



सत्यमेव जयते

# **GOVERNMENT OF MEGHALAYA**

## **MEGHALAYA FOOD AND CIVIL SUPPLIES SERVICE RULES**

**FOR THE YEAR 2001**

## The 22<sup>nd</sup> October, 2001

**No. SUP.26/84**—In exercise of the powers conferred by the proviso to article 309 of the constitution of India, the Governor of Meghalaya is pleased to make the following Rules regulation the recruitment and the conditions of service of persons appointed to posts in the Meghalaya Food and Civil Supplies Service of Meghalaya.

1. **Short Title and Commencement:** - (1) These Rules may be called “The Meghalaya Food and Civil Supplies Service Rules”.

They shall come into force from the date of publication in the Meghalaya Gazette.

2. **Definition:** - In these Rules unless there is anything repugnant in the subject or context.
  - (a) “Appointing Authority” means (1) The Governor of Meghalaya in respect of the post of Additional Director, Joint, Director, Deputy Director, Superintendent of Food and Civil Supplies and Inspector of Food and Civil Supplies.  
(2) The Director of Food and Civil Supplies in respect of the post of Sub-Inspector of Food and Civil Supplies.
  - (b) “Commission” means the Meghalaya Public Service Commission.
  - (c) “Committee” means the Committee constituted under Rule 8 and 9.
  - (d) “Government” means the Governor of Meghalaya.
  - (e) “Member of the Service” means a member of the Meghalaya Food and Civil Supplies Service.
  - (f) “Service” means the Meghalaya Food and Civil Supplies Service.
  - (g) “State” means the State of Meghalaya.
  - (h) “Year” means the calendar year.

3. **Constitution of the Service:** - There shall be a constituted Service to be known as the Meghalaya Food and Civil Supplies consisting of the following persons viz:-

- (1) Member of the Assam Supply Service who are allocated to the State of Meghalaya in accordance with the provision of Section 64 (1) of the Northern Areas (Re-organisation) Act, 1971.
- (2) Persons appointed to different posts in the service on or after 21.1.72 but before commencement of these Rules.
- (3) Persons appointed to different posts in the service in accordance with the provisions of these Rules.

4. **Composition of the Service:-** (1) The Service shall consist of the following grades and posts—

- |                 |   |
|-----------------|---|
| 1. Senior Grade | Additional Director   |
| 2. Senior Grade | Joint Director  |
| 3. Grade I      | Deputy Director   |
| 4. Grade II     | Superintendent of Food and Civil Supplies/Inspector of Food and Civil Supplies. |
| 5. Grade III    | Sub-Inspector of Food and Civil Supplies.                                       |

(2) The categories of posts in clauses (i), (ii), (iii) and (iv) of sub-rule (i) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any of the higher cadre except in accordance with the provisions made in these Rules.

5. **Status:-** The status of members of the Service holding posts in the Senior Grade and Grade I shall be group 'A' Gazetted and those holding post in Grade II and Grade III shall be Group 'B' and Group 'C' non-gazetted respectively.

6. **Strength of the service:** - (1) The strength and composition of the service shall be such as may be determined by the Government from time to time.

(2) At the commencement of these Rules, the strength of the Service and posts therein shall be shown in Schedule I.

7. **Method of recruitment:** - (1) **Additional Director of Food and Civil Supplies—** Appointment to the post of Additional Director of Food and Civil Supplies shall be made by promotion from amongst the members of the Service holding the post of Joint Director who have rendered more than four years of service as Joint Director of Food and Civil Supplies as specified in Schedule II and included in the Select List approved under sub-rule (5) of Rule 10.

(2) **Joint Director of Food and Civil Supplies—**Appointment to the post of Joint Director of Food and Civil Supplies shall be made by promotion from amongst the members of the Service holding the post of Deputy Director who have rendered not less than three years of service as Deputy Director as specified in Schedule II and included in the Select List approved under sub-rule (5) of Rule 10.

(3) **Deputy Director of Food and Civil Supplies—**Appointment to the post of Deputy Director of Food and Civil Supplies shall be made by promotion from amongst the members of the Service holding the post of Superintendent of Food and Civil Supplies who have rendered not less than three years of service as Superintendent of Food and Civil and Supply as specified in Schedule II and included in the Select List approved under sub-rule (5) of Rule 10.

(4) **Superintendent of Food and Civil Supplies**—Appointment to the post of Superintendent of Food and Civil Supplies shall be made by promotion from amongst the members of the Service holding the post of Inspector of Food and Civil Supplies who have rendered not less than five years of service as specified in Schedule II and included in the Select List approved under sub-rule (5) of Rule 10.

(5) **Inspector of Food and Civil Supplies**—Appointment to the post of Inspector of Food and Civil Supplies shall be made by promotion from amongst the members of the Service holding the post of Sub-Inspector of Food and Civil Supplies who have rendered not less than five years of service as Sub-Inspector of Food and Supply as specified in Schedule II and included in the Select List approved under sub-rule (5) of Rule 10.

(6) **Sub-Inspector of Food and Civil Supplies**—Recruitment of the post of Sub-Inspector of Food and Civil Supplies shall be made by direct recruitment on the result of the examination conducted by the Commission.

8. **Departmental Promotion Committee**—(1) For the purpose of appointment by promotion under sub-rule (1), (2) and (3) of Rule 7, there shall be Departmental Promotion Committee consisting of the following members:-

- |   |                  |
|---|------------------|
| 1. Chief Secretary  | Chairman         |
| 2. Principal Secretary/Commissioner and Secy./Secretary/Addl. Secretary/Food and Civil Supplies Department. | Member Secretary |
| 3. Principal Secretary/Commissioner and Secy./Secretary/Additional Secretary/Personnel and A.R. Department. | Member           |
| 4. Principal Secretary/Commissioner and Secy./Secretary Finance Department.                                 | Member           |
| 5. Director of Food and Civil Supplies  | Member           |

(2) The Committee may invite any other person to attend its meeting as and when considered necessary.

9. (1) For the purpose of appointment by promotion under sub-rule (4) and sub-rule (5) of Rule 7 there shall be a Departmental Promotion Committee consisting of the following members:-

- |   |                  |
|---|------------------|
| 1. Principal Secretary/Commissioner and Secretary/Secretary/Food and Civil Supplies Department.                                       | Chairman         |
| 2. Director of Food and Civil Supplies.   | Member Secretary |
| 3. Principal Secretary/Commissioner and Secretary/Secretary/Additional Secretary/Personnel and A.R. Department or his Representative. | Member           |
| 4. Principal Secretary/Commissioner and Secretary/Secretary Finance Department and his Representative.                                | Member           |

(2) The Committee may invite any other person to attend its meeting as and when considered necessary.

**10. Procedure for preparing the Select list.** (1) At the beginning of each year, the Appointing Authority shall refer to the Committee, the approximate number of vacancies likely to occur in each Grade of the Service during the year. To enable the Committee to prepare the Lists for promotion to those Grades, the Appointing Authority shall furnish the Committee with the following documents, namely:-

- i) A list of the members of the service drawn up in order of seniority and consisting three times the numbers of vacancies referred to in sub-rule (1). Provided that such restriction shall not apply in respect of posts where the total number of eligible person is less than three times the number of vacancies and in such a case, the Committee shall consider all the eligible Officers.
- ii) The Character Rolls and Service Records of such members.
- iii) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Committee.

(2) The Committee after examining the Character Rolls, Service Records and other documents in respect of all such persons shall prepare a list based on seniority with due regard to individual merit and suitability. The number of persons to be included in the List shall be according to the actual number of vacancies available at that particular Grade. The List shall be forwarded by the Committee to the Appointing Authority.

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

(4) For the purpose of appointment by promotion, under sub-rule (1), (2), (3), (4) and (5) of Rule 7, the Appointing Authority shall consider the List prepared by the Committee along with the Character Rolls, Service Records and other documents in respect of each person in the List and unless he considers that any change is necessary to approve the List. If the Appointing Authority considers it necessary, to make any change in the list received from the Committee, he shall inform the Committee of the Change proposed and after taking into consideration the comments if any of the Committee and to approve the List finally with or without modification as may deem fit in his opinion to be just and proper.

(5) The list as approved under sub-rule (4) shall form the Select List for the purpose of appointment under sub-rule (1), (2), (3), (4), and (5) of Rule 7.

11. **Validity of the Select List**—(1) The Select List shall remain in force for a period of one year from the date of its final approval by the Appointing Authority unless its validity is extended with the approval of the Appointing Authority. Provided that such an extension shall not be for a total period exceeding six months.

Provided further that in the event of any great lapse in the conduct or performance or duties on the part of any person in the Select List, the Appointing Authority may, if he thinks fit, remove the name of such person from the Select List in consultation with the Committee.

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

12. **Direct Recruitment**—(1) Competitive Examination for direct recruitment under sub-rule (6) of Rule 7 shall be held at such interval as the Appointing Authority may in consultation with the Commission from time to time determine. The date on which and the place at which the examination shall be held, shall be fixed by the Commission.

(2) The Examination shall be conducted by the Commission in accordance with such syllabus as the Appointing Authority may from time to time make in consultation with the Commission.

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

(4) On the basis of the results of the Competitive examination, the Commission shall prepare a list of all successful candidates in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relative merit which shall be determined in accordance with the general suitability of the candidates for appointment to the post. The number of persons to be included in the list shall be according to the actual vacancies that are likely to occur during the recruitment year plus 10 per cent of the actual vacancies or 2 (two) names whichever is more. The list shall be forwarded to the Appointing Authority.

(5) The inclusion of a candidate's name in the list confer no right to appointment unless the Government is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the post and that the appointment to any post in the Service is subject to availability vacancies.

**13. Conditions of eligibility for appearing at the Competitive Examination**—In order to be eligible to compete at the examination for direct recruitment, a candidate must satisfy the following conditions namely—

- (1) Nationality : He must be a citizen of India
- (2) Age : As laid down in Schedule II
- (3) Educational Qualification: Degree 1 Qualification holders in Arts/Science/and Commerce.

**14. Disqualification for appointment to posts in Service:-**

- (1) No person shall be appointed who, after such medical examination as the Government may prescribed 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 posts 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 service.

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

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

15. **Appointment to posts in the Service:** - (1) Appointment to any post in the Service under Rule 7 shall be made by the Appointing Authority and in respect of Gazetted posts shall also be published in the Meghalaya Gazette.

(2) (i) Subject to the provisions of sub-rules (3) and (5) of Rule 12 appointment by direct recruitment under sub-rule (5) of Rule 7 shall be made from time to time in the order in which the names of candidates appear in the Merit List prepared under sub-rule (4) of Rule 12.

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

(3) Appointment under sub-rule (1), (2), (3), (4) and (5) of Rule 7 shall be made in the order in which the names of candidates appear in the Select List approved under sub-rule (5) of Rule 10.

16. **Probation:** - Every person appointed to the Service under sub-rule (5) of Rule 7 shall be on probation for a period of 2 (two) years.

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

17. **Departmental Examination and Training:** - (1) All Officers who joined the Service prior to the commencement of these Rules and who have passed all the papers of the Departmental Examination candidate by the Department and/or have not undergone the training prescribed from time to time shall appear at and pass all the papers of the Departmental Examination and undergo successfully such prescribed training.

(2) Every person appointed to posts in the Service after the commencement of these Rules shall during the period of probation; pass the Departmental Examination conducted by the Department and complete successfully such training as may be prescribed by the Appointing Authority.

18. (3) **Discharge or Reversion:** - A probationer shall be liable to be discharged from the posts in the Service or as the case may be reverted to the permanent post which he holds a lien or would hold a lien had it not been suspended under the Rules applicable to him prior to his appointment to the posts if: -

(a) He fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfactory performance during the period of probation.



- (b) He fails to pass the Departmental Examination unless the appointing Authority permits him to sit for re-examination in the subject or subjects in which he failed, or
- (c) On any information received relating to his nationality, age, health character and antecedents the Appointing Authority is satisfied that the probations is negligible or otherwise unfit for being a member of the Service.

19. **Seniority:** - (1) The interse seniority of the members of the Service who originally belonged to add appointed by the Government of Assam before 21<sup>st</sup> January, 1972 and who are allocated to the State of Meghalaya in accordance with the provisions of section 64 (1) of the North Eastern Areas (Reorganisation) Act, 1971 in the respective cadre be as it was in the corresponding cadre under the Government of Assam prior to their allocation to the State of Meghalaya.

(2) Notwithstanding anything contained in the sub-rule (I), the interse seniority of the members of the Service appointed by the Government of Meghalaya on the recommendation of the Assam public Service Commission during the period between 2<sup>nd</sup> April, 1970 and 20<sup>th</sup> January, 1972 (both days inclusive) *viz a viz* those appointed by the Government of Assam under the same recommendation and allocated to the State of Meghalaya in the respective cadre shall be determined in the order in which their names appeared in the list prepared by the Assam Public Service Commission. Such members shall be junior to all the members mentioned in sub-rule (1) above in the respective cadre.

(3) The interse seniority of the members of the Service in any cadre appointed on or after 21<sup>st</sup> January, 1972 but before the commencement of these Rules, shall be in the order in which their names appeared in the respective lists prepared by the Commission or the Select List approved by the Commission. Such members shall be junior to all the members mentioned in the sub-rule (1) and (2) above in the respective cadres.

(4) The interse seniority of the members of the Service appointed to different cadres after the commencement of these Rules shall be in the order in which their names appear in the Merit Lists prepared under sub-rule (4) of Rule 12 or in the select List approved under sub-rule (5) of Rule 10.

(5) If confirmation of any member of the Service is delayed on account of his failure to qualify for such confirmation he shall loose his position in order of seniority in the cadre *viz-a-viz* such of his juniors as may be confirmed earlier than him. His original position in the particular cadre shall however, be restored on his confirmation subsequently.

20. **Confirmation:-** (1) Confirmation of members 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 one year in the post where he is to be confirmed.
- (b) That the performance of the employee is satisfactory to be judged on the basis of Annual Confidential Reports and other relevant records.
- (c) That there is no departmental proceedings/vigilance enquiry against him.
- (d) Subject to availability of vacancy and that no officer holds 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.

Provided further that the Appointment Authority may for good and sufficient reasons exempt member of the Service from passing any one or more of the prescribed Departmental (Professional) Examination and Training and confirm him in the respective cadre of the Service.

21. **Gradation List**—There shall be prepared and published annually and up to date Gradation List as on 1<sup>st</sup> January, consisting of the names of all the members of the Service cadre-wise and drawn up in order of Seniority and other particulars relating to the date of birth and appointment to the Service, and such other details relevant to the service Career shall be also indicated against each name.

22. **Time Scale Pay**—The Time Scale Pay admissible to the members of the Service shall be shown in Schedule I subject to revision by Government from time to time.

23. **Increment**—(1) The first increment admissible to a probationer shall accrue on the expiry of one year from the date of his joining the post but subsequently increment shall be allowed only on his completion of the period of probation.

(2) The pay of the member of the Service on completion of the period of probation shall be fixed at such a stage as if he has been allowed his usual annual increment due but he shall not be entitled to any arrear in pay on account of withholding of due increment for the period prior to the date of his completion of the period of probation.

(3) The increment admissible to a member of the Service promoted from one post to another shall accrue on the expiry of each year as admissible under the Rules.

24. **Leave, Pension, etc and other conditions of Service:-** Except as provided under best Rules, all matters generally relating to pay and allowances, leave, pension, discipline and other conditions of service shall be regulated by the general Rules and/or orders made by Government from time to time and applicable to other State Government servants of corresponding status having similar functions.

25. **Power of the Governor to dispense with or relax any Rule:-** The Governor if satisfied that the operation of any of the provisions of these Rules causes under hardships in any particular case or cases or results in any particular post or posts being left unfilled for want of person (s) possessing the minimum experience as specified by these Rules for promotion to such post (s) may dispense with or relax the requirement of any of these Rules to such extent and subject to such condition, as it may consider necessary for dealing with the case in a just and equitable manner, or for meeting the exigencies of public interest.

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

26. **Interpretation:** - If any question arises relating to the interpretation of these Rules, the decision of the Government in the Food and Civil Supplies and Consumer Affairs Department with the approval of the Personnel and A.R. Department shall be final.

27. **Repeal and saving:** - All Rules, Orders or Notifications corresponding to and in force immediately before the commencement of these Rules are hereby repealed.

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

**11****SCHEDULE - I****(Rule 6 and 21)**

Sl. No.	Name of Post	Time Scale Pay	Number of posts Permanent	No. of posts Temporary	Total
1	Director, Food and Civil Supplies	Borne of IAS or Senior MCS	...	...	...
2	Addl. Director, Food and Civil Supplies	10750-325-12700-350-14800/-	...	1	1
3	Joint Director, Food and Civil Supplies	10,000-300-11,800-EB-325-14075/-	...	3	3
4	Deputy Director, Food and Civil Supplies	8750-275-10400-EB-300-13100/-	3	2	5
5	Superintendent, Food and Civil Supplies	5900-190-7040-EB-200-8640-225-10440/-	5	0	5
6	Inspector, Food and Civil Supplies	5300-150-6200-EB-160-7480-170-9130/-	18	0	18
7	Sub-Inspector, Food and Civil Supplies.	4250-110-4910-EB-120-5870-130-7170/-	53	0	53

## SCHEDULE – II

Sl. No.	Name of Post	Method of recruitment with percentage of vacancies to be filled up in any recruitment year by direct recruitment or promotion	Educational Qualification etc., required for direct recruitment	Lower age limit	Upper age limit	Probation persons eligible for consideration for promotion to posts mentioned in column 2	Qualification Experience etc.,	Remarks
1	Addl. Director of Food and Civil Supplies	By promotion	--	--	--	Joint Director of Food and Civil Supplies	Must have rendered more than 4 years of Service in the post shown in column 7.	
2	Joint Director of Food and Civil Supplies	By promotion	--	--	--	Deputy Director of Food and Civil Supplies	Must have rendered not less than 3 years of Service in the post shown in column 7.	∞
3	Deputy Director of Food and Civil Supplies	By promotion	--	--	--	Superintendent of Food and Civil Supplies	-do-	
4	Superintendent of Food and Civil Supplies	By promotion	--	--	--	Inspector of Food and Civil Supplies	Must have rendered not less than 5 years of Service in the post shown in column 7.	

## SCHEDULE – II

Sl. No.	Name of Post	Method of recruitment with percentage of vacancies to be filled up in any recruitment year by direct recruitment or promotion	Educational Qualification etc., required for direct recruitment	Lower age limit	Upper age limit	Probation persons eligible for consideration for promotion to posts mentioned in column 2	Qualification Experience etc.,	Remarks
5	Inspector of Food and Civil Supplies	By promotion	--	--	--		Sub-Inspector of Food and Civil Supplies	-do-
6	Sub-Inspector of Food and Civil Supplies	By promotion	Degree holders in Arts/Science/Commerce	18	27	With usual relaxation of 5 years in favour of Scheduled Castes/Scheduled Tribes. No age limit for Meghalaya Servants provided they entered Service within the prescribed age limit.		∞