

**GOVERNMENT OF MEGHALAYA
COOPERATION :: DEPARTMENT
NOTIFICATION.**

No. COD.92/74/377

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 Subordinate Service namely :-

THE MEGHALAYA COOPERATIVE SUBORDINATE SERVICE RULES.

1. Short Title and Commencement:-

- (1) These rules may be called the Meghalaya Cooperative Subordinate Service Rules, 2003;
- (2) They shall come into force on the date of their publication in the official Gazette.

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

- (a) "Appointing Authority" means the Registrar of Cooperative Societies Meghalaya;
- (b) "Commission" means the Meghalaya Public Service Commission;
- (c) "Committee" means either a Departmental Promotion Committee constituted under rule 8 or as the case may be, a Selection Committee under rule 10;
- (d) "Government" means the Government of the State of Meghalaya;
- (e) "Governor" means the Governor of Meghalaya;
- (f) "Member of the Service" means person appointed or deemed to have been appointed under these rules to any post in the service;
- (g) "Rules" means the Meghalaya Cooperative Subordinate Service Rules;
- (h) "Service" means the Meghalaya Cooperative Subordinate 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 Subordinate Service consisting of the following persons, namely :-

- (a) Members - person of the Assam Cooperative Subordinate Service and 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 on or after .21.1.72 but before the commencement of these rules, and
- (c) Persons appointed to posts in the service in accordance with the provisions of these rules.

4. Composition of the Service :-

- (1) The service shall at the commencement of these rules consist of the following grades and posts :
 - (a) Grade I - Senior Cooperative Inspector and Senior Cooperative Auditor; re-designated as Senior Cooperative Officer.
 - (b) Grade II - Junior Cooperative Inspector and Junior Cooperative Auditor; re-designated as Junior Cooperative Officer.
- (2) Each of the categories of posts in clause (a) and (b) of sub-rule (1) shall form and independent cadre and members of any cadre shall have no claim for appointment to a higher cadre except in accordance with the provisions of these rules.

5. Status: - The status of members of the service holding posts in Grade I shall be Class II Gazetted and those holding posts in Grade II shall be Class III Non-Gazetted.

6. Strength of the Service :-

- (1) The strength and composition of the service shall be such as may be determined by the Appointing Authority from time to time, determine.
- (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 post in the Grade I shall be made exclusively by Promotion from amongst the members of the service holding post in Grade II and included in the select list approved under Sub-rule (5) of Rule 9.

Provided that no members of the service shall be eligible for consideration for promotion unless he has rendered not less than 6(six) years of continuous service in the Grade II on the first day of the year in which the selection is made.

- (2) Appointment to any post in Grade II shall be made in the following manner, namely:-
 - (a) Thirteen percent (13%) by selection from amongst the incumbents having at least 5 (five) years of continuous service as Upper Division Assistant in the Office of the Registrar of Cooperative Societies Meghalaya who have fulfilled the qualification, experience and

conditions laid down in Rule 10 and included in the select list approved under sub-rule (4) of Rule 11.

- (b) Twelve percent (12%) by selection from amongst the eligible persons serving as U.D. Asstt. Under the respective District and Sub-Divisional Offices of the Department i.e. Office of the Assistant Registrar of Cooperative Societies and the Office of the Sub-Registrar of Cooperative Societies who have fulfilled the qualification, experience and conditions laid down in Rule 10 and include in the select list approved under sub-rule (4) of Rule 11.
- (c) Seventy five percent (75%) 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) of Rule 7 there shall be a Departmental Promotion Committee consisting of the following members, namely:-

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|---|------------------|
| 1. Registrar of Cooperative Societies | Chairman. |
| 2. Joint Registrar of Cooperative Societies. | Member Secretary |
| 3. Representative of Finance Deptt. | Member. |
| 4. Representative of Personnel & A.R. Department. | Member. |

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

9. 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 such vacancies likely to occur in each cadre of the service during the year. To enable the Committee to prepare the select list for promotion to those cadres, the Appointing Authority shall furnish the Committee with the following documents, namely: -

(a) List of the members of the service drawn up in order of seniority and consisting three times the number 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 persons is less than three times the number of vacancies and in such a case the Committee shall consider all the eligible Officers.

(b) The Character Rolls and Service Records of such members and
(c) 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 individual merit and suitability with due regard to seniority. The number of persons to be included in the list shall be,

according to the 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 under sub-rule (1) of Rule 7 the Appointing Authority shall consider the list prepared by the Committee alongwith 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 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 changes proposed and after taking into accounts of the comments, if any, of the Committee approve the list finally with or without modification as may 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 by promotion under sub-rule (1) of Rule 7.

10. Recruitment by Selection:-

- (1) For the purpose of appointment by Selection under clause (a) and (b) of Sub-rule (2) of Rule 7 there shall be a Selection Committee consisting of the following members, namely :-
 - 1) Principal Secretary/Commissioner & Secretary/
Secretary Cooperation Department. - Chairman.
 - 2) Representative of Personnel &
A.R. Department. - Member.
 - 3) Registrar of Cooperative
Societies. - Member Secretary.
- (2) The Committee may invite any other person to attend its meeting as and when considered necessary.
- (3) The Registrar of Cooperative Societies shall recommend cases of persons serving in the Directorate of Cooperative Societies and shall also call upon the District Heads of Offices of Cooperative Societies to recommend cases of persons serving under them for consideration for appointment by Selection under clause (a) and (b) of sub-rule (2) of Rule 7 shall be made on the basis of seniority-cum-merit. The persons to be considered for recommendation should fulfil the following conditions, namely:-
 - (a) Who are of outstanding merit and ability;
 - (b) Must have completed not less than eight years of continuous service in a post carrying the pay scale of Rs. 3975/- to Rs. 6655/- p.m. and above on the 1st day of the year in which the selection is made.

- (c) Must be Bachelor in Arts/Science or Commerce of any recognised University.
- (4) The Registrar of Cooperative Societies shall refer the cases of persons recommended under sub-rule (3) above to the Selection Committee and shall forward to the Selection Committee the character rolls and the Service particulars of such persons and any other documents as may be required by the Selection Committee and shall also indicate separately the approximate number of vacancies to be filled up by Selection.
- (5) The Selection Committee shall, after initial scrutiny, of the recommendations, the character rolls and the service particulars call such persons as it may consider prima-facie suitable for interview and thereafter prepare a list of such persons who in its opinion are suitable for appointment to the post in order of preference which shall be determined in accordance with the general suitability of such persons in the field of Cooperation.

Provided that no such persons shall be recommended under sub-rule (3) nor shall the Selection Committee select any such persons unless the Registrar and or the Selection Committee as the case may be, is further satisfied that –

- (a) He has an aptitude for working in rural areas and is fit for strenuous touring;
- (b) His service can be more profitably utilised by appointment to the post.
- (c) The number of persons to be included in the list shall be as laid down in Part III of the Instruction appended to the Meghalaya Public Commission (Limitation of Functions) Regulations, 1972. The list shall be forwarded by the Committee to the Appointing Authority.

11. Consultation with the Commission :-

- (1) The Appointing Authority shall forward the list prepared under Rule 10 to the Commission alongwith the character rolls, service records and other documents in respect of each person in the list together with his comments, if any.
- (2) The Commission shall consider the list 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 changes proposed and after taking into account the comments, if any, of the Appointing Authority approve the said list with or without modification as in its opinion to be just and proper.
- (4) The list as approved by the Commission either under sub-rule (2) or sub-rule (3) shall when finally approved by the Appointing Authority form the Select List for the purpose of appointment under clause (a) and (b) of sub-rule (2) of Rule 7.

12. **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 Appointing Authority. Where the Select List has been finalised in consultation with the Commission the approval of the Commission shall be obtained.

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 performance of 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 and the reason for doing so shall be recorded in writing.

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

13. Direct Recruitment :-

(1) Examination for direct recruitment under clause (c) sub-rule (2) of Rule 7 shall be held at such intervals as the Appointing Authority may, in consultation with the Commission from time to time, determine. The Date and the place for conducting the examination 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 Governor may, from time to time, prescribe.

(4) The inclusion of a candidate's name in the list confer 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.

14. Conditions of eligibility for appearing at the Examination :-

(1) In order to be eligible to compete at the examination for direct recruitment, a candidate must satisfy the following conditions, namely :-

(a) He must be a citizen of India.

(b) He 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 Castes and Scheduled Tribes the upper age limit will be subject to any relaxation made by Government from time to time.

(c) **Educational Qualification :-** He must hold a Bachelor's Degree from any recognised University.

15. Disqualification for appointment to posts in the Service :-

(1) No person shall be appointed who, after such medical examination as the Appointing Authority may prescribe, 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 a 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 Appointing Authority 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 other means, shall be appointed to posts in the Service.

16. Appointment to posts in the service :-

- (1) Appointment to any post in the service under Rule 7 shall be made by the Appointing Authority.
- (2) Subject to the provisions of sub-rule (3) and (5) of Rule 13, appointment under clause (b) of sub-rule (2) of Rule 7 shall be made in the order in which the names of candidates appear in the merit list forwarded by the MPSC under sub-rule (4) of Rule 13.
- (3) A person appointed by direct recruitment shall join within fifteen 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.
- (4) Appointment under sub-rule (1) and clause (a) and (b) of sub-rule (2) of Rule 7 shall be made in the order in which the names of candidates appear in the Select Lists approved under sub-rule (5) of Rule 9 or under sub-rule (4) of Rule 11.

17. **Probation:-** Every person appointed to posts in the service under sub-rule (2) 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 two years:

Provided further that where a person appointed to posts in the service could not be placed under probation for want of a 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.

18. 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 2 years from the date of commencement of these rules, appear at 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 by the Appointing Authority shall, within a period of two years from the date of commencement of these rules, appear at and pass all the papers of Departmental Examination and undergo successfully such training.
- (3) Every person appointed to posts in the service after commencement of these rules shall, during the period of probation, pass the prescribed Departmental Examination conducted by the Commission and complete successfully such training as may be prescribed by the Appointing Authority.

19. **Discharge or Reversion of a Probationer** :- A Probationer shall be liable to be discharged from the post or as the case may be, reverted to the permanent post on which he holds a lien or would have held a lien had it not been suspended under the Rules applicable to him prior to his appointment to the post, if :-

- (a) He fails to make sufficient use of the opportunities given during the training or otherwise fail to give satisfactory performance during the period of probation, or
- (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 probationer is ineligible or otherwise unfit for being a member of the Service.

20. **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 (I) of the North Eastern Areas (Re-organisation) 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 the 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 lists approved by the Appointing Authority. Such members of the service shall be junior to the members mentioned in sub-rule (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 merit list prepared under sub-rule (4) of Rule 13 or in the Select List approved under sub-rule (5) of Rule 9 or under sub-rule (4) of Rule 11.

Provided that a member of the service appointed by Selection shall be senior to members appointed by direct recruitment where such selection 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

21. Confirmation :-

- (1) Confirmation of member of the service in the Grade I shall be made according to his seniority in that 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 proceedings against him; and
 - (d) Subject to availability of vacancy and that no person holds a lien on it.
- (2) Confirmation of probationer shall be made in the Grade II according to his seniority subject to the following conditions, namely :-
 - (a) That he has completed the period of probation to the satisfaction of the Appointing Authority;
 - (b) that he has passed the Departmental Examination completely and has successfully undergone the training course 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 that where the probationer is not given opportunity for undergoing the prescribed training during the period of probation, his confirmation shall not be held up for reasons of having not completed the same and when called upon by the Appointing Authority and opportunity given, successfully under go the said training, failing which

he shall be liable to removal from service unless the Appointing Authority allow him other chances:

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 Departmental Examination and Training under rule 18 and confirm him in the respective cadre of the Service.

22. **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 particulars relating to date of birth and appointment and such other details, relevant to the service career shall also be indicated against each name:
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 further increment shall be allowed only on his completion of the period of probation successfully.
 - (2) 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 prescribed.
 - (3) The pay of the member of the service on completion of the period of probation of his passing the Departmental Examination and /or the prescribed training courses shall be fixed at such a stage as if he had been allowed his usual annual increments due but he shall not be entitled to any arrear in pay on account of with-holding of due increments for the period prior to the date of his completion of the period of probation or passing the Departmental Examination and / or the prescribed training courses.
 - (4) The increment admissible to a member of the service promoted from one cadre /post to another shall accrue on expiry of each year as admissible under the Rules.
24. **Power of the Governor to dispense with or relax any Rule:-** Where the Governor is satisfied that the operation of any of the provisions of these rules causes undue hardship in any particular case, he may dispense with or relax the requirement of these rules to such extent and subject so such conditions as it may be considered 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 to him than that provided under these rules.
25. **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 the Personnel & A. R. (A) Department shall be final.
26. **Repeal and Saving :-** All rules, orders or notifications 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; order or notification so repealed or any action taken in pursuant thereto shall be deemed to have been validly made of taken under the corresponding provision of these Rule.

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

**SCHEDULE-I
(RULE-6)**

S l. N o	Name of the posts	Pay Scale	Number of Posts.			Mode of appointment
			Perman ent	Tempor ary	Total	
1.	2.	3.	4.	5.	6.	7.
1.	Senior - Cooperative Officer .	Rs.5500-160-6460- EB-175-7860- 190-9760/-P.M.	63	12	75	By promotion of officers from the rank of Junior Cooperative Officers who have passed the Departmental Examination in all the prescribed subjects and also the training to which they have been deputed and who have been serving in the said post more than 6years.
2.	Junior Cooperative Officer.	RS. 5100-140-5940- EB-150-7140-160- 8740/-P.M.	85	16	101	13% by Selection from amongst the Senior most U.D. Asstt. Working in the Office of Registrar of Coop. Societies, Meghalaya who have completed more than 5 years of continuous service in the said post. 12% by selection from amongst the U.D. Assistants Serving in the District/Sub-Divisional offices of the Department who have rendered not less than 8 years service in the said posts. 75% by direct recruitment through Meghalaya Public Service Commission.

SCHEDULE-II
(Rule -7 and Rule 14)

Sl. No.	Name of Post	Method of recruitment with percentage of vacancies to be filled up in any recruitment year by direct recruitment of promotion.	Direct recruitment				Promotion		Remarks
			Educational qualification etc. required of direct recruitment	Lower age limit	Upper age limit	Persons eligible for consideration for promotion to posts mentioned in column 2.	Qualification Experience etc.		
1	2	3	4	5	6	7	8	9	
1	Senior Cooperative Officers.	By promotion of Officer of the rank of Junior Cooperative Officers.	--	--	--	Persons/ Officers who have passed the Departmental Examination in all the prescribed subjects and also the training to which they have been deputed and who have served in the post of Junior Cooperative Officer more than 6(six) Years.	Bachelor Degree in Arts/Science or commerce.		
2	Junior Cooperative Officers.	75% by direct recruitment through Meghalaya Public Service commission. 25% by selection from amongst the senior most U.D Assistants who are working in the office of the Registrar of Cooperative Societies Meghalaya who have completed more than 5 years of continuous service in the said post and the U.D. Assistants working in the District/Sub-Divisional offices who have rendered more than 8(eight) years of service in the said post.	Bachelor Degree in Arts/Science or commerce.	The candidate (s) should not be less than 18 years of age as on the 1 st day of the year of advertisement of the post	The candidate (s) should not be more than 27 years of age as on the 1 st day of the year of the advertisement of the posts. The upper age limit is relaxable by five years in the case of Scheduled Caste/Tribe and retrench personnel. No age bar for those in the service of the Govt. of Meghalaya.	Persons who have completed more than 5 years of service as U.D. Assistant in the office of Registrar of Cooperative Societies, Meghalaya and 8(eight) years of Service in respect of the U.D. Assistants working in the District/Sub-Divisional Office of the Department.	Bachelor Degree in Arts/Science or Commerce.		