an Officer to hold current charge of a higher post was subsequently modified/revised allowing the Officer to hold full charge of the higher post with a view to conferring financial benefits on the Officer concerned as admissible under F.R. 48(I), <i>ibid</i>.</p>
--	--

<p>No.PER(AR) 20/76/31, dtd. 8th July, 1976</p>	<p>28.2. The Government have decided that no cases/proposals for subsequent modification/revision of notification/orders with a view to conferring financial benefits to an Officer shall be entertained/considered henceforth</p> <p style="text-align: center;">Measures for improvement of efficiency in administration and promotion on the basis of merit, etc.</p> <p>29.1. The Conference of Chief Secretaries held in New Delhi on May 7th and 8th, 1976, has recommended, inter alia, that the following principles should be followed in the matter of promotions :-</p> <ul style="list-style-type: none"> (i) the principle of selectivity should apply to all Services and Cadres under the State Government and the degree of selectivity has to be progressively sharpened as one climbs up the ladder ; and, (ii) to enable outstanding Officer (s) to gain more rapid promotion, they should be considered out of turn, and for this purpose, the cases of junior Officers should also be assessed. <p>29.2 . At present , promotions continue to be made mainly on the basis of seniority. The result is that a tendency has grown up amongst Officers and staff to take it for granted that they will be promoted according to seniority, whether they have readily deserved such promotion or not. This has an adverse effect on administration. If the administration is to be toned up, it is essential that Officers should be made aware that promotions have to be earned by good work and will not come by virtue of seniority alone.</p> <p>29.3. The recommendations of the Conference have been accepted by Government and accordingly all appointing authorities are directed to bear in mind the above principles while deciding cases of promotion to posts under their control .All Officers and staff under their control should</p>
--	---

	<p>be informed that, in future, the factor of merit will be given special weightage in the making of promotion, apart from seniority.</p>
<p><i>PER&AR(A). Department's letter No _____ 18th July, 1977.</i></p> <p><i>No.PER.144/ 85/115,dtd. 20th Jan,1988</i></p> <p><i>No.PER.28/8 8/4, dt. 24th March, 1988</i></p>	<p>Measures for improvement of efficiency in administration – Improvement by simplifications of procedure, organisation and training_–</p> <p>30. An instance has come to the notice of the Government that a particular Officer has been promoted regarding whom reports had been received of improper conduct. There will be no incentive for good work and discipline will slacken, if the Officers and staff are given the impression that, even when they have worked unsatisfactorily and come to adverse notice, they still get their promotion. It is to impress upon all appointing authorities that before making promotions, the concerned authority should satisfy that the Officer/staff deserves such promotion.</p> <p>31. In the matter of consideration for promotions to the cadres of Lower Division Assistants, Upper Division Assistants and Assistant Superintendents under Rules 6,7 and 8 of the Meghalaya Secretariat Subordinate Service Rules, 1973 in the Secretariat and upto the level of Head Assistants in the Offices of the Heads of Departments, seniority will be an important factor with due regard to merit. However, the appointing authorities should take note that there will be no incentive for good work and discipline will slacken if the staff are given the impression that even when they have worked unsatisfactorily and come to adverse notice, they still get promotion(s) as a matter of course.</p> <p>32. The guidelines indicated at Para 30 above shall also apply mutatis mutandis, to other cadres and services. In other words, seniority will be an important factor with due regard to merit. While grading the Officers and assessing merit, it should be done on the basis of objective criteria (such as assessment of performance against the determined targets) in order to avoid an impression that grading is done on subjective consideration.</p>
<p><i>No.PER (AR) 234/76/8.,dt. 18th Dec. 1976</i></p>	<p>33. On the basis of the recommendations of the Conference of Chief Secretaries held at New Delhi on the 7th and 8th May, 1976, the Government of India has appointed a Working Group for identifying</p>

areas at the cutting-edge level of administration where improvements are called for and the recommendations of the said Working Group for streamlining the procedure, etc. on various matters are to be taken into consideration and action taken by the Departments of the Government. The extract of the Working Group recommendations are as follows :-

(1) **Administrative Reforms in the States**

The State Government should identify specific areas specially at the “cutting-edge” level where improvement by simplifications of procedures, organisation and training is called for. The Units like Police Stations, Offices of the Civil Supplies Department, Department of Transport, Rationing, Block Offices, Hospitals, Banks, Treasuries (for pension payment purposes) etc need priority attention.

(2) **Recommendations of Group - I**

The Working Group consisted of the Chief Secretaries of Punjab and Gujarat and representatives of Karnataka, Kerala, Tamil Nadu, Orissa, Nagaland, Bihar and Delhi. The Group was helped in its deliberations by Sarvashri B.C. Mathur and B.Maithreyan.

The Group was asked to look into the following areas:-

- (i) Improvement of Service to the common man at the cutting edge level;
- (ii) Financial management, including separation of Audit from Accounts.
- (iii) Measures for effecting economy in Government expenditure.

The recommendations of the Group in these areas are given as under :-

Improvements at the Cutting -edge level

(3) It was noted that almost all the States have either already appointed task forces or set up other machinery for identifying areas at the cutting-edge level of administration where improvements are called for. It was, therefore, decided that priorities for taking action should be fixed and an action plan drawn up for conducting studies on a time-bound programme. While studies could be taken up in various areas, emphasis should be on areas that are rural-oriented and those which provide relief and benefit to the weaker sections and youth of the society. Some of the areas in which immediate attention and action are required, in the opinion of the Group, would be:

- (i) Streamlining the procedure for land allotments, mutation cases, grant of house sites to the landless with special emphasis on scheduled castes and scheduled tribes.
- (ii) Simplification and rationalisation of the procedures governing the maintenance of land records with a view to ensuring availability of correct information with the actual owners.
- (iii) Procedures relating to grant of copies of public documents, connected with the offices of Sub-Registrars; Tehsils, Collectors' Office and Judicial Courts.
- (iv) Streamlining of the procedures in employment exchanges relating to registration of applications and sponsoring of candidates to various offices.
- (v) Streamlining the machinery for supervising procurement of foodgrains and distribution of essential commodities including establishment of fair price shops.

	<p>(vi) Streamlining the procedures relating to provision of inputs like credit, fertilizers, seeds, pesticides, supply and energisation of pumps.</p> <p>(vii) Expeditious processing of applications for loans and subsidies at Block, Sub-Division and District Level of the following categories :</p> <ul style="list-style-type: none"> -Co-operative loans -Relief arising out of natural calamities or war, -Special purpose loans to members of Scheduled Castes and Tribes -Short, medium and long-term loans for agricultural activities; and, -House building loans under various Government schemes like LIGH, MIGH.. <p>(viii) Grant of licenses of various kinds from the district/SDMs Offices such as arms licenses, driving licenses, licenses under various control orders relating to distribution of essential supplies from fair price shops, brick kiln owners.</p> <p>(ix) Procedure for expeditious payment of periodical fee for renewal of licenses.</p> <p>(x) Provision of ω-ordinated rural health services including adequate number of attendants, doctors and stocks of medicines.</p> <p>(xi) Removal of deficiencies in the rural education sphere, particularly in the tribal areas by ensuring whole-time availability of local/residential teachers.</p>
--	---

	<p>(xii) Streamlining the procedures for grant of scholarships, other grants and certificates, especially to the Scheduled Castes, Scheduled Tribes and Backward classes.</p> <p>(xiii) Improvement of transport facilities.</p> <p>(4). The following areas of activity where improvement have already been attempted, can be considered for immediate adoption :-</p> <p>(i) Payment of pension through banks and post offices;</p> <p>(ii) Receipt of Government dues through public sector banks;</p> <p>(iii) Payment of road-tax and issue of tax tokens through post offices/nationalised banks;</p> <p>(iv) Proper location of fair price shops and streamlining the procedures for issue and renewal of rations cards,</p> <p>(v) Streamlining the working of hospitals with special reference to the procedures in the OPDs.</p>
<p><i>O.M.No.PER. 228/74/5, dtd. 24th June, 1974</i></p>	<p>Procedure of recruitment to posts and services which are outside the purview of the Meghalaya Public Service Commission and the District Selection Committee.</p> <p>34.1. Consequent upon the amendment of the Meghalaya Public Service Commission(Limitation of Functions) Regulations, 1972 vide Notification No.PER. 136/72/73, dated the 6th June, 1974, all the posts on pay scales the maximum of which are less than Rs. 301/- under the existing scales of pay, where the appointing authority is not a District or Sub-Division Assistants, Typists and Stenographers Grade-III in the Secretariat and Offices of the Heads of Departments) have now been excluded from the purview of the Meghalaya Public Service Commission. Such posts do not also come within the purview of the District Selection Committee.</p>

	<p>34.2. The procedure for recruitment to such posts has been considered by the Government and it has been decided, in supersession of orders contained in Office Memorandum No.PER.136/72/76, dated the 30th August, 1973, and Corrigendum No.PER.136/72/71, dated 12th November, 1973, that when an appointment is to be made by direct recruitment by an appointing authority (where such appointing authority is not a District or Sub-Divisional Head of Office) to any post on any scale the maximum of which is less than Rs 301/- (Rupees three hundred and one) under the existing scales of pay (except the post of Lower Division Assistants, Typists and Stenographers, Grade-III in the Secretariat and Offices of the Heads of Departments), such recruitment shall be made by the respective appointing authorities through a Departmental Selection Committee which shall consist of the Appointing Authority as Chairman to be assisted by his Deputy or, if he has no such Deputy, by the next Senior Gazetted Officer subordinate to him.</p> <p>34.3. Before making such recruitment, the appointing authority shall duly advertise the posts and shall also hold a written test and / or interviews wherever necessary. In making appointments, the Government orders regarding reservation of vacancies for different communities should also be strictly adhered to.</p> <p style="text-align: center;"><i>(To take effect from 24th June, 1974)</i></p>
<p><i>No.PER (AR) 51/81/2,dtd. 23rd Feb,1981</i></p>	<p style="text-align: center;">Recruitment to the posts of Peon attached to Officers</p> <p>35. Direct recruitment to the posts of Grade IV in the Secretariat and Offices of the Heads of Departments is to be made through the Departmental Selection Committees constituted by the respective Departments and through the District Selection Committees concerned in respect of the Grade-IV posts in the District and Sub-Divisional Offices. The Government have noticed that the procedure laid down in the Office Memoranda (i.e. PER.228/743/5, dtd. 24th June, 1974 and</p>

	<p>No.PER.307/71/144, dtd. 28th November, 1975) is not being followed by the Officers in the matter of appointment to the posts of Peon attached to Officers, which is very irregular. It has, therefore, been felt necessary to re-emphasise this point that the procedure laid down in the Government orders mentioned above is also applicable to recruitment to posts of Peons attached to Officers (except Personnal Orderlies /Bungalow Peons who may be appointed by Officers following the procedure laid down in Government Office Memorandum No.ADMN (G).85/70/57, dtd. 13th February, 1974), which should be strictly followed by all concerned.</p>
<p><i>No.PER (AR) 318/82/23,dtd 16th Oct, 1982</i></p>	<p align="center">Appointment to Grade IV Staff, Drivers, Mechanics, etc., in the Secretariat and Offices of the Heads of Departments.</p> <p>36.1. Reference to Office Memorandum No.PER(AR) 246/80/15 dated 26th February, 1981, read with letter No.PER.228/74/5 dated 24th June, 1974 in so far as it concerns “recruitment of Grade IV staff and posts of Drivers, Mechanics, etc,” in the Secretariat and/or the Offices of the Heads of Departments to be made through the Departmental Selection Committee the word “etc”, used therein should be limited only to Grade IV staff, Drivers, Mechanics, etc., who are required to serve in the Secretariat and Offices of the Heads of Departments and, in whose case, the minimum educational qualification required at initial recruitment is not even Matriculation or H.S.L.C.</p> <p>36.2. The Grade IV Staff, Drivers, Mechanics, etc., who are required to serve in the District and other Subordinate Offices do not come within the purview of the Departmental Selection Committees of both the Secretariat and the Heads of Departments.</p>
<p><i>No.PER(AR). 165/76/60, dtd.21st Aug, 1978</i></p>	<p align="center">Classification of the posts of Typist in the District Office</p> <p>37.1. The Government have noticed that some Administrative Departments have created/sanctioned the posts of Typists for the District level offices. It is clarified that there is no separate cadre or posts of Typist in the offices carrying the District scale of pay of Rs. 240-5-265-EB-7-335-9-380/- P.M. which fall under the purview of the District Selection Committee. The Lower Division Assistants appointed under</p>

	<p>the recommendation of the District Selection Committee are expected to know and do typing work also. The so called typists are but Lower Division Assistants. The position as stated above is based on the recommendation of the Assam Pay Committee, 1964 which was duly accepted by the Government. However, in order not to deprive the Lower Division Assistants who are working as Typists of the prospect of promotion to the posts of Upper Division Assistant, typing works should not be allotted to the same person for more than 2 or 3 years so as to enable all Lower Division Assistants to gather sufficient experience in file work by the time they are due for promotion as Upper Division Assistant.</p> <p>37.2. The above procedure may be adopted accordingly. Further it may be noted that in future for recruitment to the posts of Lower Division Assistant which fall under the purview of the District Selection Committee only candidates who are qualified in typing work should be considered.</p> <p>37.3. All the posts of Typist created in the offices carrying the scale of Rs. 240-5-265-EB-7-335-EB-9-380/- p.m. which fall under the purview of the District Selection Committee should be converted to that of the posts of Lower Division Assistant. All the incumbents are to be</p>
	<p>considered for Promotion to the posts of Upper Division Assistant according to their position in the amalgamated list and suitability.</p>
<p><i>O.M. No.PER (AR)435/85/ 61, dtd. 6th Jan, 1987</i></p>	<p style="text-align: center;">Minimum Staffing Pattern for Offices of Deputy Commissioner, and Sub-Divisional Officers</p> <p>38.1. Consequent upon the creation of Districts and Sub-Divisions in the State, and for the purpose of bringing about expediency and effective efficiency in administration, the need for providing each of those Districts and Sub-Divisions with minimum requirement of staff has been felt. The matter has therefore, been considered and accordingly, the following minimum staffing patterns have been laid down :-</p> <p style="text-align: center;">Minimum staffing pattern for office of Deputy Commissioner</p>

(Future increase to be based on need for additional posts or on yard sticks as adopted by Government from time to time).				
Sl No.	Branches	Categories of staff	No. of posts that should form a staffing pattern (subject to future increase).	Remarks
1	2	3	4	5
1.	General Branch	Head Assistant	1	
		Supervisory Asstant	1	
		U.D.A.	2	
		L.D.A -cum-Typist	4	
		Stenographer (Class as available)	1	
		Drivers	See remarks	As many as there are sanctioned vehicles.
		Process Server	3	
		Jamadar	1	

		Mali	1	
		Chowkidar	1	
		Office Peon	2	
		Peon attached to		As many as there are Officers in a District.
		D.C/ADC / S.D.O./ E.A.C.	See remarks	
		Sweeper	1	
		Cleaner	2	

2.	Confidential Branch	L.D.A.-cum-Typist	1	
		Peon	1	
3.	District Selection Committee Branch	U.D.A.	1	
		L.D.A. -cum-Typist	1	
		Peon	1	
4.	Nazarat Branch	Nazir	1	
		Asstt. Nazir	1	
5.	Account Branch	U.D.A. (Acctt) L.D.A.-cum-Typist (Acctt)	1	
6.	Development Branch	U.D.A.	1	
		L.D.A. -cum-Typist	2	
		Peon	1	

Minimum Staffing Pattern for Office of Sub-Divisional Officer :-

(Future increase to be based on need for additional posts or on yard sticks as adopted by Government from time to time).

Sl No.	Name of Branch	Categories of posts that should exist	No. of posts that should form a staffing pattern (subject to future needs)	Remarks
1	2	3	4	5
1.	General Branch	Head Assistant	1	

		U.D.A.	1	
		L.D.A. -cum-Typist	2	
		Office Peon	1	
		Chowkidar	1	
		Process Server	3	
		Mali	1	
		Peon attached to S.D.O.(Sadar)/EACs	See Remarks	As many as there are these officers in a Sub Division
		Driver	See Remarks	As many as there are sanctioned vehicles
		Sweeper	1	
		Cleaner	1	
2.	Nazarat Branch	Nazir	1	

3.	Accounts Branch	U.D.A. (Acctt)	1	
4.	Development Branch	U.D.A.	1	
		L.D.A. -cum-Typist	1	
		Peon	1	

	38.2. Creation of posts as per the minimum staffing pattern as indicated above will, however, be subject to the usual procedure of taking the concurrence of Finance Department on the basis of budget provision available or being made available.
--	---

<p>O.M.No.PER (AR)304/81/ 23, dtd. 21st March, 1982</p>	<p style="text-align: center;">Restriction on appointment under Reg.3(f) and/or adhoc appointment</p> <p>39.1. According to the existing procedure, direct recruitment to posts falling within the purview of the Meghalaya Public Service Commission is to be made in prior consultation with the Commission, as soon as vacancies occur, so that the need for making appointment under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 will not arise at all. Appointments under Reg. 3(f), <i>ibid</i>, without consultation with the Commission are to be avoided as far as possible. However, where it is not possible to do so in the exigencies of public interest, the appointing authorities can make temporary appointments under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972.</p> <p>39.2. Despite instructions issued from time to time to avoid making appointment under Reg. 3(f), except when it is absolutely necessary in the exigencies of public interest and that action is simultaneously taken to the posts in a regular manner, it has been noticed that such appointments continue to be made as a matter of course and the ad hoc appointees continue for indefinite periods. This leads to an unsatisfactory state of affairs and an adverse note is reflected in the Annual Reports of the Meghalaya Public Service Commission. Further, there is a growing tendency in some of the departments to make temporary appointments under Reg.3(f) without consulting the Commission in such a post or posts which have been sanctioned and are likely to continue for more than four months.</p> <p>39.3. This question of temporary appointments under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 by various Departments /Appointing Authorities has been engaging the attention of the Government for quite some time. After careful examination and with a view to putting a check on the irregular appointments under Reg. 3(f) made by various Departments/Appointing Authorities, it has now been decided that henceforward, appointments under Reg. 3(f) irrespective of the maximum</p>
--	---

	<p>of the scale of pay, should be made only on prior approval of Personnel & A.R. (B) Department. Proposal for appointment under Reg. 3(f) to posts carrying the scale of pay the maximum of which is Rs. 1,650/- and above should also receive the concurrence of Personnel & A.R. (A) Department, as provided under Rule 57(4) (iii) of the Meghalaya Rules of Executive Business besides approval of Personnel & A.R. (B) Department.</p>
<p><i>O.M.No.PER (AR) 304/81/ 36dt16thAug. 1982</i></p>	<p>40.1. As laid down at Para 38 above, it is necessary that all Departments/Heads of Departments should obtain approval of Personnel & A.R. (B) Department for any appointment under Reg. 3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 and that the prior concurrence of Personnel & A.R. (A) Department be also obtained as provided under Rules 57(4)(iii) of the Meghalaya Rules of Executive Business besides the prior approval of Personnel & A.R. (B) Department.</p> <p>40.2. In order to see that a chance is afforded to one and all for being considered as against any vacancy proposed to be filled up immediately under Reg. 3(f), on account of its immediate need, it has been decided that, henceforward, the Departments/Heads of Departments should duly advertise in the Gazette of Meghalaya and, at least, in one of the local newspapers of Shillong, Jowai and Tura and call for applications from suitable candidates accordingly.</p> <p>40.3. On receipt of applications from the suitable candidates, the Departments/Heads of Departments should make necessary selection through a Departmental Selection Committee that may specifically be constituted for the purpose and then come up for approval/concurrence of Personnel & A.R. (B)/Personnel & A.R.(A) Departments subsequently.</p> <p>40.4. The Departmental Selection Committee to be constituted should be in accordance with the following pattern :-</p>

(a) Spl. Secretary/Secretary of the Department concerned	Chairman
(b) Spl. Secretary/Secretary, Personnel & A.R.(B) Department	Member
(c) Heads of Department concerned	Member
(d) Any other Officer of the Department concerned	Member-Secretary

	<p>40.5. It is intended that this will not cause undue delay on account of the fact that the Departments/Heads of Departments themselves are in the know of their own need and urgency and can normally take appropriate and necessary steps to expedite the matter. Besides, it will also be an attempt to ensure fairness in the matter.</p> <p style="text-align: center;">(Takes effect from 16th August, 1982)</p>
<p><i>O.M. No.PER (AR)304/81/70, dtd. 10th Jan, 1983</i></p>	<p>41.1. Consequent upon the issue of the instructions relating to appointments under Reg.3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 vide Paras 38 and 39 above, a question has arisen as to whether the approval of Personnel and A.R. (B) Department will be necessary in the case of Reg. 3(f) appointments in respect of Government stipendiary. Since the Government stipendiary are sent to different Institutions by the different Departments after having been screened initially on the basis of their personnel requirement, the question of delaying their appointment after they have acquired the prescribed requisite qualifications does not appear reasonable.</p> <p>41.2. Government have decided that the instructions contained in Paras 38 and 39 above should not apply in so far as the Government stipendiaries are concerned.</p> <p style="text-align: center;">(Take effect from 10th January, 1983).</p>
<p><i>O.M. No.PER (AR)238/87/2 dtd. 3rd Oct, 1987</i></p>	<p>Regularisation/termination of appointments made under Reg.3(f) Ad hoc basis</p> <p>42.1. Under the existing instructions direct recruitment to all posts and</p>

services under the Government of Meghalaya should be filled up in a regular manner through the Meghalaya Public Service Commission, District Selection Committees and Departmental Selection Committees, as the case may be, and only in very exceptional cases and in the exigencies of public interest, appointment under Reg.3(f) of the Meghalaya Public Service Commission (Limitation of Functions) Regulations, 1972 or on an adhoc basis may be resorted to and that also with the prior approval of the Personnel & A.R. (B) Department. But inspite of the restrictions on the appointment under Reg.3(f)/adhoc basis there is a growing tendency among the Departments/Appointing Authorities to take recourse to appointment under Reg.3(f) /adhoc basis without the prior approval of the Personnel & Administrative Reforms (B) Department even to posts which are not of a specialised or technical in nature and which can even be filled in a regular manner through the Meghalaya Public Service Commission, District Selection Committees and Departmental Selection Committees for regular appointment. The matter has been engaging the attention of the Government and after careful examination of the matter, it has been decided as follows :-

- (1) That it should not generally be necessary for the Departments/Appointing Authorities to make any appointment under Reg. 2(f) /adhoc basis.
- (2) Appointments under Reg.3(f)/adhoc basis which have already been made prior to the issue of this order should immediately be reviewed. They should now be made in a regular manner by candidates recommended by the Meghalaya Public Service Commission, District Selection Committees and Departmental Selection Committees, as the case may be.
- (3) In exceptional circumstances when the need is felt that certain vacancy(ies) is/are required to be filled up under

<p><i>No.PER (AR) 238/87/21,dt. 22nd Feb, 1989</i></p>	<p>Reg.3(f)/ad hoc basis, the Department concerned should submit proposal to the Cabinet with the views of the Personnel & A.R. (B) Department and take prior approval of the Cabinet before proceeding with such recruitment.</p> <p>42.2. The above decision, however, will not apply in the case of Government stipendiaries in whose case the instructions contained in Paras 39.1 and 39.2. shall continue to be in force.</p> <p>NOTE :- All previous instructions issued in this connection stand superceded</p> <p>43.1. It is clarified that all appointments made without going through the specified recruitment procedure of obtaining recommendation either of the Meghalaya Public Service Commission or the District Selection Committees or the Departmental Selection Committees, as the case may be, are deemed to be irregular appointments, and would necessarily fall either under the category of Reg 3(f) or ad hoc appointment.</p> <p>43.2. The instructions under Para 40 above should be strictly followed and all concerned should ensure that no appointments either on ad hoc basis or under Reg. 3(f) to any posts including Grade –IV posts are made without obtaining the prior approval of the Cabinet. Non-compliance of the Government Orders will be viewed very seriously.</p>
---	---

<p><i>O.M.No PER (AR)193/88/ 19 dtd. 22nd June,1989.</i></p>	<p>44. The matter regarding regularisation / termination of appointment under Reg.3(f)/appointment on ad hoc basis to different posts under the various offices has received the attention of the Government. After careful examination of the matter, Government have decided as follows :-</p> <p>(1) That all appointments under Reg.3(f) of the Meghalaya Public Service Commission(Limitation of functions(Regulations,1972 made prior to 31st October,1987 should be referred to Personnel & Administrative Reforms(B) Department with all relevant records for examination as to whether any valid reason exist for the inability of the Department concerned to regularise such appointment and also for advice on how to expedite regularisation in respect of genuine cases</p>
	<p>(2) In view of Office Memorandum No.PER(AR)238/97/2, dt.3.10.87 vide Para 42 above banning appointment under Reg.3(f) and appointment on adhoc basis to posts falling within the District Selection Committee/Departmental selection Committee, except with the prior approval of the cabinet, all appointing authorities who have issued appointment letters appointing candidates under Reg 3(f) and on adhoc basis since 31.10.1987 without the prior approval of the Cabinet should submit explanations to the Personnel & Administration Reforms (B) Department as to why they have violated Government's instructions in this regard.</p> <p>(4) Appointments made prior to 31.10.1987 on an adhoc basis to various posts falling within the purview of the District Selection Committees should immediately be intimated to the concerned District Selection Committees with the details of the incumbents so appointed. The adhoc appointees should be specifically directed by the concerned appointing authorities to get themselves regularised through the respective District Selection Committees</p>

	<p>within a period of one year from the date of this order (i.e. 22nd June,1989) failing which their appointments will stand automatically terminated</p> <p>(5) Where adhoc appointments have been made before the 31st October, 1987 to posts falling within the purview of the Departmental Selection Committee, the Department/Appointing authority concerned should convene the Departmental Selection committee immediately to consider such appointments after observing the procedures laid down in this regard.</p> <p>(5) Adhoc appointments made on time scale of pay against non-existent posts for which no sanction exist should be terminated with immediate effect.</p> <p style="text-align: center;">(To take effect from 22.6.1989)</p>
<p><i>No.PER (AR) 57/90/Pt/26 dtd.29thFeb. 1996</i></p>	<p>45. The Government have decided to allow the ad hoc appointees appointed under Reg.3(f) of the Meghalaya Public Service Commission (Limitation of Functions)Regulations,1972 prior to 31.10.1987 to get themselves regularised by holding a special interview in consultation with the Meghalaya Public Service commission. There would be no age bar in such case. Government have also decided that the candidates when they are recommended would not be given weightage for their past service in so far as seniority is concerned and they would be considered junior to the junior-most incumbent in position as on the date of recommendation. In other words the normal principles governing seniority would apply. However, the period under Reg. 3(f) appointment of each incumbent would be taken into consideration for the purpose of leave, pay, increment, pension, etc. as per existing provision.</p>
<p><i>O.M.No.PER (AR)70/93/1</i></p>	<p style="text-align: center;">Instructions in regard to recommendation of the Meghalaya Public Service Commission for direct recruitment to various posts</p> <p>46. The existing provisions under Para 9 (a)(I), Part IV, pp.7 of the “Instructions regarding direct recruitment through the Public Service</p>

<p><i>dt.21st April, 1993</i></p>	<p>Commission....” Have been modified as below :</p> <p>“ Para 9(a)(I) / As soon as the result are ready, the Commission will send to the Government the number of candidates for direct recruitment to posts/cadres according to the actual vacancies that are likely to occur during the recruitment year plus 10% of the actual vacancies or 2(two) names, whichever is more, In addition, the Commission shall also maintain a subsidiary list of successful candidates limiting the number to not more than 25% of the actual vacancies, which shall not be published and should remain confidential with the Meghalaya Public Service Commission and shall be furnished to Government when called for, as and when required.”</p> <p style="text-align: center;">Deputation of Expert Advisers for Assisting the Meghalaya Public Service Commission in conducting interviews for various posts.</p>
<p><i>No.PER.136/72/Part.II/2, dt 5th Jan, 1974</i></p>	<p>47. Certain Departments have deputed Officers who do not have any specialised knowledge of the requirements of the posts for which interviews are conducted, to the Meghalaya Public Service Commission to act as Expert Advisers during such interviews. When the services of Expert Advisers are requested for by the Commission, the Department concerned should depute only such Officer(s) who is /are conversant with the requirements of the post for which interviews are to be held and who can be of real assistance to the Commission.</p>
<p><i>No.PER (AR) 96/81/2, dt. 30th Oct,1981</i></p>	<p>48. Certain Departments did not comply with the request of the Public Service Commission in deputing Expert Adviser(s) to assist the Commission in conducting interviews for recruitment to various categories of posts falling within its purview and as a result, the Commission has had to conduct interviews without the assistance of the Expert Adviser(s). All concerned should cooperate with the Public Service Commission and depute Expert Adviser(s) whenever requested by the Commission in this regard.</p>
<p><i>No.PER (AR) 96/81/8, dt 30th Oct,1981</i></p>	<p>49. It has been found that some departments do not properly follow the instructions contained under Paras 47 and 48 above and depute Officers</p>

<p><i>No.PER (AR) 96/81/106, dt 30th Oct, 1981</i></p>	<p>as Expert Advisers who are not expert at all for assisting the Commission in conducting the interviews of candidates for technical posts, etc. This defeats the purpose for which the advice of an expert is called for. It is, therefore, emphasized upon all Departments to see that only actual experts are deputed to assist the Commission.</p> <p>50. Government have noticed that due care has not been taken by Administrative Departments in deputing Officers as Expert Advisers for assisting the Meghalaya Public Service Commission when called upon to do so. There have also been some instances when the Expert Advisers deputed are not sufficiently senior to the candidates who are to be interviewed, which is not desirable. It is, therefore, to ensure that Expert Advisers deputed to the Commission are chosen with due care, and are of a sufficiently higher rank and status in relation to the post to be filled up.</p>
---	---