

GOVERNMENT OF MEGHALAYA
EDUCATION DEPARTMENT

NOTIFICATION

Dated Shillong the 18th June, 2012

No. EDN.375/2000/Pt-II/106: 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 for regulating the recruitment and conditions of service of persons appointed to the Meghalaya Education, Research and Training Service of Meghalaya.

THE MEGHALAYA EDUCATION, RESEARCH AND TRAINING
SERVICE RULES

1. Short title and commencement:-

- (a) - These Rules may be called “the Meghalaya Education, Research and Training Service Rules, 2012.
- (b) - They shall come into force from the date of this notification in the Official Gazette.

2. Definition:

In these Rules unless there is anything repugnant in the subject or context:-

- (a) - ‘Appointing Authority’ means
 - (1) The Governor in respect of the Gazetted posts;
 - (2) The Head of Department in respect of the Non-Gazetted posts;
- (b) - ‘Commission’ means the Meghalaya Public Service Commission;
- (c) - ‘Committee’ means the Departmental Promotion Committees constituted under Rule 8.
- (d) - ‘Governor’ means the Governor of Meghalaya;
- (e) - ‘Government’ means the Government of Meghalaya;
- (f) - ‘Member of the Service’ means a member of the Meghalaya Education, Research and Training Service’ (MERTS);
- (g) - “Rules” means the Meghalaya Education, Research & Training Service Rules, 2012;
- (h) - ‘Service’ means the Meghalaya Education, Research and Training Service’ (MERTS);
- (i) - ‘State’ means the State of Meghalaya; and
- (j) - ‘Year’ means a Calendar Year.

3. Constitution of the Service:- There shall be constituted a service to be known as the Meghalaya Education, Research and Training Service (MERTS) consisting of the following persons namely :-

- (1) - Persons appointed to different posts in the service before the commencement of these Rules.
- (2) - Persons appointed to different posts in the service in accordance with the provisions of these Rules.

4. Composition of the Services:- (1) The services shall consist of the following grades:-

- | | | | |
|------|----------------------|---|-----------------------------------|
| i. | Selection Grade – I | : | Director. |
| ii. | Selection Grade – II | : | Joint Director. |
| iii. | Senior Grade – I | : | Deputy Director/Principal (DIET). |
| iv. | Senior Grade – II | : | Selection Grade Lecturers. |
| v. | Junior Grade – I | : | Senior Lecturers/Principal, NTS. |
| vi. | Junior Grade – II | : | Lecturer, DIET/Principal, BTC. |
| vii. | Junior Grade - III | : | Instructor NTS/BTC. |

(2) Each of the categories of posts in clause (i) to (vii) of sub- rule (1) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any post of the higher cadre except in accordance with the provisions made in these Rules.

5. Status:- The Status of the members of the Service holding posts in all the Grades indicated in Rule 4 (1) except Junior Grade III shall be Gazetted and members of the Service belonging to Junior Grade III shall be Non-Gazetted.

6. Strength of the Service:- (1) The strength and composition 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 and posts therein shall be as shown in Schedule-I.

7. Method of recruitment:- (1) Appointment to any posts by promotion in the grades other than Junior Grade – II shall be made from the Selection List approved under sub-rule (4) of Rule 10 from amongst the members of the Service holding the next lower Grades.

(2) Appointment to any posts of Lecturers in Junior Grade – II shall be made by direct recruitment on the results of examination conducted by the Commission.

Provided that appointment to the post of Principal, BTC in Junior Grade – II shall be made by promotion from the Select List prepared for the purpose from amongst the Instructors of NTS/BTCs

Provided that 25 percent of vacancies in the post of lecturers in Junior Grade II shall be filled by promotion from the select list prepared for the purpose from amongst the Instructors of NTS/BTCs

(3) Appointment to any post of Instructors in Junior Grade III shall be made by Direct Recruitment as per procedure to be prescribed by Government from time to time.

8. Departmental Promotion Committee:- (1) For the purpose of appointment by promotion under Rule(7) to Selection Grade I & II, Senior Grade I & II and Junior Grade I & II, there shall be a Departmental Promotion Committee consisting of the following members, namely:

- i. *Chief Secretary* - *Chairman*
- ii. *Principal Secretary/Commissioner & Secretary/
Secretary Education Department* - *Member Secretary*
- iii. *Principal Secretary/Commissioner & Secretary/Secretary,
Personnel & A.R. Deptt.* - *Member*
- iv. *Principal Secretary/Commissioner & Secretary/
Secretary, Finance Department* - *Member*
- v. *Director Educational Research & Training* - *Member*

(The Committee may invite any other person to attend its meetings if and when considered necessary).

(2) For the purpose of appointment by promotion under Rule (7) other than those mentioned in Rule 8 (1) above, there shall be a Departmental Promotion Committee consisting of the following members, namely:

- i. - *Principal Secretary/Commissioner & Secretary/
Secretary Education Department* - *Chairman*
- ii. - *Principal Secretary/Commissioner & Secretary/Secretary,
Personnel & A.R. Deptt. or his representative* - *Member*
- iii. - *Principal Secretary/Commissioner & Secretary/
Secretary, Finance Department or his representative* - *Member*
- iv. *Director Educational Research & Training* - *Member*

(The Committee may invite any other person to attend its meetings if and when considered necessary).

9. Procedure for preparing the Select lists:-

(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 cadre 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 members of the Service drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (I); provided that such restriction shall not apply in respect of post where the total of eligible person is less than three times the number of vacancies and in such a case the Committee shall consider all the eligible persons.

The Character Rolls and Service Records of such persons.

iii. - Any other documents and information as may be considered necessary by the Appointing Authority or required by the 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 merit and suitability. The number of persons to be included in the list shall be according to actual number of vacancies available at the 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 rules (1) of Rule 7 the Appointing Authority shall consider the list prepared by the Committee along with the character roll and service records and other documents in respect of each person in the list and unless he considers any change is necessary, approve the list. If the Appointing Authority considers that it necessary to make any change in the list received from the Committee, it shall inform the Committee of changes proposed and after taking into account the comments, if any, of the Committee approve the list finally with or without modification as in his opinion, may be just and proper.

(5) The list as approved under sub-rule (4) above shall form the select list for the purpose of appointment by promotion under sub-rules (1) of Rule 7.

10. Consultation with the Commission:- (1) The Appointing Authority shall forward the list 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 list together with his comments, if any.

(2) The Commission shall consider the lists and documents referred to in sub-rule (1) and such other documents as it may have called for and unless it considers that any change is necessary approve the list.

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

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

11. Validity of the Select List:- The Select List shall remain in force for a period of one year unless its validity is extended with the approval of the Commission;

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 of duties on the part of any person from the Select List, the Appointing Authority may, if he thinks fit, remove the name of such persons from the Select List. The reasons for doing so shall be recorded in writing.

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

12. Direct Recruitment:- (1) Competitive Examination for direct recruitment under sub rule (2) and (3) of Rule 7 shall be held at such intervals as the Appointing Authority may, in consultation with the Commission from time to time determined. 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 frame 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 as the Government may from time to time prescribe.

(4) On the basis of the result 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 determine 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 as according to the actual vacancies likely to occur during the recruitment year plus 10 (ten) percent of the actual vacancies of 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 confers no right to appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post and that appointment to any post in the service is subject to availability of vacancy.

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/She must be a citizen of India.

(2) Age – He/She must have attained the age of 18 years and must not have exceeded the age of 27 years on the first day of the year in which the advertisement for the post is made.

Provided that in the case of candidate belonging to Schedule Caste and Schedule Tribe, the upper age limit will be subject to relaxation made by the Government from time to time.

(3) Educational Qualification – As laid down in Schedule II.

14. Disqualification for appointment to the Service:-

(1). Subject to the provisions of the people with Disabilities Act 1995, No person shall be appointed who, after such medical examination as the Government may prescribed, is not found to be in 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 the service who had been convicted for any offence involving moral turpitude.

(3). No person who has more than one spouse living shall be eligible for appointment to the Service;

Provided that the Governor may, if he is satisfied that there are special 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 means, shall be appointed to the Service.

15. Appointment to 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 post shall also be published in the Meghalaya Gazette.

2. (I) Subject to the provision of sub-rule (3) and (5) of Rule 12, appointment 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 extend the period of joining which shall not in any case exceed three months, the appointment shall be cancelled.

3. Appointment under sub-rule (1) of Rule 7 shall be made in the order in which the names of candidates appear in the select list approved by the Commission under sub-rule (4) of Rule 10.

16. Probation:- Every person appointed to the Service under sub-rule (2) and sub-rule (3) of rule 7 shall be on probation for a period of 2 (two) years.

Provided that the period of probation may be extended by the Appointing Authority in any individual case by a period not exceeding 2 (two) years on justifiable and reasonable grounds.

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

Provided further where the performances of duty by a person placed on probation is not satisfactory or where the probationer is otherwise considered by the Appointing Authority to be unsuitable or unfit to hold the post he may, at any time during the period of probation or immediately at the end of it, be reverted to next lower post/grade and/or dispensed with his service as a Probationer.

17. Discharge or Reversion:- (1) Where the Appointing Authority finds that the performance of duty by any member of the Service, appointed by promotion, is unsatisfactory or where he is found unfit to hold the post at any time during the period of probation, such member shall be liable to be reverted to his next lower post or grade.

(2). A member of the Service appointed by direct recruitment shall be liable to be discharged if:-

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

(b) He/She 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:

18. Seniority:-

(1) The interse seniority of the members of the Service in any cadre appointed on or after 21st January, 1972 but before the commencement of these rules, shall be in 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 members mentioned in sub-rule (1) and (2) above in the respective cadres.

(2) 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 List prepared under sub-rule (4) of Rule 12 in the Select List approved under sub-rule (4) of Rule 10.

Provided that in any cadre, a member of the Service appointed by Promotion/Selection shall be senior to a member appointed by direct recruitment, where such appointment falls in the same year.

(3) If confirmation of any member of the Service is delayed on account of his failure to qualify for such confirmation, he shall lose his seniority vis-à-vis such of his juniors in his cadre as may be confirmed earlier than him. His original position shall, however, be restored on his confirmation subsequently.

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

- a) that he has served not less than 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, and, -
- 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 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 by the Appointing Authority, and
- (c) - subject to availability of vacancy.

Provided that where a person is not given opportunity to undergo the prescribed training under the period of probation his/her 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.

20. Gradation List:- There shall be prepared and published annually an up-to-date gradation list as on 1st January consisting of the names of all 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 indicated against each name.

21. Increment:- (1) The first increment admissible to a member of the service shall accrue on completion of one year from the date of his joining the post but subsequent increment shall be allowed only on his completion of the period of probation successfully.

(2) Such persons referred to in sub-rule (2) of rule 3 shall be allowed to draw increment becoming due within the period of two years from the date of commencement of these Rules but further increments shall be allowed on successful completion of the training courses prescribed.

(3) The pay of the member of the service on his completion of the period of probation on passing the Departmental Examination or training prescribed shall be fixed at such a stage if he has been allowed is usual annual increments due but he shall not be entitled to any arrear in pay on account of withholding due increments for the period prior to the date of his completion of the period of probation or passing the Departmental Examination or the prescribed training.

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

22. Power of the Governor to dispense with or relax any rule:- The Governor, if satisfied that the operation of any of the provision of these rules causes undue hardship 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.

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

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

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

SCHEDULE – I

Composition, scale of pay and strength of the Service.

Name of Posts	Time scale of pay	Total Strength	Temporary	Permanent	Remarks
1	2	3	4	5	6
Selection Grade I Post					
1. Director	31,300-940-37880-1110-46760	1	1	-	-
Selection Grade II Post					
1. Joint Director	26700-800-33100-1000-42100	1	1	-	-
Senior Grade I Posts					
1. Deputy Director	23300-700-27500-830-32480-970-39270	2	2	-	-
2. Principal, DIET	-do-	7	7	-	-
Senior Grade II Posts					
1. Selection Grade Lecturer	20700-620-24420-730-29530-890-36650	Placement	Placement		
Junior Grade I Posts					
1. Principal, NTS	18300-500-21800-EB-650-27000-810-35100	2	2	-	
2. Senior Lecturer	18300-500-21800-EB-650-27000-810-35100	Placement	Placement		
Junior Grade II Posts					
1. Principal, BTC	17000-470-20290-EB-560-25330-760-33690	4	4	-	
2. Lecturers DIETs	17000-470-20290-EB-560-25330-760-33690	109	78	31	
Junior Grade III Posts					
1. Instructors of NTS/BTCs	14100-350-16550-EB-460-20690-620-27510	40	40	-	

SCHEDULE – II
(Rule 7)

Sl. No.	Name of the Posts	Method of recruitment with % of vacancies. To be filled up by Different methods	Promotion		Remarks
			Persons eligible for consideration for promotion etc required	Experience and qualification required	
1.	Director	Promotion	Joint Director	5 Yrs service as Joint Director	(a).If no suitable person is available, experience is relaxed to 8 yrs of combined service at Joint Director and Dy. Director level. (b). If no eligible officer is available even under (a) above, the post maybe filled up from IAS/MCS
2.	Joint Director	Promotion	1. Dy. Director 2. Principal, DIET	3 yrs service at their own grade	If no suitable person is available, experience qualification is relaxed to 6 yrs of combined service at the level of Dy. Director/ Principal DIET and Selection Grade Lecturer.
3.	Dy. Director/ Principal, DIET	Promotion	Selection Grade Lecturers	3 Yrs service	Selection Grade Lecturers having M. Ed. Or Master Degree with B. Ed./ B. El. Ed., only are eligible to be promoted to the post of Principal, DIETs.
4.	Selection Gr. Lecturer	Placement	Sr. Lecturer	8 Yrs service	Combined service of 16 yrs is eligible for placement. <i>i.e</i> Lecturer + Sr. Lecturer.
5.	Principal NTS	-	Principals of BTCs/ Senior Lecturers	8 years of service	
6.	Sr. Lecturer	Placement	Lecturer	8 Yrs service	This is an enhancement of pay scales
7.	Principal BTC	-	Senior most Instructor of NTS/ BTC	8 years of service	Must possess a Master Degree from a recognized University
8.	Lecturer DERT/DIET	75% Direct recruitment 25% Promotion from BTCs/NTSs Instructors.	-	Qualification as per NCTE norms.	25% Promotion is reserved for existing Instructors in BTC/NTS having requisite qualification as per NCTE norms.
9.	Instructors NTS/BTCs	100% Direct recruitment		Qualification as per State norms.	

Sd/-
(P. S. Thangkhiew)
Principal Secretary to the Government of Meghalaya
Education Department

Copy for information and necessary action to:-

1. P.S. to the Chief Minister, Government of Meghalaya, Shillong.
2. P.S. to the Education Minister, Government of Meghalaya, Shillong.
3. P.S. to the Chief Secretary to the Government of Meghalaya, Shillong.
4. P.S. to the Additional Chief Secretary to the Government of Meghalaya, Planning Department.
5. P.S. to the Additional Chief Secretary to the Government of Meghalaya, Finance Department.
6. P.A. to the Principal Secretary to the Government of Meghalaya, Education Department.
7. Commissioner & Secretary to the Government of Meghalaya, Personnel & AR (A), (Service Rules Cell) Department.
8. Accountant General (A & E), Meghalaya, Shillong.
9. Director of Printing and Stationeries for favour of publication in the Meghalaya Gazette.
10. Secretary, Meghalaya Public Service Commission, Meghalaya, Shillong.
11. Director of School Education & Literacy, Meghalaya, Shillong.
12. Director of Higher & Technical Education, Meghalaya, Shillong.
13. Director of Educational Research & Training, Meghalaya, Shillong.

(L. R. Sangma)
Secretary to the Government of Meghalaya
Education Department