

**GOVERNMENT OF MEGHALAYA
COOPERATION DEPARTMENT**

NOTIFICATION

No.COD.92/74/369

Dated Shillong, the 16th May, 2003.

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 the conditions of service of persons appointed to the Meghalaya Cooperative Services namely: -

THE MEGHALAYA COOPERATIVE SERVICE RULES.

1. Short Title and Commencement :-

- (1) These rules may be called the 'Meghalaya Cooperative Service Rules, 2003.
- (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 in the subject or context :-

- (a) "Appointing Authority" means the Governor of Meghalaya;
- (b) "Commission" means the Meghalaya Public Service Commission;
- (c) "Committee" means the Departmental Promotion Committee constituted under rule 8;
- (d) "Government" means the Government of the State of Meghalaya.
- (e) "Governor" means the Governor of Meghalaya;
- (f) "Member of the Service" means a person appointed or deemed to have been appointed under these rules to any post in the Service;
- (g) "Rules" means the Meghalaya Cooperative Service Rules;
- (h) "Service" means the Meghalaya Cooperative Service constituted under these rules;
- (i) "Schedule" means the schedule appended to these rules; and
- (j) "Year" means a Calendar Year.

3. **Constitution of the Service :-** There shall be constituted a Service to be known as the Meghalaya Cooperative Service consisting of the following persons, namely:-
- (a) Members of the Assam Cooperative Service 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;
 - (b) Persons appointed to different posts in the Service on or after 21.1.72 but before the commencement of these rules; and
 - (c) Persons appointed to different post 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 namely –
 - (A) Senior Grade - I - Joint Registrar of Cooperative Societies/Principal, Meghalaya Cooperative Training Institute.
 - (B) Senior Grade - II - Deputy Registrar of Cooperative Societies.
 - (C) Junior Grade - I - Assistant Registrar of Cooperative Societies.
 - (D) Junior Grade - II - Sub-Registrar of Cooperative Societies.
 - (2) Each of the categories of post in clauses (A), (B), (C) and (D) of sub-rule (1) shall form an independent cadre and members of any category shall have no claim for appointment to a higher category except in accordance with the provisions of these rules.
5. **Status:-** The status of members of the service holding posts in Group (A), (B), (C) and (D) above shall be classed as 'Gazetted Posts'.
6. **Strength of the Service: -**
- (1) The strength and composition of the service and posts therein shall be such as the Governor may, from time to time, determine.
 - (2) At the commencement of these rules the strength of the service and post therein shall be as shown in Schedule I.
7. **Method of Recruitment: -**
- (1) Appointment to the post of Joint Registrar of Cooperative Societies and the Principal, Meghalaya Cooperative Training Institute in the Senior Grade – I (Group – A) shall be made by promotion from amongst the members of the service holding post of Deputy Registrar of Cooperative Societies in Senior Grade – II (Group – B) and include in the selected list approved under Sub-Rule (5) of Rule 9.

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

11. **Appointment under sub-rule (1), (2), (3) and (4) of Rule 7** shall be made in the order in which the name of persons appear in the Select lists approved under sub-rule (4) of Rule 9.

12. **Departmental Examination and Training: -**

(1) Such persons referred to in sub-rule (a) of Rule 3 who have not passed all the papers of the Departmental Examination prescribed for the service prior to allocation to the State of Meghalaya shall, within a period of two years from the date of commencement of these rules, appear and pass the Departmental Examination prescribed by the Appointing Authority and conducted by the Commission in the subjects in which he has not passed and shall successfully undergo, if he has not already done so, such training as the Appointing Authority may prescribe.

(2) Such persons referred to in sub-rule (b) of Rule 3 who have not passed the Departmental Examination conducted by the Commission, and/or have not undergone the training prescribed from time to time shall, within a period of two years from the date of commencement of these rules, appear at and pass the papers of Departmental Examination and undergo successfully such prescribed training.

Provided that the Governor may for good and sufficient reason, and to be recorded in writing exempt any person from appearing the Departmental Examination referred to in this rule.

13. **Seniority :-**

(1) The inter-se seniority of the members of the Service who originally belonged to and appointed by the Government of Assam before 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 Areas (Reorganisation) Act 1971 in the respective cadre shall 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 sub-rule (1) the inter-se 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 2nd April, 1970 and 20th January, 1972 (both days inclusive) vis-à-vis 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 appear in the list prepared by the Assam Public Service Commission. Such members shall be junior to all members mentioned in sub-rule (1) in the respective cadre.

(3) The inter-se seniority of members of the service in any cadre appointed on or after 21st 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 Appointing Authority or the Commission. Such members shall be junior to the members mentioned in sub-rules (1) and (2) in the respective cadres.

(4) The inter-se 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 list prepared under the Select lists approved under sub-rules (4) of Rule 10.

Provided that in any cadre a member of the service appointed by promotion shall be senior to a member appointed by direct recruitment where such appointment falls in the same year.

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

14.

Confirmation :-

(1) Confirmation of members of the service in Senior Grade, Grade I and Grade II shall be made in the respective cadre according to seniority in that cadre subject to the following conditions, namely :-

- (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 inquiry against him;
- (d) subject to availability of vacancy and that no officer holds a lien on it;

(2) Confirmation of members of the service in Junior Grade, Grade - I & Grade -II shall be made according to his seniority in that cadre subject to the following conditions, namely :-

- (a) that he has completed not less than one year in the post in which he is to be confirmed.
- (b) That he has passed the Departmental Examination completely and has successfully undergone the training as may be prescribed by the Appointing Authority from time to time.
- (c) That he is considered otherwise fit for confirmation by the Appointing Authority and,
- (d) Subject to availability of vacancy:

Provided where a person is not given opportunity to undergo the prescribed training, 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 shall successfully undergo the said training, failing which he shall not be considered for confirmation unless the Appointing Authority allows him other chances:

15.

Gradation List :- There shall be prepared and published annually an upto-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 as relevant to the Service Career shall also be indicated against each name.

16.

Increment :- (1) Such persons referred to in sub-rule (a) and sub-rule (b) of Rule 3, who have not passed the Departmental Examination or have not undergone the training prescribed shall be allowed to draw increments becoming due within the period of two years from the date of commencement of these rules but further increments shall be allowed only on their passing the Departmental Examination completely and on successful completion of the Training Courses as may be prescribed..

(2) 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.

17. **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 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 be considered 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 with in any manner less favourable to him than that provided under these rules.

18. **Interpretation :-** If any question arises relating to the interpretation of these rules the decision of the Government in the Cooperation Department with the approval of Personnel and A.R. Department shall be final.

19. **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 so repealed or any action taken in pursuance thereof shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

(P.C. CHAKRABORTY),
Commissioner & Secretary to the Govt. of Meghalaya,
Cooperation Department.

SCHEDULE - I
(Rule 6 (2))

1.	Name of Posts.	Pay Scale	No. of Post.			Mode of recruitment.
			Perma nent	Tempora ry	Total	
2.	3.	4.	5.	6.	7.	
	Joint Registrar of Cooperative Societies.	Rs. 10,000-300-11,800 -EB-325-14,075/- P.M.	2	—	2	By promotion of Officers from the rank of Deputy Registrar of Cooperative Societies.
	Principal, Meghalaya Cooperative Training Institute.	- do -	1	—	1	- do -
	Deputy Registrar of Cooperative Societies.	Rs. 8750-275-10,400 - EB-300-13,100/- P.M.	2	1	3	By promotion of Officers from the rank of Assistant Registrar of Cooperative Societies.
	Assistant Registrar of Cooperative Societies.	Rs. 6850-240-8290-EB-250-10,040-260-11,600/- P.M.	8	2	10	By promotion of Officers from the rank of Sub-Registrar of Cooperative Societies who have completed more than 3 years of service in the said post.
	Sub-Registrar of Cooperative Societies.	Rs. 6350-225-7700-EB -240-9380-250-11,130/- P.M.	12	—	12	By promotion of Officers from the rank of Senior Cooperative Officers who have passed the Departmental Examination in all the prescribed subjects and the Training to which they have been deputed who have completed more than 6 years of Service in the same post.