



सत्यमेव जयते

GOVERNMENT OF MEGHALAYA

LAW (A) DEPARTMENT

THE MEGHALAYA HEALTH SERVICE, RULES

1982 & 1990.

MEGHALAYA HEALTH SERVICE RULES, 1982

Notification No. Health 184/76/89.- In exercise of the powers conferred under the proviso to Art, 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to regulate the appointment and other conditions of service of the members of the Meghalaya Health Service.

1. Title and commencement.- (1) These rules may be called the Meghalaya Health Service Rules, 1982.

(2) They shall come into force from the date of notification in the official Gazette.

2. Definitions.- In these rules unless there is anything repugnant to the subject context –

(a) *'Appointing Authority'* means the Governor of Meghalaya.

(b) *'Committee'* means the Departmental Promotion Committee constituted under Rule 8.

(c) *'Commission'* means the Meghalaya Public Service Commission.

(d) *'Constitution'* means the Constitution of India.

(e) *'Government'* means then Government of Meghalaya.

(f) *'Governor'* means the Governor of Meghalaya.

(g) *'Member of the Service'* means a Member of the Meghalaya Health Service.

(h) *'Schedule'* means a schedule appointed to these rules.

(i) *'University'* means the University established by an Act of the Central or State Legislature of India and includes any other Universities recognized by the Indian Medical Council subject to such limitations or conditions as may be deemed necessary.

(j) *'Service'* means the Meghalaya Health Service.

(k) *'Year'* means a calendar year.

3. Constitution of the service and status of the members.- (1) The service shall consist of the following persons, namely:

(a) Members of the Assam Health Service who are allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North Eastern Areas (Re-organisation) Act, 1971.

- (b) Persons appointed to different posts in the service by the Government of Meghalaya on the recommendation of the Assam Public Service Commission prior to 21st January, 1972.
- (c) Persons appointed to different posts in the service on the recommendation of the Meghalaya Public Service Commission before the commencement of the rules.
- (d) Persons appointed to the service in accordance with the provisions of the rules.
- (e) Persons serving in connection with the affairs of other State Governments or Central Government and who have been brought on deputation on or before 1st December, 1975 and who have been permanently absorbed under the Government of Meghalaya before the commencement of these rules.

3. *Status of the members of the service.*- All service shall comprise of grades and posts in the Grade II and above shall be of Class I Officers and those holding posts in the Grade III shall be of Class II Officers.

4. **Composition of the service.**- (1) The service shall comprise of grades and posts as listed in Scheduled I.

(2) Each of the categories of posts a listed in Scheduled I shall form and independent grade. Members of the lower grade shall have no claim for appointment to any of the higher grade except in accordance with the provisions made in the these rules.

5. **Strength of service.**- (1) The strength and composition on each grade of the service shall be such as may be determined by the Governor from time to time.

(2) At the commencement of these rules the strength in each grade of the service shall be as shown in Schedule I.

6. **Appointment and promotions.**- (1) Appointment to any post in the Grade III of the service shall be made by direct recruitment conducted by the Meghalaya Public Service Commission.

(2) Appointment to any post in the Grade II and Grade I of the service shall be made by promotion from among the members belonging respectively to grade II

and Grade II and included in the select list approved under sub-Rule (4) of Rule 10;

Provided that for the post of Specialist, Post-graduate degree/diploma holders and training/experience in the line as prescribed in Schedule II will get preference over those who do not possess requisite qualification and experience notwithstanding their seniority.

(3) Appointment to any post in the senior grade of the service shall made by promotion from amongst the members holding the next lower posts in that grade and those belonging to the Grade I and included in the select list approved under sub-Rule (4) of Rule 10.

Provided that no member shall be eligible for consideration for promotion under sub-Rr. (2) and (3) unless that he has completed not less than three years of continuous service in that grade and possess the qualifications specified in Scheduled II;

Provided further that the Governor may, for good and sufficient reasons to be recorded in writing, relax the requirement of this rule in the cases of the members of the service borne in the Grade II for promotion to post of Specialists in the Grade II;

Provided still further that if the Committee cannot recommend any members for such promotion the Government may refer the matter to the Commission for recommending names for appointment by direct recruitment.

(4) Notwithstanding anything contained in sub-Rr. (1) and (2) above appointment to any of the posts in any grade of the service may also in exceptional cases, be made by absorption of tribal employees of other State Government or Central Government who have been brought on deputation to the Government of Meghalaya on or before 31st December, 1975 and have been serving continuously under the Government of Meghalaya till date they are considered for such absorption.

7. Direct recruitment.- (1) Direct recruitment shall be made in accordance with the procedures hereinafter provided.

(2) A candidate for direct recruitment to any of the posts of the service should possess the qualifications experience and other conditions as specified for Schedule II.

(3) The Governor, in consultation with the Commission from time to time may make appointment to the service by direct recruitment.

(4) On the number of vacancies to be filled, up there shall be reservation in favour of candidates belonging to Scheduled caste and scheduled Tribes to the extent and subject to the conditions as the Government may, from time to time prescribe.

(5) The Commission shall prepare a list of all the candidate who have qualified in order of merit in accordance with the general suitability of the candidate for appointment to the service. The list shall be forwarded to the Government.

(6) The inclusion of candidate's name in the list confers no right to appointment unless the Governor is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the service.

8. The Departmental Promotion Committee.- (1) For the purpose of promotion to any grade in the service there shall be Department Promotion Committee consisting of the following members namely:

Chairman –

(a) The Chief Secretary to the Government of Meghalaya.

Member – Secretary -

(b) The Special Secretary/Secretary in the Health and Family Welfare Department.

Member –

(c) The special Secretary/Secretary in the Personal Department.

(d) The Special/Secretary in the Finance Department.

(e) The Director of Health Services, Meghalaya.

(2) If necessary, the Government may co-opt in expert as member of the Committee.

9. Occurrence of vacancy.- (1) At beginning of each year the Government shall refer to the Committee the approximate number of vacancies likely to occur in each grade (excepting Grade III) of the services during that year and to enable the Committee to prepare the select lists for promotion to those grades furnish it with the following documents namely:

(a) for vacancies in the Grade I or Grade II, a list of members respectively Grade II or Grade III of the service drawn up in the order of seniority.

- (b) for any vacancy in the senior grade, a list of members holding lower posts in that grade and also of those belonging to Grade I of the service drawn up in the order of their seniority;
- (c) the Character Rolls and Service Records of such members; and
- (d) any other documents and information as may be considered necessary by the Government or required by the Committee.

(2) The names to be furnished under Rule (1) shall, as far as possible, be approximately five times the number of vacancies likely to occur.

(3) The Committee after examining the Character Rolls, Service Records and the other documents in respect of all such persons shall prepare a select list based on individual merit and suitability with due regard to seniority to seniority.

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

10. Constitution with the Commission.- (1) The Governor shall forward the select lists prepared under Rule 9 to the Commission along with the Character Rolls, Service Records and other relevant documents in respect of each person in the lists.

(2) The Commission shall consider the lists and documents referred to in sub-Rule (1) and such other documents as it may call for, and unless it considered that any change is necessary, approve the select lists.

(3) If the Commission considers it necessary to make changes in the select list as received from the Governor it shall inform him of the changes proposed and after taking into account the comments, if any, of the Governor, may approve the said lists finally with or without modifications as may, in its opinion, be proper.

(4) The lists as approved by the Commission either under sub-Rule (2) or sub-Rule (3) shall be the final select lists for the purpose of promotion under these rules.

11. Validity of select list.- (1) The select lists shall ordinarily be in force until it is reviewed or revised;

Provided that in the event of any grave lapse in the conduct or performance of duties on the part of any person in the select list, the Governor may, if he thinks fit, remove the name of such person from the select lists in consultation with the Commission.

(2) The Committee shall meet once a year to review the select lists.

12. Appointment to the service.- (1) Appointment whether by direct recruitment or by promotion, to any post in the service shall be made by the Governor and shall be published in the official Gazette.

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

(3) Subject to the provisions of sub-Rule (4) and (6) of Rule 7 and the proviso to sub-Rule (1) of Rule 11, appointment shall be made from time to time in the order in which the names of the candidates appear in the lists referred to in sub-Rule (5) of Rule 7 and sub-Rule (4) of Rule 10.

13. Training.- A member of the services shall be required to undergo such training and pass such departmental examinations as may be prescribed from time to time.

14. Discharge or reversion.- A temporary or officiating member shall be liable to be discharged or reverted to a lower post in the service if-

- (a) he fails to make profitable use of the opportunity given during any training or to render satisfactory service to the Government; or
- (b) it is found on subsequent verification that he was initially not qualified for appointment in the service or that he had furnished any false or incorrect information with regard to his appointment.

15. Seniority.- (1) The *inter se* seniority in any grade of the service of the members who belonged originally to and were appointed by the Government of Assam before 21st January, 1972 and who were allocated or may be allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North Eastern Areas (Re-organisation) Act, 1971 in the respective grade shall be as it was in the corresponding grade under the Government of Assam prior to their allocation to the State of Meghalaya.

(2) Notwithstanding anything contained in sub-Rule (1) the *inter se* seniority in any grade of the service of persons appointed by the Government of Meghalaya on the recommendation of the Assam Public Service Commission during the period between 2nd April, 1970 and 20th January, 1972 (both days inclusive), *vis-à-vis* those appointed by the Government of Assam under the same recommendation shall be determined according to the dates the persons joined the posts.

(3) The *inter se* seniority of members appointed either by direct recruitment or by promotion on or after 21st January, 1972 shall be in the order their names appear in the list prepared by the Commission under sub-Rule (5) of Rule 7 in the Select List approved under Rule 10 or any other list recommended by the Commission for the purpose of such appointment and such appointment and such members shall be junior to the members mentioned in sub-rules (1) and (2) in respective grades.

(4) The seniority in any grade of the persons brought from the Central Government or from any other State Government on deputation and sub-sequently absorbed permanently under the Government of Meghalaya before or after the commencement of these rules shall be determined with effect from the date such persons started serving continuously in that grade as a deputationist and will rank junior to the junior-most person in position in that particular grade at the particular time:

Provided that the *inter se* seniority of the officers brought from the Central Government or from other Governments on deputation amongst themselves shall be as it was under those Governments.

(5) In any grade a member of the service appointed by promotion shall be senior to a member appointed by direct recruitment where both the appointment fall in the same year.

(6) If the confirmation of any member of the service in any grade is delayed on account of his failure qualify for such confirmation he shall lose his seniority *vis-à-vis* such of his junior who have been confirmed earlier than him. His original position shall, however, be restored on his confirmation subsequently.

16. Probation and confirmation.- Subject to availability of a permanent post in any grade a member appointed on or after the commencement of these rules shall be placed, according to seniority, on probation for a period of two years before he is confirmed in that post:

Provided that the period of probation may, for good and sufficient reasons be extended by the Governor for any further period not exceeding two years;

Provided further in the case of any member of the service who could not be placed on probation for want of a permanent post and in the case of any other member appointed or promoted before the commencement of these rules any period during which he has been continuously officiating in a post falling in the same grade may, having regard to his performance in such post, be counted towards the period of probation.

17. Gradation list.- There shall be prepared and published every year a gradation list consisting of the names of all members of the service grade-wise and drawn up in the order of seniority, and particulars relating to date of birth and appointment and such other details relevant to the service career shall also be indicated against each name.

18. Time scale of pay.- The time scale of pay admissible to the members of the service shall be as shown in the Schedule III subject to revision by the Government from time to time.

19. Fixation of initial pay in the time scale.- (1) Except as otherwise admissible under the Fundamental Rules or under special order of the Government on first appointment the initial pay of any member of the service shall be fixed at the minimum of the time scale.

(2) The pay of the members of the service absorbed from other States or Central Government shall be fixed in the respective scales of pay under normal rules unless the Government otherwise direct.

20. Increment.- The first increment admissible to a member in the time scale of pay in the respective grade shall accrue on the expiry of 1 (one) year from the date of his/her joining the service and the date of subsequent increments shall be regulated in accordance with the date existing rules/orders in force.

21. Other conditions of service.- All matters relating to allowances, increments, leave, pension, discipline and other conditions of service shall be governed by the general rules and orders made by the Government from time to time.

22. Power of the Governor to dispense with or relax any rules.- Where the Governor is satisfied that the operation of any of the provisions of these rules causes undue hardship it may in any particular case dispense with or relax the requirement of the rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

Provided that the case of any person shall not be dealt with in any manner less favourable than that provided under these rules.

23. Interpretation.- If any question arises relating to the interpretation of these rules the decision of the Government in the Health and Family Welfare Department shall be final.

24. Repeal and savings.- All rules, orders or Notification corresponding to and in force immediately before commencement of these rules are hereby repealed:

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

SCHEDULE I

[Rules 4 (1) and 5 (2)]

Composition and strength of the Service

1.	<i>Senior Grade Post</i>	<i>No. of posts</i>
	Director of Health Service	1
	Director of Pasteur Institute	1
	Additional Director of Health Services	1
	Joint Director of Health Services/Consultant	3
		6
2.	<i>Grade I</i>	<i>No. of posts</i>
	Deputy director of Health Services/Senior Specialists	8
	Deputy Directory of Pasteur Institute	1
	District Medical and Health Officers	5
	Additional District Medical and Health Officers	4
	Superintendent of Hospitals	3
	Additional Superintendent of Hospital	1
	Principal, Regional Family Welfare Training Centre	1
		23
3.	<i>Grade II</i>	<i>No. of Post</i>
	Sub-divisional Medical and Health Officers.	5
	Specialists (General-cum-Plastic Surgery)	1
	Specialists (Surgery)	3
	Specialists (Medicine)	4
	Specialists (Obstetrics and Gynaecology)	5
	Specialists (Ophthalmology)	2
	Specialist (Radiology)	1

3. -	<i>Grade II</i>	<i>No. of Post</i>
	Specialists (Psychiatry)	1
	Specialists (E.N.T.)	1
	Specialists (Pathology)	1
	Zonal Leprosy Officer	1
	Medical Lecturer-cum-Demonstrator	1
	District Tuberculosis Officers	1
	Assistant Director of Pasteur Institute	1
		28
4.	<i>Grade III</i>	
	Medical and Health Officers -	182
5. -	Total	239
6. -	Leave Reserve at 5 percent of 5 above.	12
7. -	Training Reserve at 5 percent of 5 above.	24
8. -	Deputation Reserve at 2.5 percent of 5 above	24
9. -	Total authorized strength	281

SCHEDULE II

Serial No.	Post held	Qualification	Lower age limit	Upper age limit	Experience	Preference, research works and papers.
1.	Director of Health Service.	Post-Graduate Degree	40 years	50 years	At least 16 years' practical and administrative experience in large health programme and hospital administration and in the field of public health organisation.	Preference to candidates with original research works and papers credited to and published in their names.
2.	Director of Pasteur Institute	Post-Graduate Degree in Pathology or Bacteriology or Microbiology.	Do	Do	Atleast 12 years' standing experience in the profession with extensive practical and administrative experience in the field Medical Research, Medical Education or Health Organisation.	Do

Serial No.	Post held	Qualification	Lower age limit	Upper age limit	Experience	Preference, research works and papers.
3.	Additional Director	M.B.B.S.	Do	Do	Do	Do
4.	Joint Director of Health Services (Genl)	M.B.B.S.	Do	Do	Do	Do
5.	Joint Director of Health Services (MCH and FW)	M.B.B.S. with Post-Graduate degree/Diploma in Public Health and Maternal and Child Health and trained under F.W. and M.C.H. programme.	40 years	50 years	At least 12 years standing experience in the profession with extensive practical and administrative experience in the field of Medical Research, Medical Education or Public Health Organisation.	Preference to candidates with original research works and papers credited to and published in their names.
6.	Consultant	Post Graduate Degree in the profession relevant to the post	Do	Do	Do	Do
7.	Deputy Director of Pasteur institute.	Post-Graduate degree in Pathology or Bacteriology or microbiology	35 years	45 years	At least 6 years' standing experience in the profession with extensive practical and administrative experience in the field of Medical Research, Medical Education or Public Health Organisation.	Do
8.	Deputy Director/District Medical/ and Health Officer/Addl District Medical and Health Officer.	M.B.B.S.	Do	Do	Do	Do
9.	Superintendents/ Additional Superintendents of Hospitals/Senior Specialists.	Post-Graduate Degree in the profession relevant to the post.	Do	Do	At least 6 years' practical administrative experience in large health programme and hospital administration	Preference to candidates with original research works and papers credited to and published in their names.
10.	Principal Regional Health and Family and Family Welfare Training Centre.	M.B.S.S. with Post-Graduate qualification in DPH/MPH/Dr. PH/Ph. D. in public healthy DMCW/DGO/MD (Preventive and Social Medicine)	45 years	50 years	Experience in Public Health Administrative and Family Welfare Administration and teaching for a period of at least 10 years.	Preference to candidates with teaching experience.

Serial No.	Post held	Qualification	Lower age limit	Upper age limit	Experience	Preference, research works and papers.
11.	Sub-District Medical and Health Officer.	M.B.B.S.	35 years	45 years	At least 4 years' practical and administrative experience in large health programme and hospital administration.	Preference to candidates with original research works and papers credited.
12.	Specialists	Post-Graduate degree/Diploma the profession relevant to the post.	Do	Do	At least 4 years' practical and administrative experience in large health programme and hospital administrative for Post- Graduate Degree holder and at least 8 years, experience for Post-Graduate diploma holder after graduation.	Do
13.	Medical and Health Officer.	M.B.B.S.	23 years	29 years relaxable to 35 years for P.G.D. holder		Preference will be given to candidates in the following order (i) P.G. Degree (ii) Practical administrative and profession experience. (iii) Published research works and papers.

Conditions:- (i) A candidate must be citizen of India.

(ii) No person shall be eligible for appointment to the service if he/she has more than one wife/husband living unless exempted by the Government on special grounds.

(iii) Canvassing in any form shall be construed as disqualification.

Note.- The age limits as prescribed above shall be relaxed in case of candidate belonging to Scheduled Castes, Scheduled Tribes or any other category as laid down by order of Government from time to time.

SCHEDULE III

[Rule 18]

The scale of pay for the respective grades will be shown below:

1. Senior Grade

Director of Health Services -

(₹. 1,800-85-2,14-)-EB-90-2,500) -

Director of Pasteur Institute -

(₹. 1,600-75-1,900-EB-80-2-300) -

Additional Director of Health Services -

(₹. 1,600-75-1,900-EB-80-2,300) -

Joint Director of Health Service/Consultant -

(₹. 1,400-65-1,725-EB-75-2,100) -

2. Grade I

(₹. 1,200-60-1,620-EB-70-1,900)

3. -Grade II

(₹. 1,000-55-1330-EB-70-1,750)

4. Grade III

(₹. 700-40-900-EB-40-1,100-EB-45-1,550)

THE MEGHALAYA HEALTH SERVICE RULES, 1990

Notification No. Health 109/87/21, dated the 15th December 1990.- In exercise of the powers conferred under the proviso to Art, 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rule, to regulate the appointment and other conditions of service of persons appointed to the Meghalaya Health Service.

1. Short title and commencement. - (1) These rules may be called the Meghalaya Health Service Rules, 1990.

(2) They shall come into force on the date of their notification in the official Gazette.

2. Definitions.- In these rules unless there is anything repugnant to the subject or context –

- (a) ‘*Commission*’ means the Meghalaya Public Service Commission;
- (b) ‘*Committee*’ means the Departmental Promotion Committee constituted under rule 10;
- (c) ‘*Central Deputy Stream*’ means the General Deputy Stream consisting of grades and posts as indicated under the corresponding heading in the Schedule;
- (d) ‘*Common Posts*’ means the posts included in the Senior grade as indicated under the corresponding heading in the Schedule;
- (e) ‘*Government*’ means the Government of the State of Meghalaya;
- (f) ‘*Governor*’ means the Governor of Meghalaya;
- (g) ‘*Grade*’ means a grade of the service;
- (h) ‘*Member*’ means a person appointed or deemed to have been appointed to posts in the service under these rules;
- (i) ‘*Post-Graduate Degree*’ means a Post-Graduate medical degree obtained after undergoing a course of two or more years of study recognised by the Medical Council of India.
- (j) ‘*Post Graduate Diploma*’ means a Post-Graduate medical diploma obtained after undergoing a course of not less than one, but less than two years of study and recognized by the Medical Council of India;
- (k) ‘*Rules*’ means the Meghalaya Health Service Rules, 1990;
- (l) ‘*Schedule*’ means the Schedule appended to these rule (3) of rule 11;
- (m) ‘*Select List*’ means the List prepared by the Committee under sub-rule (3) of rule 11;
- (n) ‘*Service*’ means the Meghalaya Health Service;

- (o) 'Specialist Stream' means the Specialist Stream consisting of grades and posts as indicated under the corresponding heading in the Schedule;
- (p) 'Stream' means the General Duty Stream or the Specialist Stream, as the case may be and;
- (q) 'year' means a calendar year.

3. Constitution of the service and statues of the members.- (1) There shall be constituted a service to be known as the Meghalaya Health Service consisting of the following, namely:-

- (a) members of the Assam Health Service who are allocated to the State of Meghalaya in accordance with the provisions of Section 64 (1) of the North Eastern Areas (Re-organisation) Act, 1971;
- (b) persons appointed to different posts in the service by the Government of Meghalaya on the recommendation of the Assam Public Service Commission prior to 21st January, 1972;
- (c) persons appointed to different posts in the service on the recommendation of the Commission before the commencement of these rules;
- (d) persons appointed to posts in the service in accordance with the provisions of these rules; and
- (e) persons serving in connection with the affairs of other State Government or Central Government or Central Government and who have been brought over on deputation to, and permanently absorbed under Government of Meghalaya, before the commencement of these rules.

(2) All members of the service shall of gazette status.

4. Composition of the Service.- (1) The service shall comprise of –

- (a) Common Posts;
- (b) General Duty Stream; and
- (c) Specialist Stream, each consisting of grades and posts as indicated in the Schedule.

(2) Each of the categories of posts in different grades in the respective steam shall form an independent cadre Members of the lower cadre shall have claim for appointment to the higher cadre except in accordance with the provisions made in these rules.

5. Strength of the Service.- (1) The Strength of the service shall be such as may be determined by the Governor from time to time.

(2) At the commencement of these rules, the strength of the service shall be as indicated in the Schedule.

6. Appointment to the Service.- (1) Except as provided under sub-rule (4) of rule 9, appointment to posts in the service shall be made only at the grade III level, by direct recruitment, conducted bi-annually by the Commission in accordance with the provisions of these rules.

(2) Appointment whether by direct recruitment or by promotion shall be made by the Governor and shall be published in the Official Gazette.

(3) Subject to the provision of sub-rule (4) of rule 7, appointment shall be made from time to time, in the orders of the name of the candidates appear in the list prepared by the Commission under sub-rule (2) of rule 7, or the select lists prepared by the Committee under sub-rule (3) of rule 11.

(4) A person shall join within fifteen days from the date of receipt of the order of appointment, failing which, unless the Governor extends the period of joining, which period shall not exceed three months in all, the appointment shall be cancelled.

7. Direct recruitment at grade III level.- (1) For recruitment at grade III level.

(a) the minimum qualification shall be:-

(i) for the post of Medical and Health Officer in the General Duty stream, a bachelor's degree in medicine and surgery (MBBS), recognized by the Medical Council of India; and

(ii) for the post of Junior Specialist in the Specialist Stream and Postgraduate degree of Postgraduate diploma; and

(b) the respective age limits shall not be less than twenty-three and not more than twenty-nine years on the first day of the year the advertisement is made:

Provided that the upper age limit shall be relaxable by 5 years in favour of candidates belonging to the Scheduled Castes and Scheduled Tribe communication.

Provided, further, that Government may, by general or special order, relax the age limits as it may deem fit from time to time.

(2) Vacancies occurring in Grade III, in any of the streams in any particular year, shall be intimated by Government to the Commission for recruiting suitable persons. The Commission shall prepare a list of such candidates who have qualified in a test, in order of merit, and in accordance with their general suitability for appointment to the service, and shall forward the list so prepared to Government.

(3) The inclusion of a candidates' name in the list prepared under sub-rule (2) confers no right to appointment unless the Governor is otherwise satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment to the service.

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

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

(2) No person shall be appointed to any post in the service who has been convicted for any offence involving moral turpitude.

(3) No person who has more than one spouse living shall be eligible for appointment to posts in the service:

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

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

9. Promotion to Grade II and above.- (1) Appointment to any post in Grade II of either stream shall be made by promotion from amongst the members belonging to Grade III of the respective stream and included in the selected list prepared under sub-rule (3) of rule 11;

Provided that in the General Duty Stream no member shall be eligible for consideration for promotion under this sub-rule unless he has completed nine years of continuous in Grade III.

Provided, further, that in the Specialist Stream no member shall be eligible for promotion under this sub-rule unless he has completed-

- (a) in the case of member possessing a Post Graduate Degree six years;
- and

(b) in the case of a members possessing a Postgraduate Diploma, eight years, of continuous service in Grade III.

(2) In each stream of the service promotion from Grade III to Grade II shall be functional, that is, promotion shall depend on the total qualifying length on the continuous service and not on availability of posts.

(3) Appointment to any post in the Grade I of each stream shall be made by promotion from amongst the members belonging to Grade II of the respective stream and included in the select list prepared under sub-rule (3) or rule 1:

Provided that in the General Duty Stream no members shall be eligible for consideration for promotion under this sub-rule unless he has completed a total eighteen years of continuous service in Grade III and Grade II taken together, of which, a minimum period of two years should be in Grade II:

Provided further, that in the Specialist Stream no member shall be eligible for consideration for promotion under this sub-rule unless he has completed-

(a) in the case of a member possessing a Postgraduate Degree, fifteen) years; and

(b) in the case of a member possessing a Postgraduate Diploma seventeen years of continuous service in Grade III and Grade II taken together.

A minimum period of two years should be in Grade II for each of these categories.

Provided, further that notwithstanding anything contained in the proviso above, m for members of the service, who, on the date of Commencement of these rules have completed eighteen years of continuous service in Grades II and III taken together, the minimum required period of service in Grade II would be one year.

(4) Notwithstanding anything provided (3) Government may in exceptional cases and for good and sufficient reasons and purpose to be recorded in writing, make appointment of persons of such age and possessing such qualifications and experience as it may think fit to prescribe from time to time, to the post of Senior Specialist in the Grade I of the Specialist Stream, by direct recruitment through the Commission but the persons so appointed shall not be encadred in service.

(5) No member of service, either of the General Duty Stream or of the Specialist Stream, shall be eligible for consideration for promotion under sub-rule (1) or sub-rule (3) unless he has done a minimum period of rural service in place as may be specified by the Government from time to time.

(6) Appointment to the post of Director of Health Services in the Senior Grade shall be made by promotion from amongst the members holding the posts of the Additional Directors of Health Service and Director of Pasteur Institute and having a minimum total period of two years of regular service in any such post or posts taken together, failing which it shall be made from amongst the members holding post of Joint Directors of Health Services, Joint Director of Pasteur Institute, Superintendents of Hospitals and State Tuberculosis Officer having a minimum total period of four years of continuous service in any such post or posts taken together.

(7) Appointment to the post of Additional Director of Health Services or Director of Pasteur Institute in senior grade shall be made by promotion from amongst the member holding the post of Joint Director of Health Services, Joint Director of Pasteur Institute, Superintendent of Hospitals and State Tuberculosis Officer and having a minimum total period of three years of continuous service in any such post or posts taken together.

(8) Appointment to the post of Joint of Health Services, Joint Director of Pasteur Institute, Superintendent of Hospital or State Tuberculosis Officer in the senior grade shall be made by promotion from amongst members holding posts in Grade I of either stream and having a minimum total period of four years continuous in that Grade.

10. Departmental Promotion Committee.- (1) For the purpose of making promotions under these rules there shall be a Departmental Promotion Committee consisting of the following, namely:-

Chairman-

(a) Chief Secretary ;

Member Secretary-

(b) Special Secretary/Secretary in the Health and Family Welfare Department.

Members-

(c) Special Secretary / Secretary in the Personal Department.

(d) Special Secretary/Secretary in the Finance Department and

(e) Director(s) of Health Services.

(2) If necessary Government may co-opt an expert as member of the Committee.

11. Preparation of Select List.- (1) If in any year a vacancy is likely in the senior grade or Grade I of either stream, Government shall, at the beginning of the year, refer to the Committee the appropriate number of such vacancies to enable the Committee to prepare select lists for promotion to those grades and shall furnish the Committee with the following documents' namely:-

- (a) for vacancy in the post of the Director of Health Services, Additional Director of Health Services or Director of Pasteur Institute in the senior grade, a list of members holding lower posts in that grade drawn up in order of relative seniority;
- (b) for vacancy in the of Joint Director of Health Services, Joint Director of Pasteur Institute, Superintendent of Hospitals and State Tuberculosis Officer in the senior grade, a combined seniority list of members belonging to grade 1 of both the stream drawn up in order of their relative seniority in the respective stream;
- (c) For vacancies in Grade I of each stream a list of members in the Grade II of the respective stream drawn up in the order of relative seniority.
- (d) The character rolls and service records of members included in the lists furnished under clause (a), (b) and (c); and
- (e) Any other documents or information consider necessary by the Government or by the Committee.

(2) The names to be furnished under sub-rule (1) shall, as far as possible, be approximately three times the number of vacancies likely to occur.

(3) The committee, after examining the character rolls, service records and other documents in respect of the members concerned, shall prepare select lists based on seniority with due regard to individual merit and suitability of the members for promotion and forward the same to Government.

(4) The names of the person in the select list prepared under-sub-rule (3) shall be placed in the order of preference for promotion. Where a junior member is selected in preference to his seniors the committee shall record the reasons for doing so.

(5) For promotion to grade II of either stream, Government shall at the beginning of the years, refer to the committee the list of members in order of

seniority in the grade III of the respective streams, who have completed the qualifying length of service as specified for the provisos to sub-rule (1) of rule 9, along with the character rolls, service records and other documents or information as may be considered by the Government or by the committee. The committee shall, after examining the character rolls, service records and other documents of the members concerned, make its recommendation to Government or by the committee. The committee shall, after examining the character rolls, service records and other documents of the members concerned, make its recommendation to Government as to the suitability to otherwise of the members for promotion to grade II of the respective streams. The names recommended for promotion under this sub-rule shall be placed in the order of preference and where a junior member is recommended in preference to his seniors, the committee shall record the reasons for doing so.

12. Validity of Select Lists.- (1) The select lists shall ordinarily be in force until it is reviewed or revised:

Provided that in the event of any grave lapse in the conduct or performance of duties on the part of any person included in a select list, the Governor may if he thinks fit, remove the name of such person from the select list in consultation with the commission.

(2) The Committee shall meet once a year to review the select list.

13. Training.- A member of the service may be required to undergo such training and pass such departmental examinations as may be prescribed by Government from time to time.

14. Discharge or Reversion.- A probationer shall be liable to be discharged from the post in service if –

- (a) he fails to profitable use of the opportunity given during any training or render satisfactory service to the Government; or
- (b) it is found on subsequent verification that he was initially not qualified for appointment to the service, or that he had furnished for appointment to the service, or that he had furnished false or incorrect information with regard to his appointment.

15. Seniority.- (1) In any grade, the *inter-se seniority* of the member who belonged originally to and appointed by the Government of Assam before the 21st January, 1972 and who were allocated to the State of Meghalaya in accordance with the provisions of section 64 (1) of the North Eastern Area (Re-organisation)

Act. 1971 shall be as it was under the Government of Assam immediately prior to their allocation to the State of Meghalaya.

(2) Notwithstanding anything contained in sub-rule (1) in any grade, the *inter-se seniority* of members appointed by the Government of Meghalaya on the recommendation of the Assam Public Service Commission during the period between the 2nd April, 1970 and the 20th January, 1972 (both days inclusive) vis-à-vis those appointed by the government of Assam under the same recommendation, shall be determined according to the dates the persons first joined the posts under the Government.

(3) The *inter-se seniority* of members appointed either by direct recruitment or by promotion on or after the 21st January, 1972 but before the commencement of these rules shall be in the order their name appear in the list prepared or approved by the commission for the purpose of such appointment or promotion, as the case may be, and such members shall be junior to the members mentioned in sub-rules (1) and (2) in their respective grades.

(4) Subject to the provisions of sub-rules (1), (2) and (3) the *inter-se seniority* of the members appointed to different grades after the commencement of these rules shall be in the order in which their names appear in the list prepared by the commission under sub-rule (2) of rule 7 or in the select lists prepared by the Committee under sub-rule 3 or sub-rule (5) or rule 11, as the case may be.

(5) In any grade, the seniority of persons brought over on deputation from the Central Government or from any other State Government and subsequently absorbed permanently under the Government of Meghalaya, before or after the commencement of these rules shall be determined with effect from the date such persons started serving continuously as such deputations and will rank junior to the junior-most person in position in the particular grade at that particular time:

Provided that the *inter-se seniority* of the persons brought from the Central Government or from other State Government on deputation shall, amongst themselves, be as it was under those Governments.

(6) If the confirmation of any member in any grade is delayed on account of his failure to qualify for such confirmation he shall lose his seniority *vis-à-vis* his juniors who may have been confirmed earlier than him. His original position shall however, be restored on his subsequent confirmation.

(7) The seniority of the members in each stream shall be determined separately and for those in the Specialist Stream the notional seniority provided in

sub-rule (2) of rule 20 shall be taken into account in determining their seniority from time to time.

(8) With effect from the date of commencement of these rules the *inter-se* seniority of the existing members in any grade of the Streams shall be determined in the order of their relative seniority as it stood immediately before the commencement.

Explanation.- 'existing members' mean members who have been appointed before the commencement of these rules and who are encadred in the Specialist Stream or the General duty Stream, as the case may be, under the provisions of these rules.

16. Probation.- A member appointed on or before the commencement of these rules shall be on probation for a period of two years;

Provided that the period of probation may, for good and sufficient reasons be extended by the Governor for any further period not exceeding two years.

Provided, further, that in the case of any member appointed before the commencement of these rules any period during which he has been continuously officiating in a post falling in the same grade may be counted towards the period of probation.

17. Confirmation.- (1) Confirmation of a member of the service appointed by promotion shall be made according to his seniority in the respective cadre subject to the following conditions:-

- (a) that he has served not less than one year in the post in which he is to be confirmed.
- (b) that his performance is satisfactory (to be judged on the basis of annual Confidential Reports and other relevant records).
- (c) that there is no departmental proceeding/Vigilance enquiry against him.
- (d) Subject to availability of vacancy and that no officer holds a lien on it .

(2) Confirmation of a probationer shall be made according to his seniority in that particular cadre subject to the following conditions-

- (a) that he has completed the period of probation to the satisfaction of the Appointing Authority.
- (b) that he is considered otherwise fit for confirmation by the Appointing Authority.
- (c) subject to availability of vacancy.

Provided that where a person is not given opportunity to undergo the prescribed training during the period of probation, his confirmation shall not be held up for reasons of not successfully undergoing the said training but such person shall when called upon by the Appointing Authority and opportunity given, successfully undergo the said training, failing which he shall be liable to removal from Service unless the Appointing Authority allow his other chance:

Provided further that, the Appointing Authority, may, for good and sufficient reasons, exempt a member of the Service from passing any one or more of the prescribed Training and confirm him in the respective cadre of the Service.

18. Gradation List.- These shall be prepared and published every year in respect of each stream a Gradation List consisting variety names of all members drawn up in the order of seniority and containing particulars relating to date of birth , of appointment to the service and such other details as may be relevant to the service career of the member.

19. Time scale of pay.- The time scale of pay admissible to the members shall be as shown in the Schedule subject to revision by Government from time to time.

Members of the service acquiring additional qualifications while continuing in services would be entitled to advance increments as indicated below:-

- (a) MBBS Degree Holders acquiring Postgraduate Diploma 3 increments.
- (b) MBBS, Degree Holders acquiring Postgraduate Degree 3 increments.
- (c) Postgraduate Diploma Holders acquiring postgraduate Degree 2 increments in addition to (a) above.
- (d) Postgraduate Holders acquiring D.M/equivalent-3 increments in additional to (b) above.

20. Allocation and Movements between to streams of the Service.- (1) All members appointed before the commencement of these rules, shall within three months of their commencement exercise an option for allocation to the corresponding grade of either the Specialist Stream or the General Duty Stream, failing which they shall be deemed to have opted for the General Duty Stream, Option once exercised shall be final:

Provided that no member not Possessing Postgraduate Degree or Postgraduate Diploma at the commencement of these rules be eligible to opt for the Specialist Stream under sub-rule (1).

(2) After the commencement of these rules a member for the General Duty Stream, on obtaining a postgraduate degree or Postgraduate Degree diploma may

make an option within a period of one year from the date of obtaining such a Degree of Diploma as the case may be, for allocation to the Specialist Stream. The inter-se seniority of the member so encadred shall be below the junior most member of the Specialist Stream of corresponding year of appointment to the service.

(3) Notwithstanding anything contained in these rules, a member of the Specialist Stream may discharge the duties and function attached to a post in the corresponding grade of the General Duty Stream.

21. Others conditions of Service.- Except as provided in these rules, all matters relating to pay and allowances, increments, leave, pension discipline and other conditions of service shall be governed by the general rules and orders made by the Government from time to time.

22. Power of the Governor to dispense with or relax any rule.- The Governor, if he is satisfied that operation of any of the provisions of these rules causes undue hardship in any particular case or cases, or result in any particular post or posts being left unfilled for want of persons possessing the qualifications as specified under these rules, may dispense with or relax the requirement of any of these rules, to such extent and subject to such conditions as he may consider necessary, for dealing with the case in a just and equitable manner or for meeting the exigencies in public interest:

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided under these rules.

23. Interpretation.- If any question arises relating to the interpretation of these rules, the decision of the Government in the Health and Family Welfare Department, with the approval of the Personnel and A.R. Department, shall be final.

24. Repeal and Savings.- The Meghalaya Health Service Rules, 1982, the orders or notifications corresponding to and in force immediately before the commencement of these rules are hereby repealed;

Provided that all orders made or actions taken under the rules, orders or notifications so repealed shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

THE SCHEDULE
Composition and strength of the Service
(Rule 4, 5 and 17)

Composition	Strength	Pay Scale
(A) COMMON POSTS		
Senior Grade		
1. - Director of Health Service	3	(₹.4,200-150-4,950-EB-170-5,800)
2. - Additional Director of Health Services	1	(₹.2,900-150-4,650-EB-160-5,450)
3. - Director of Pasteur Institute.	1	do.
*4. (a) Joint Directors of Health Services.	3	(₹.3, 500-125-4,000-EB-135-4,540-140-5,100).
(b) Joint Director of Pasteur Institute.	1	do.
(c) Superintendents of Hospitals.	2	do.
(d) State Tuberculosis Officer. -	1	do.
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(B) GENERAL DUTY STREAM.		
Grade I		
1. - Deputy Director of Health Services.	3	(₹.3, 000-120-3,720-EB-130-4,240-EB-140-4,800).
2. - District Medical and Health Officer-cum-Civil Surgeons.	3	do.
3. - All District Medical and Health Officers.	5	do.
4. - Principal, Regional Health and Family Welfare Training Centre.	1	do.
*5. Superintendents/Additional Superintendents of Hospitals.	5	do.
6. State Leprosy Officer	1	do. -
	1/20 -	