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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 17th March, 2020.

No.LJ (A) 2/2020/62. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya, in consultation with the High Court of Meghalaya, is pleased to make the following Rules regulating the recruitment and conditions of service of persons appointed in the District Courts within the State of Meghalaya which are subordinate to the High Court of Meghalaya.

PART I – GENERAL

1. Short title and commencement:

- a) These Rules may be called the “**Meghalaya District Courts (Ministerial) Service Rules, 2020**” (hereinafter referred to as the “**Rules**”).
- b) They shall apply to all persons appointed to the District Courts’ Ministerial Establishment.
- c) They shall come into force from the date of notification in the Official Gazette.

2. Definitions: In these Rules, unless there is anything repugnant in the subject or context:

- a) “**Appendix**” means the Appendix appended to these Rules;
- b) “**Appointing Authority**” means the District and Sessions Judge of the respective district(s) within the State of Meghalaya;
- c) “**Constitution**” means the Constitution of India;
- d) “**Direct recruitment**” means recruitment otherwise than by promotion or transfer;
- e) “**Government**” and “**Governor**” means the Government and the Governor of Meghalaya respectively;
- f) “**High Court**” means the High Court of Meghalaya;
- g) “**Judgeship**” means the administrative jurisdiction of the District & Sessions Judge;

- h) "**Member of the Service**" means a member of the Meghalaya District Court (Ministerial) Service;
- i) "**Member of the District Courts' Ministerial Establishment**" means a person appointed in accordance with these Rules or of rules or orders in force prior to commencement of these Rules;
- j) "**Recruiting Authority**" means Registrar General of the High Court or any other officer authorized by the Chief Justice of the High Court;
- k) "**Schedule**" means schedules appended to these Rules;
- l) "**Service**" means the Meghalaya District Court (Ministerial) Service constituted under Rule 4;
- m) "**Substantive appointment**" means an appointment made under the provisions of these Rules, after due selection by any of the methods of recruitment prescribed under these Rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period; and
- n) "**State**" means the State of Meghalaya.

3. Construction: (1) In these Rules, unless the contrary intention appears, a reference to:

- a) an amendment includes a supplement or replacement (however fundamental) and amended will be construed accordingly;
 - b) a month or months is a reference to a period starting on one day in a calendar month and ending on the numerically corresponding day in the next calendar month or the calendar month in which it is to end;
 - c) a year or years is a reference to a calendar year;
 - d) the singular includes the plural (and vice versa); and
 - e) a gender shall include references to the female and male gender.
- (2) The headings in these Rules do not affect its interpretation.

PART II – STRENGTH, RECRUITMENT, APPOINTMENT AND CONDITIONS OF SERVICE

4. Constitution of the Service: On and from the date of commencement of these Rules, there shall be constituted a service known as the '*Meghalaya District Court (Ministerial) Service*' comprising the following persons:

- i. persons appointed to different posts in the Judgeship before commencement of these Rules;
- ii. persons appointed to different posts in the respective Deputy Commissioners'/ Sub-Divisional Officers' office (Judicial branch) who have, at the time of separation of subordinate Judiciary from the Executive, been transferred to the respective Judgeship(s); and
- iii. persons appointed to different posts in the Service in accordance with the provisions of these Rules.

5. District Courts Ministerial Establishment:

- a) The establishment of the Judgeship shall consist of the posts shown in Schedule – A which may be amended by the Governor, in consultation with the High Court, from time to time.
- b) The Governor, in consultation with the High Court, may from time to time, create additional number of posts in any class or category.
- c) The Governor, in consultation with the High Court, may leave unfilled or may hold in abeyance any vacant post without thereby entitling any person to compensation.
- d) Members of the lower posts shall have no claim for appointment to any of the higher posts except in accordance with the provisions made in these Rules.

6. Method of recruitment, educational qualifications etc.:

- a) In respect of each category of posts of the Service specified in column (B) of Schedule – B, the method of recruitment and required qualifications shall be as specified in the corresponding entries in columns (C) and (D) of Schedule – B.
- b) Except for appointment on officiating, temporary or ad-hoc basis, the mode of and qualifications for appointment to the post specified in the Schedule – B shall be as stated therein.

Provided that the Recruiting Authority may, if deemed appropriate, for the purpose of short listing of the candidates, hold a screening test.

- c) Notwithstanding anything contained hereinabove, recruitment to a post or a class of posts may be made by one or more of the following methods, namely:
 - i. by promotion of a person already employed in the Judgeship;

Explanation: Subject to the requirement of efficiency, promotion shall ordinarily be made according to Merit-cum-Seniority. An employee may receive special promotion for recognised merit irrespective of the class/ grade to which he may belong or of his seniority within his class/ grade. The zone of eligibility for promotion as drawn up by the Appointing Authority shall be 3 (three) times of the number of vacancies to be filled in on the basis of Merit-cum-Seniority or Merit, as the case may be:

Provided that in case of non-availability of sufficient number of suitable persons for selection on the basis of merit, the Appointing Authority may, at its discretion, consider persons of outstanding merit outside the zone of eligibility.

(a) In case a person, on his appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis, foregoes such an appointment, he shall be considered again for appointment by promotion only after a period of 2 (two) years (subject to available vacancy).

(b) No person shall be allowed promotion to any post unless the Appointing Authority is satisfied that he is a person of integrity and impartiality.

ii. by transfer to a corresponding post from another Judgeship;

iii. by Direct recruitment.

d) A candidate for appointment must, in any case, satisfy, apart from other qualifications, the following conditions:

i. that he is of sound health, and

ii. that his character and antecedents are such as to qualify him for his service.

7. **Citizenship:** No person shall be appointed unless he is a citizen of India as defined in Articles 5 and 6 of the Constitution.

8. **Age:** (1) Unless specified to the contrary in Schedule – B, every candidate for appointment by Direct recruitment must have attained the age of 18 (eighteen) years and not exceeding the age of 27 (twenty seven) years on the first day of the year in which the advertisement for the post is made.

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

Provided further that in the case of persons with disabilities, the upper age limit will be subject to O.M. No. PER (AR) 150/88/455 dated 10.09.2007 issued by the State Government (Personnel and Administrative Reforms (B) Department).

Provided further that there shall be no age limit for those candidates who are already in service of the Meghalaya Government provided they entered service within the prescribed age limit.

9. **Reservation:** Reservation in Direct recruitment for various categories and classes of post in the District Courts' Ministerial Establishment shall be in accordance with the prevailing policies of the State Government.

10. **Canvassing:** Any attempt on the part of a candidate/ Member of the District Courts' Ministerial Establishment for direct recruitment/ promotion (as the case may be) to enlist support, directly or indirectly, for his candidature by other means will disqualify him for appointment/ promotion.

11. **Physical Fitness:** (1) Save and except to the extent candidates entitled to reservation under the Rights of Persons with Disabilities Act, 2016 and rules framed thereunder, a candidate for direct recruitment to any post must be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties and if selected, must produce a certificate to that effect from a medical authority notified by the Appointing Authority for the purpose.

(2) The Appointing Authority may, with prior approval of the High Court, dispense with production of such certificate in the case of a candidate promoted in the regular line of promotion, or who is already serving in connection with the affairs of the State if he has already been medically examined for the previous appointment and the essential standards of medical examination of the 2 (two) posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

12. Disqualification for appointment:

- 1) No person shall be eligible for appointment unless he is a citizen of India.
- 2) No person who has more than 1 (one) spouse living shall be eligible for appointment.
- 3) No person shall be eligible for appointment if he or she:
 - i. is or has been a member of, or has associated himself with, any body or association after such body or association is declared as an unlawful body or association; or
 - ii. has participated in or is associated with, any activity or programme:
 - a. aimed at subversion of the Constitution;
 - b. aimed at organized breach or defiance of law involving violence;
 - c. which is prejudicial to the interests of the sovereignty and integrity of India or the security of the State; or
 - d. which promotes, on grounds of religion, race, language, caste or community, feelings of enmity or hatred between different sections of the people; or
 - iii. is dismissed from service under the Government of India or any State Government or any High Court; or
 - iv. is or has been debarred or disqualified by the Union or any State Public Service Commission or any High Court from appearing for any examination or selection conducted by it; or
 - v. is or has been convicted of an offence involving moral turpitude.

13. Determination of Vacancies: (1) (a) Subject to the provisions of these Rules, the District and Sessions Judge of each Judgeship shall determine on the first day of April every year, the actual number of vacancies occurring during the financial year and send requisition of the same to the Recruiting Authority for recruitment.

(b) Where a post is to be filled in by a single method as prescribed in Schedule – B, the vacancies so determined shall be filled in by that method.

(c) Where a post is to be filled in by more than one method as prescribed in Schedule – B, the apportionment of vacancies, determined under sub-sub-rule (a) of sub-rule (1) above, to each such method shall be done maintaining the prescribed proportion for the overall number of posts already filled in. If any fraction of vacancies is left over, after apportionment of the vacancies in the manner prescribed above, the same shall be apportioned to the quota of various methods prescribed in a continuous cyclic order giving precedence to the promotion quota.

(2) The Appointing Authority shall also determine the vacancies of earlier years, year wise which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in and send the requisition of same to the Recruiting Authority for recruitment.

(3) The Recruiting Authority shall, after determining the vacancies, under sub-sub-rule (a) of sub-rule (1) and, under sub-rule (2), notify the vacancies Judgeship-wise.

14. Authority for conducting the examination: The common recruitment/ examination for the entire State shall be conducted by the Recruiting Authority, through its recruitment cell, on the basis of requisition for recruitment received from each Judgeship as per the guidelines, if any, prescribed by the High Court from time to time.

15. Inviting of Applications and Examination Fees: (1) The applications for Direct recruitment for the posts shall be invited by the Recruiting Authority through advertisement in at least 3 (three) news papers, two of which must be in the vernacular language having wide circulation in the State.

(2) A candidate for direct recruitment shall pay examination fees of Rs. 300/- (Rupees three hundred only) in the form of Demand Draft payable to “**Registrar General, High Court of Meghalaya, Shillong**”. In case of Scheduled Caste/ Scheduled Tribe/ Other Backward Classes, examination fees of Rs. 150/- (one hundred and fifty rupees only) shall be charged. However, the application fee is exempted subject to furnishing of disability certificate (as per notification no. PER (AR).150/88/Pt.I/43 dated 29th April, 2015).

(3) No claim for refund of the examination fees shall be entertained nor shall the fees be held in reserve for any other examination.

(4) Candidates shall be required to state in the application form names of maximum 3 (three) places (High Court/ subordinate Courts) in order of their preference, in which they seek appointment, in the manner as prescribed by the Recruiting Authority. The applicant shall submit an undertaking, alongwith his application in the form, specified by the Recruiting Authority, to the effect that he shall perform the duties and functions as specified by the Appointing Authority from time to time under Rule 37 of these Rules.

16. Scrutiny of applications: Before submitting the application, it should be ensured by the candidate that he fulfills all the eligibility criteria laid down in these Rules. The Recruiting Authority shall scrutinize the applications received by it and prepare a list of eligible candidates. Mere inclusion in the list of eligible candidates shall not entitle the candidate to presume his eligibility. The Recruiting Authority or Appointing Authority, as the case may be, shall reject the candidature of the candidates, who are selected for the post, at any stage, if they are found ineligible for appointment to the post.

17. Eligibility of candidates for the interview:

1) For the purpose of selection of candidates for interview, the Recruiting Authority shall prepare a list of names of candidates on the basis of the percentage of total marks secured in the qualifying examination in the order of merit and if 2 (two) or more candidates have secured equal percentage of total marks in the qualifying examination, the order of merit in respect of such candidates shall be fixed on the basis of their age (the person or persons older in age being placed higher in the order of merit). From amongst the candidates whose names are included in such list, as far as may be, such number of candidates as are equal to 3 (three) times the number of vacancies notified, selected in the order of merit, shall be eligible for the interview.

2) Where posts are reserved for Scheduled Tribe or others and required number of candidates in terms of sub-rule (1) belonging to such castes, tribes or other classes are not eligible for the interview, then, notwithstanding anything contained in sub-rule (1), the High Court under its discretion, may or may not, direct that such number of candidates as will make up the deficiency, belonging to such castes, tribes or classes selected in the order of merit from the list of names of candidates prepared under sub-rule (1) shall also be made eligible for the interview. For the purpose of this Rule:

- i. '*qualifying examination*' means the examination or examinations prescribed as the minimum qualification required for appointment by the committee to be nominated by the Recruiting Authority;
- ii. where the qualifying examination consists of more than one examination, the percentage of total marks secured in the qualifying examination shall be the average of the percentage of total marks secured in those examinations.

18. Interview:

- 1) The Recruiting Authority shall interview the eligible candidates selected under Rule 17 and award marks on the basis of their performance in the interview. The maximum marks for interview shall be 12.5% of the total written marks.

Note: The object of such interview is to assess the suitability of the candidates for appointment to the cadre or post applied for by them and their caliber including intellectual and social traits or personality.

- 2) The Recruiting Authority shall, as far as may be practicable, publish on the notice board of its office/ website on the day on which interview is held, a list of marks obtained by each candidate in the qualifying examination, if any.

Provided that where the interview is held at any place other than the place of its office, the said list shall be published at such other place.

19. List of selected candidates:

- 1) The Recruiting Authority shall, on the basis of the aggregate of the percentage of the total marks secured in the qualifying examination, as determined under Rule 17 and of the marks secured at the interview under Rule 18, and taking into consideration the orders in force relating to reservation of posts for Scheduled Tribe or others, prepare in the order of merit a list of candidates eligible for appointment to the category of post and if the aggregate of the percentage of total marks secured in the qualifying examinations as determined under Rule 17 and of the marks secured at the interview under Rule 18 of two or more candidates is equal, the order of merit in respect of such candidates shall be fixed on the basis of their age (the person or persons older in age being placed higher in the order of merit).
- 2) The number of names of candidates to be included in such list shall be equal to the number of vacancies notified for recruitment.
- 3) The Recruiting Authority shall, in accordance with the provisions of sub-rule (1) above, also prepare an additional list of names of candidates not included in the list prepared under sub-rule (1) above, of which the number of candidates to be included shall, as far as possible, be 25 (twenty-five) percent of the number of vacancies notified, to be made use of in the event of candidates in the list prepared under sub-rule (1) above not joining the service.
- 4) The lists so prepared under sub-rules (1) and (2) above shall, with the approval of High Court, be published in such manner as the Recruiting Authority may direct.

20. Appointment of candidates:

- 1) Subject to Rules 17 and 18, candidates whose names are included in the list prepared under sub-rule (1) and published under sub-rule (3) of Rule 19 may be appointed by the Appointing Authority in the vacancies in the particular post in the order in which the names are found in the list after satisfying itself and after such enquiry as may be considered necessary that each of such candidate is suitable in all respects for appointment to a post in the cadre.
- 2) The Recruiting Authority shall prepare Judgeship wise list of selected candidates according to preference given by the candidates and send to the District and Sessions Judge concerned. If vacancy is not available in the Judgeship for which preference is given by the candidate as per his merit, his name may be sent by the Recruiting Authority to any other Judgeship for appointment.
- 3) Notwithstanding anything contained hereinabove, the inclusion of the name of a candidate in any list published under Rule 19 shall not confer any right of appointment.
- 4) Notwithstanding anything contained in any of the provisions of these Rules, appointment shall be made on merit-cum-options made by the candidates-cum availability of vacancies in the Judgeships.

21. Duration of operation of the list: The list of names of candidates published by the Recruiting Authority under Rule 19 in respect of any post shall cease to be operative after 1 (one) year from the date of its publication unless the High Court extends such validity and in no case shall exceed more than 2 (two) years.

22. Joining time for appointment:

- 1) A candidate appointed by direct recruitment shall assume charge of the post specified by the Appointing Authority as soon as possible after the date of the order of appointment but not later than 15 (fifteen) days from that date.

Explanation: For the purpose of this sub-rule "*the date of the order of appointment*" means the date of dispatch of the order of appointment by registered post to the address given by the candidate.

- 2) Notwithstanding anything contained in sub-rule (1), the Appointing Authority may, on the application of the candidate and, if satisfied that there are good and sufficient reasons for doing so in terms of FR 58 and 59 of the Meghalaya Fundamental Rules and Subsidiary Rules, 1984, by order in writing, grant such further time, as it may deem necessary subject to the approval of the High Court.
- 3) The name of the candidate who fails to assume charge of the post within the time specified in sub-rule (1) or within the further time granted under sub-rule (2) thereof shall stand deleted from the list of selected candidates and the candidate concerned shall cease to be eligible for appointment.

23. Pay and Allowances: The scales of pay admissible to persons appointed to the various categories of posts in the Service, whether in a substantive or officiating capacity or as a temporary measure, shall be such as may be revised by the Government from time to time.

24. Leave, Pension, etc.: Except as provided in these Rules, pay allowances, pension, leave and other conditions of service of the Members of the Service, whether in a substantive or officiating capacity or as a temporary measure, shall be regulated by the rules and orders in force in the State.

- 25. Age of superannuation and extension in service:** Except as otherwise provided in this Rule, every Member of the Service shall retire from service in the afternoon of the last day of the month in which he attains the age of 58 (fifty eight) years.

Provided that an employee in the District Courts' Ministerial Establishment whose date of birth is the first day of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 58 (fifty eight) years.

26. Seniority:

- 1) Where any person is recruited to the posts by promotion and direct recruitment, the persons recruited by promotion shall take precedence over persons directly recruited where the year of their appointment is same.
- 2) Save as provided in sub-rules (3), (4), (5) and (6), seniority of a person appointed by direct recruitment or promotion shall be determined according to the dates on which they report for duty.
- 3) Where more than one person is promoted to the posts at the same time, the *inter se* seniority of persons so promoted shall be determined:
 - i. if promotions are made from any one post by their *inter se* seniority in that lower post;
 - ii. if promotions are made from more than one posts of the same grade, by the period of their service in those posts;
 - iii. if promotions are made from more than one posts of different grades, by the order in which the names of candidates are arranged in the select list.
- 4) Where more than one person is recruited by direct recruitment to the post, the *inter se* seniority of persons so recruited shall be in the order in which their names are arranged in the select list.
- 5) Provided that:
 - (i) the integrated seniority of holders of various categories of posts from which promotion to higher posts is provided in these Rules shall be reckoned according to the length of service after regular selection to the lower category of posts.
 - (ii) the seniority of a person appointed to a post in the service in one Judgeship by transfer to another Judgeship, on a corresponding post, shall be determined as per the provisions of Rule 33.
- 6) Every year in the month of January, seniority list of persons in all posts shall be prepared and published by the Appointing Authority, with prior approval of the High Court, and the lists so published shall be used for the purpose of making promotions to the next higher post.
- 7) Seniority of a person allowed to change his post as provided in these Rules shall be determined in the changed posts with reference to his first appointment to the original post.

- 27. Probation:** (1) A person on initial appointment to a post in the District Courts' Ministerial Establishment in substantive capacity shall be placed on probation for a period of 1 (one) year.

(2) The Appointing Authority may, with prior approval of the High Court, allow continuous service rendered in an officiating capacity or as a temporary measure on the post, or on a higher post, to be taken into account for the purpose of computing the period of probation.

(3) The Appointing Authority may, with prior approval of the High Court, for reasons to be recorded in writing, extend the period of probation in individual cases specifying the date up to which the extension is granted. Provided that in no case the period of probation will be extended beyond 3 (three) years.

(4) If it appears to the Appointing Authority at any time during or at the end of the period of probation or extended period of probation, as the case may be, that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may, with prior approval of the High Court, be reverted to his substantive post, if any or if he does not hold a lien on any post, his services may be dispensed with.

(5) A person whose services are dispensed with under sub-rule shall not be entitled to any compensation.

(6) No appeal shall lie against an order discharging a probationer.

28. Confirmation: A Member of the District Courts' Ministerial Establishment shall be confirmed, under orders of the Appointing Authority, with prior approval of the High Court, in his appointment at the end of his period of probation or extended period of probation, as the case may be, with effect from a date not earlier than the date on which he completes the period of probation, if:

- (a) his work and conduct during the probationary period have been found to be satisfactory;
- (b) he is considered fit for confirmation, and
- (c) his integrity is certified.

29. Increment during the period of probation or officiation:

- 1) A probationer or promotee may draw the increments that fall during the period of probation or officiation. He shall not, however, draw any increment after the expiry of the period of probation or officiation unless and until he is declared to have satisfactorily completed his probation or officiation, as the case may be.
- 2) When a probationer or promotee is declared to have satisfactorily completed his probation or officiation, as the case may be, he shall draw, as from the date such order takes effect, the pay he would have drawn had he been allowed the increments for the whole of his service from the date of his appointment on probation or officiation, as the case may be.
- 3) Notwithstanding anything contained in sub-rules (1) and (2) above where validity of the appointment of any person:
 - i. as probationer is questioned in any legal proceedings before a court of law, the period of probation of such persons shall continue until final disposal of such proceeding.
 - ii. as a promotee on officiating basis is questioned in any legal proceedings before a court of law, the period of officiation of such promotee shall continue until final disposal of such proceedings.

30. Deputation: The Appointing Authority may, in any appropriate case, with prior approval of the High Court, permit a Member of the Service to go on deputation outside the Judgeship for such period, as he considers appropriate.

- 31. Conditions of Service:** (1) Subject to the foregoing provisions in these Rules, in respect of all such matters regarding the conditions of service of Members of the Service for which no provision or insufficient provision has been made in these Rules, the rules and orders for the time being in force and applicable to State Government employees shall regulate the conditions of service of the Members of the Service subject to such modifications, variations or exception, if any, in the said rules, as the High Court may, from time to time, specify.
- (2) If any doubt arises in regard to a particular post in the District Courts' Ministerial Establishment being corresponding to a post in the State, the matter will be decided by the High Court.
- 32. Character Rolls:** Except for persons appointed on officiating, temporary or ad-hoc basis, a character roll shall be maintained for every Member of the District Courts' Ministerial Establishment.
- 33. Transfer:** (1) Wherever considered necessary, a person appointed in service may be transferred from one Judgeship to another on corresponding post in the cadre by the Registrar General with the concurrence of the District and Sessions Judges concerned and with the approval of the Chief Justice of the High Court or the authority designated by him.
- (2) The Chief Justice may also transfer any Member of the Service to the corresponding post in the High Court.
- (3) The seniority of an employee transferred due to administrative reasons shall be fixed, on the basis of length of service on the post in the Judgeship where such employee is transferred. In case transfer is made on his own request, seniority shall be determined from the date he joins in new judgeship or High Court, as the case may be and he shall be placed at the lowest in the seniority of that cadre:
- Provided that no employee shall be transferred to another Judgeship on his request unless he has completed minimum service of 5 (five) years in the Judgeship where he was initially appointed:
- Provided further that the Chief Justice may, for reasons of administrative exigency, transfer an employee from one Judgeship to another regardless of the period of service completed.

PART III – CONTROL AND DISCIPLINE

- 34. Conduct:** A person appointed under these Rules shall be required to maintain the integrity and conduct himself in conformity with the dignity of the office he holds. He should follow the Code of Conduct as applicable to the employees in the High Court.
- 35. Disciplinary Authorities:** (1) The members of the Service shall be under the disciplinary control of the Appointing Authority.
- (2) The provisions of disciplinary proceedings as applicable to employees in the High Court shall be applicable to all persons appointed under these Rules subject to such modifications, variations or exception, if any, as the High Court may, from time to time, specify.

PART IV – MISCELLANEOUS

- 36. Training:** (1) Every person appointed by direct recruitment to the Service shall undergo such training as may, from time to time, be specified by the High Court.
- (2) Every Member of the Service shall be given such periodical training as the High Court may, from time to time, specify.
- (3) Every Member of the Service shall pass such tests or examinations and within such time as the High Court may, from time to time, specify.
- 37. Duties of member of the Service:** The nature of duty and functions to be performed by the Member of the Service shall be such as may be specified by the Appointing Authority from time to time.
- 38. Residuary Powers:** Nothing in these Rules shall be deemed to affect the power of the High Court to make such orders, from time to time, as it may deem fit, in regard to all matters incidental or ancillary to these Rules not specifically provided for herein or in regard to matters as have not been sufficiently provided for:
- Provided that if any such order relates to salaries, allowances, leave or pension, the same shall be made with the approval of the Governor.
- 39. Power to Relax:** (1) Where the High Court is of the opinion that the operation of any rule causes undue hardship in a particular case, it may by order, relax any of the provisions of these Rules to such extent and subject to such conditions as it may deem necessary.
- (2) In exceptional cases where the High Court is satisfied that operation of the rules relating to age or regarding requirement of experience causes undue hardship in any particular case or where it is of the opinion that it is necessary or expedient to relax any of the provisions of these Rules with respect to age or experience of any person, it may by order dispense with or relax the relevant provision of these Rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner, provided that such relaxation shall not be less favourable than the provisions already contained in these Rules.
- 40. Interpretation:** All questions relating to the interpretation of these Rules shall be referred to the High Court, whose decision thereon shall be final.
- 41. Power to Amend:** The State Government may, in consultation with the High Court, from time to time, amend by way of addition or variation any provision of these Rules.
- 42. Repeal and Savings:** (1) All rules, orders, guidelines or notification corresponding to and in force immediately before the commencement of these Rules are hereby repealed:
- (2) Notwithstanding such repeal, any appointment made or action taken under any of the rules and orders so repealed shall be deemed to have been made or taken under these Rules and are hereby saved.

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – East Khasi Hills District, Shillong

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)	1 (one)		1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II	6 (six)		6	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III	2 (two)		2	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar	14 (fourteen)		14	Level-8 ₹ 30,300/-
6.	Assistant Librarian	1 (one)		1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant	26 (twenty six)		26	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry		2 (two)	2	Level-1 ₹ 17,400/-
11.	Process Server		9 (nine)	9	Level-1 ₹ 17,400/-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		18 (eighteen)	18	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – West Jaintia Hills District, Jowai

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		1 (one)	1	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar	1 (one)		1	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		7 (seven)	7	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry				
11.	Process Server		1 (one)	1	Level-1 ₹ 17,400/-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		5 (five)	5	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – East Jaintia Hills District, Khliehriat

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		3 (three)	3	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		4 (four)	4	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		7 (seven)	7	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry		1 (one)	1	
11.	Process Server		-	-	-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		6 (six)	6	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – Ri-Bhoi District, Nongpoh

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		2 (two)	2	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		1 (one)	1	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		7 (seven)	7	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry		-	-	-
11.	Process Server		1 (one)	1	Level-1 ₹ 17,400/-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		4 (four)	4	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – West Khasi Hills District, Nongstoin

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)				Not yet created
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		2 (two)	2	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		-	-	-
6.	Assistant Librarian		-	-	-
7.	Lower Division Clerk-cum-Bench Assistant		1 (one)	1	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		4 (four)	4	Level-3 ₹ 20,600/-
10.	Duffry		-	-	-
11.	Process Server		1 (one)	1	Level-1 ₹ 17,400/-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		2 (two)	2	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – South West Khasi Hills District, Mawkyrwat

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		3 (three)	3	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		4 (four)	4	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		6 (six)	6	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry		1 (one)	1	Level-1 ₹ 17,400/-
11.	Process Server		-	-	-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		8 (eight)	8	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – West Garo Hills District, Tura

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		2 (two)	2	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		3 (three)	3	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		2 (two)	2	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		2 (two)	2	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		1 (one)	1	Level-3 ₹ 20,600/-
10.	Duftry		0		
11.	Process Server		0		
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)			4	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – South West Garo Hills District, Ampati

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III		3 (three)	3	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		4 (four)	4	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		6 (six)	6	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duftry		1 (one)	1	Level-1 ₹ 17,400/-
11.	Process Server				
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		8 (eight)	8	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – East Garo Hills District, Williamnagar

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)			0	Under process
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II	1 (one)		1	Level-11 ₹ 37,800/-
4.	Stenographer Grade-III	1 (one)		1	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar			0	Under process for creation
6.	Assistant Librarian				
7.	Lower Division Clerk-cum-Bench Assistant	3 (three)		3	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver	2 (two)		2	Level-3 ₹ 20,600/-
10.	Duftry			0	
11.	Process Server	1 (one)		1	Level-1 ₹ 17,400/-
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)	4 (four)		4	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – South Garo Hills District, Baghmara

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade - III		4 (four)	4	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		4 (four)	4	Level-8 ₹ 30,300/-
6.	Assistant Librarian				
7.	Lower Division Clerk-cum-Bench Assistant		6 (six)	6	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duffry		1 (one)	1	Level-1 ₹ 17,400/-
11.	Process Server				
12.	Grade - IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		8 (eight)	8	Level-1 ₹ 17,400/-

SCHEDULE – A

[See Rule 5]

Category of posts (cadres)

District – North Garo Hills District, Resubelpara

Sl. No.	Category of posts	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	Chief Administrative Officer (Gazetted)		1 (one)	1	Level-15 ₹ 45,600/-
2.	Head Assistant/ Accountant				
3.	Stenographer Grade – II		1 (one)	1	Level-11 ₹ 37,800/-
4.	Stenographer Grade - III		3 (three)	3	Level-8 ₹ 30,300/-
5.	Upper Division Clerk/ Sheristadar		4 (four)	4	Level-8 ₹ 30,300/-
6.	Assistant Librarian		1 (one)	1	Level-5 ₹ 24,700/-
7.	Lower Division Clerk-cum-Bench Assistant		7 (seven)	7	Level-5 ₹ 24,700/-
8.	Court Manager (Fixed Pay)				
9.	Driver		3 (three)	3	Level-3 ₹ 20,600/-
10.	Duffry		1 (one)	1	Level-1 ₹ 17,400/-
11.	Process Server				
12.	Grade - IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)		8 (eight)	8	Level-1 ₹ 17,400/-

SCHEDULE – B

(See Rules 6 & 13)

Sl. No.	Category of Posts	Method of Appointment & Qualifications	Experience, if any, prescribed for the post
'A'	'B'	'C'	'D'
1.	Chief Administrative Officer (Gazetted)	By promotion from the cadre of Head Assistant/ Accountant.	Minimum 5 (five) years in the feeder cadre.
2.	Head Assistant/ Accountant	By promotion from the cadre of Upper Division Clerks.	Minimum 5 (five) years in the feeder cadre.
3.	Stenographers (Grade – II)	75% of the posts shall be filled up by direct recruitment. 25% of the posts shall be filled up by promotion from amongst serving Stenographer (Grade – III). <u>By Direct Recruitment</u> Bachelor Degree from a recognized University with diploma in Stenography in English with minimum speed of 100 words per minute in shorthand and typing speed of 40 words per minute in computer. On the basis of written/ typing tests and personal interview as conducted by the Recruiting Authority.	Minimum 5 (five) years experience as a Stenographer (Grade – III) in case of promotion.
4.	Stenographers (Grade – III)	<u>By Direct Recruitment</u> Bachelor Degree from a recognized University with diploma in Stenography in English with minimum speed of 80 wpm in shorthand and typing speed of 40 wpm in computer. On the basis of written/ typing tests and personal interview as conducted by the Recruiting Authority.	
5.	Upper Division Clerk/ Sheristadar	By promotion from the cadre of Lower Division Clerks/ Typist/ Bench Assistant.	Minimum 5 (five) years in the feeder cadre.

Sl. No.	Category of Posts	Method of Appointment & Qualifications	Experience, if any, prescribed for the post
'A'	'B'	'C'	'D'
6.	Assistant Librarian	<p><u>By Direct Recruitment</u></p> <p>Bachelor Degree or Diploma in Library Science from a recognized University and Proficiency in the use of computer.</p> <p>On the basis of written tests and personal interview as conducted by the Recruiting Authority as specified in Appendix-A of these Rules.</p>	-
7.	Lower Division Clerk/ Typists/Bench Assistant	<p><u>By Direct Recruitment</u></p> <p>70% of the posts shall be filled up by direct recruitment.</p> <p>Bachelor Degree from a recognized University with Computer Knowledge.</p> <p>On the basis of written tests and personal interview, as conducted by the Recruiting Authority, as specified in Appendix-B of these Rules.</p> <p><u>By Promotion</u></p> <p>30% of the total vacancies shall be made by promotion on the recommendation of a Committee nominated by the Recruiting Authority adjudging suitability of the candidates on the basis of Merit-cum-Seniority from amongst Graduate Grade-IV employees who have secured 50% of marks in the qualifying test in the following subjects:</p> <p>(i) General English;</p> <p>(ii) General Knowledge;</p> <p>(iii) Elementary Arithmetic; and</p> <p>(iv) Basic Computer fundamentals and concepts.</p>	Minimum 5 (five) years experience from the feeder cadre.

Sl. No.	Category of Posts	Method of Appointment & Qualifications	Experience, if any, prescribed for the post
'A'	'B'	'C'	'D'
8.	Court Manager (Fixed Pay)	Candidate must have done B.Tech. in Computer Science/ Information Technology with a degree in MBA from recognized University/ Institute or MBA in Finance/ HR and with 1 (one) year Diploma in Computer Science accredited by DOEACC.	(i) He shall have minimum 10 years experience in the field of management, experience/ training in I.T Systems Management, H.R Management, Financial Systems Management. (ii) He shall not be more than 40 (forty) years of age. (iii) He should have excellent communication skills.
9.	Driver	<u>By Direct Recruitment</u> SSLC passed from a recognized Board.	Must hold a valid license for driving Light Motor Vehicle and Transport Vehicle; Must also possess the following: Knowledge of roadside repairs and efficiency in driving; and 3 (three) years experience after obtaining valid license for driving Light Motor Vehicle and Transport Vehicle.
10.	Duftry	By promotion from eligible Grade-IV employees on the basis of Merit-cum-Seniority.	Must have put in not less than 3 (three) years of service.
11.	Process Server	By promotion from eligible Grade-IV employees on the basis of Merit-cum-Seniority.	Must have put in not less than 3 (three) years of service.
12.	Grade-IV (Peon, Chowkidar, Cleaner, Sweeper, Mali, etc.)	<u>By Direct Recruitment</u> SSLC passed from a recognized Board. <u>For the post of Mali</u> SSLC passed from a recognized Board with knowledge of gardening work.	-

APPENDIX-A**SYLLABUS DETAILS FOR THE POST OF ASSISTANT LIBRARIAN**

Library Science (40 marks) – Library, Information and Society, Information Science and Services, Organising and Managing Information, ICT Fundamentals, Communication Skills, Management of Library and Information Centre, Document Processing Practical, Information Products and Services.

Elementary English (20 marks)

Spotting the error in a sentence, Synonyms, Antonyms, sentence improvement, Idioms and Phrases, one word substitution, letter writing.

Computer Knowledge (20 marks)

What is a computer, Input devices, Output devices, Storage device, Memory, RAM, ROM, Hardware, Software, Microsoft Office (Word, Excel, Power Point), Operating Systems, basics of Operating Systems, Generations of Operating systems, Types of Operating Systems.

General Knowledge and Current Affairs (20 marks)

APPENDIX-B**SYLLABUS DETAILS FOR THE POST OF LOWER DIVISION CLERKS****General Knowledge and Current Affairs (35 marks)****General English (35 marks)**

Spotting the error in a sentence, Synonyms, Antonyms, sentence improvement, Idioms and Phrases, one word substitution, letter writing.

Computer Knowledge (15 marks)

What is a computer, Input devices, Output devices, Storage device, Memory, RAM, ROM, Hardware, Software, Microsoft Office (Word, Excel, Power Point), Operating Systems, basics of Operating Systems, Generations of Operating systems, Types of Operating Systems.

Elementary Mathematics (15 marks)

Arithmetic reasoning, Algebra.

S. KHARLYNGDOH,
Commissioner & Secretary to the Govt. of Meghalaya,
Law Department.