

GOVERNMENT OF MEGHALAYA
EDUCATION DEPARTMENT

NOTIFICATION

NO. EDN.375/2000/155

Dated Shillong, the 18th June, 2012

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 Higher & Technical Education Service.

THE MEGHALAYA HIGHER & TECHNICAL EDUCATION SERVICE RULES

1. Short title and commencement:

- (a) These Rules may be called the Meghalaya Higher & Technical Education Service Rules, 2012.
- (b) They shall come into force from the date of this notification.

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) **'Governor'** means the Governor of Meghalaya.
- (e) **'Government'** means the Government of Meghalaya.
- (f) **'Member of the Service'** means member of the Meghalaya Higher & Technical Education Service.
- (g) **'Rules'** means the Meghalaya Higher & Technical Education Service Rules, 2012.
- (h) **'Service'** means the Meghalaya higher & Technical Education Service.
- (i) **'State'** means the State of Meghalaya.
- (j) **'Year'** means a Calendar Year.

3. Constitution of the Service:

There shall be constituted a Service to be known as the Meghalaya Higher & Technical Education Service Rules consisting of the following persons namely;

- (a) persons appointed to different posts in the service on or after 21st January 1972 but before the commencement of these Rules,
- (b) 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, namely,

- | | | | |
|-----|----------------|---|--------------------------|
| (a) | Senior Grade. | } | as shown on Schedule - I |
| (b) | Grade I Post | | |
| (c) | Grade II Post | | |
| (d) | Grade III Post | | |

(2) Each of the categories of posts in Clause (a), (b), (c) and (d) of sub-rule (1) above (listed in Schedule-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 the service shall be Gazetted as well as Non-Gazetted as per their respective scale of pay as prescribed by Government.

6. Strength of the Service:

- (a) The strength and composition of the Service shall be such as may be determined by the Governor from time to time.
- (b) 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 Senior Grade of the Service shall be made by promotion from amongst the members of the Service holding the next lower posts in the grade and those belonging to Grade-I as specified in the Schedule-II and included in the select list approved under sub-rule (4) of Rule 9.
- (2) Appointment to any post in the Grade I shall be made by promotion from amongst the members of the Service holding the next lower posts in the grade and those belonging to Grade II as specified in Schedule-II and included in the Select list approved under sub-rule (4) of Rule 9.
- (3) Appointment to any post in Grade II shall be made by promotion from amongst the members of the Service belonging to Grade III as specified in Schedule II and included in the Select list approved under sub-rule (4) of Rule 9.
- (4) Appointment to any post in Grade III of the service shall be made by direct recruitment or promotion as indicated in Schedule II.

8. Departmental Promotion Committee:

- (1) For the purpose of appointment by promotion under sub-rule (1) and (2) of rule 7 there shall be a Departmental Promotion Committee consisting of the following members:
- | | |
|--|--------------------|
| (a) Chief Secretary | -Chairman. |
| (b) Principal Secretary/ Commissioner & Secretary, Finance | -Member. |
| (c) Principal Secretary/ Commissioner & Secretary, Personnel | -Member. |
| (d) Director, School Education & Literacy | -Member. |
| (e) Director, Higher & Technical Education | -Member. |
| (f) Principal Secretary/ Secretary, Education | -Member Secretary. |
- (2) For the purpose of appointment by promotion under sub-rule (3) of rule 7 there shall be a Departmental Promotion Committee consisting of the following members:
- | | |
|---|---------------------|
| (a) Principal Secretary/ Commissioner & Secretary, Education | - Chairman. |
| (b) Principal Secretary/ Commissioner & Secretary, Personnel
or his representative | - Member. |
| (c) Principal Secretary/ Commissioner & Secretary, Finance
or his representative | - Member. |
| (d) Director, School Education & Literacy | - Member. |
| (e) Director, Higher & Technical Education | - Member Secretary. |
- (3) The Committee may invite any other persons to attend its meeting if 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 vacancies to prepare the lists for promotion to those grade the Appointing Authority shall furnish the Committee with the following documents, namely:-
- (a) 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 (1):
Provided that such restriction shall not apply in respect of post 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.
 - (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 Roll, Service Records and other documents in respect of all such person shall prepare a list based on seniority with due regards to individual merit and suitability. The number of persons to be included in the Select List shall be

according to the actual number of vacancies. 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/her seniors the Committee shall record in writing the reasons for doing so.
- (4) For the purpose of appointment by promotion under rule 7, the Appointing Authority shall consider and approve 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 unless it considers that any change is necessary. If the Appointing Authority considers that it is 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 may in its opinion to be just and proper.
- (5) The list so approved under sub-rule (4) above shall form the select list for the purpose of appointment by promotion under Rule 7.

10. **Validity of the Select List:**

- (1) The Select List shall remain in force for a period of one year unless its validity is extended by the Appointing Authority 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 it thinks fit, remove the name of such persons from the Select List in consultation with the Commission. The reasons for doing so shall be recorded in writing.
- (2) The Committee shall meet once a year to review the Select List.

11. **Direct recruitment:**

- (1) Competitive Examination for direct recruitment under sub-rule (4) of rule 7 shall be held at such intervals as the Appointing Authority may decide, in consultation with the Commission from time to time. The date on which and 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) Out 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 Schedule Caste and Schedule Tribes to the extent and subject to the conditions as the Government may from time to time prescribed.
- (4) On the basis of the results of the Competitive Examination, the Commission/Committee shall prepare a list of all successful candidates in order of merit, which shall be determined in accordance with the aggregate marks obtained by such candidate and if two or more candidates obtain equal marks, the Commission/Committee 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 as according to the actual vacancies likely to occur during the recruitment year plus 10 (ten) percent 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 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.

12. **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:-

- i. Nationality – He/ She must be a citizen of India.
- ii. Age – He/ She must have obtained 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.
- iii. Educational Qualifications – as laid down in Schedule II.

13. **Disqualification for appointment to the Service:**

- i. No person who, after such medical examination as the Government may prescribe is not found to be in good mental or bodily health and free from any physical defects or infirmity which may render him unfit in the discharge of his duties shall be appointed to the service.
- ii. No person who has been convicted for any offence involving moral turpitude shall be appointed to the service.

- iii. 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 sub-rule (iii).
- iv. No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral or by other means, shall be appointed to the post in the Service.

14. Appointment to posts in the Service:

- i. Appointment to any post in the Service under Rule 7 shall be made by the Appointing Authority and shall be published in the Meghalaya Gazette.
- ii. Subject to the provisions of sub-rule (3) and (5) of Rule 11, appointment by direct recruitment under Rule 7 shall be made from time to time in order in which the names of candidates appear in the Merit List prepared under sub-rule (4) of Rule 11.
- iii. 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.
- iv. Appointment of candidates under Sub-Rule (1) (2) and (3) of Rule 7 shall be made in the order of their names as they appeared in the Select List approved under sub-rule (1) of Rule 10.

15. Probation:

Every person appointed through direct recruitment under Rule 7(4) 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:

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.

16. Departmental Examination and Training:

- (a) Such persons referred to sub-rule (a) of rule 3 who have not passed all the papers of the Departmental Examination prescribed for all 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 at and pass the Department Examination conducted by the Commission in the subject(s) in which he has not passed and shall also be required to successfully undergo, if he has already not done so, such training as the Appointing Authority may prescribe.

- (b) Such persons referred to in sub-rule (b) of rule 3 and who have not passed the Departmental Examinations conducted by the Commission and or have not undergone the training prescribed from time to time within a period of 2 (two) years from the date of commencement of these rules shall complete successfully such prescribed training.
- (c) Every person appointed to posts in the Service after commencement of these Rules shall during the period of probation, shall complete successfully such training as may be prescribed by the Appointing Authority.

17. **Discharge or reversion of a probationer:**

A probationer shall be liable to be discharged from the post he/ she holds in the service or reverted to the permanent post in which he holds a lien had he/she not been suspended under the rules applicable to him/ her prior to his/ her appointment to the post as the case may be, if:

- (a) He/ she fails to make sufficient use of the opportunities given during the training or 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, or
- (c) On any information received relating to his/ her 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.

18. **Seniority:**

- (a) The inter-se 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 the order in which their names appeared in the merit list prepared by the Commission or the Select Lists approved by the Appointing Authority or the Commission as the case may be. Such members shall be junior to all members mentioned in sub-rules (a) and (b) above in the respective cadre.
- (b) The seniority in any group, of persons brought from the Central Government or from other State Governments on deputation and subsequently absorbed permanently under the Government of Meghalaya before or after the commencement of these Rules shall be determined with effect from the date such persons started serving continuously in that group as deputationist and will rank junior to the junior most person in position in that particular group at that particular time.

- (c) The inter-se seniority of the members of the Service appointed to different cadres shall be determined in the order in which their names appeared in the Select List approved under sub-rule (4) of Rule 9 or in the Merit List prepared under sub-rule (4) of Rule 11;

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

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

19. **Confirmation:**

- (1) Confirmation of member of the Service appointed by promotion to Senior Grade, Grade I, Grade II and Grade III shall be made in the respective cadre according to his/her seniority in that cadre subject to the following conditions, namely:-

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

- (2) Confirmation of a probationer in a service shall be made according to his/her seniority in the service subject to the following conditions, namely:-

- (a) that he/she has completed the period of probation to the satisfaction of the Appointing Authority.
- (b) that he/she has successfully undergone the training courses as may be prescribed by the Appointing Authority from time to time.
- (c) that vacancy is available and no Officer holds a lien on it.

Provided that where a person is not given an 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 persons shall, when called upon by the Appointing Authority and opportunity given, successfully undergo that said training, failing which he shall be liable to be removed from service unless the Appointing Authority allows 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 and confirm him in the respective cadre of the Service.

20. **Gradation List:**

There shall be prepared and published annually an up-to-date Gradation List as on 1st January of every year 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:**

- (a) The first increment admissible to a probationer shall accrue on the expiry of 1 (one) year from the date of his joining the post but subsequent increment shall be allowed only on his passing the Departmental Examination completely and on his successful completion of the training courses as may be prescribed.
- (b) Such person referred to in sub-rules (a), (b) and (c) of Rule 16 who have not passed the Departmental Examination or have not undergone the prescribed training shall be allowed to draw increment becoming due within a period of 2 (two) years from the date of commencement of these Rules but further increment shall be allowed only on their passing of the Departmental Examination completely and successful completion of the training course.
- (c) The pay of a member of the Service on his passing the Departmental Examination and/ or the prescribed training course 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 of pay on account of withholding of due increment during the period prior to the date of passing the Departmental Examination and/ or the prescribed training course.
- (d) The increment admissible to a member of the service promoted from one grade to another shall accrue on the expiry of each year as admissible under the rules.

22. **Time Scale of Pay:** The Time Scale pay admissible to the members of the Service shall be as shown in column 3 of Schedule I annexed to these rules and subject to revision by Government from time to time.

23. **Fixation of pay:**

(1) Except otherwise admissible under Fundamental Rules and Subsidiary rules or under special orders of the Government the pay of any person of the service shall be fixed at the minimum of that time scale on first appointment in the service.

(2) On promotion to senior grade post in the service the pay shall be fixed in accordance with the principle covering fixation in the Fundamental Rules and Subsidiary Rules or any rules from the time being in force.

24. **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 he may consider necessary for dealing with the case in a just and equitable manner, or, for meeting the exigencies of public interest.

25. **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 & AR Department, shall be final.

26. **Repeal and savings:**

All rules, orders, or notifications corresponding to an 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.

DIRECTORATE OF HIGHER & TECHNICAL EDUCATION

Schedule -I

Name of posts	Time scale of pay	Total strength	Temporary	Permanent
Senior Grade Posts				
1. Additional Director	28700-860-35580-1050-43980	1	1	
2. Joint Director	26700-800-33100-1000-42100	2	1	1
3. Principal, Polytechnic	26700-800-33100-1000-42100			
Grade I Posts				
1. Deputy Director	23300-700-27500-830-32480-970-39270	2	2	
2. Principal, College	23300-700-27500-830-32480-970-39270	3	3	
Grade II Posts				
3. Vice-Principal, College	20700-620-24420-730-29530-890-36650	2	2	
4. Head of Department in Engg./ Technical Branches	20700-620-24420-730-29530-890-36650	3	-	3
Grade III Posts				
1. Lecturers				
(a) Colleges	17000-470-20290-EB-560-25330-760-33690	158	47	111
(b) Polytechnic		10	-	10
2. Workshop Superintendent	17000-470-20290-EB-560-25330-760-33690	1	-	1
3. TCPO, Polytechnic	17000-470-20290-EB-560-25330-760-33690	1		1
4. Senior Instructor in Engineering Subjects	14100-350-16550-EB-460-20690-620-27510	8	2	6
5. Demonstrator in Physics/ Chemistry	14100-350-16550-EB-460-20690-620-27510	2	-	2
6. Audio/ Visual Technician	14100-350-16550-EB-460-20690-620-27510	1	-	1
7. Foreman	14100-350-16550-EB-460-20690-620-27510	2	-	2
8. Workshop Instructors	9200-230-10810-EB-300-13510-410-18020	12	1	11

DIRECTORATE OF HIGHER & TECHNICAL EDUCATION

Schedule –II (see rule 7)

Sl. No.	Name of posts	Method of recruitment with % of vacancies to be filled up by different methods	Persons eligible for consideration for promotion	Experience and Qualification required	Remarks
1	Director	Cadre Post			
2	Additional Director	Promotion	Joint Director	3 years service	If no suitable person as Joint Director is available, experience is relaxed to 5 years of combined service at Joint Director and Dy. Director level
3	Joint Director	Promotion	(1) Dy. Director (2) Principal, College	3 years service at their own grade	If no suitable person is available, experience is relaxed to 5 years of combined service at the level of Dy. Director and Vice-Principal or 18 years combined service at the level of Principal / Vice Principal / Selection Grade Lecturer
4	Principal, Polytechnic	Promotion	Heads of Departments, Polytechnics	3 years service at their own grade	If no suitable person is available, experience is relaxed to 20 years of combined service of HOD plus Lecturer.
5	Principal of Colleges including B.Ed. College	Promotion	(1) Vice-Principal (2) Selection Grade Lecturer	3 years service at their own grade	If no suitable person is available, experience is relaxed to 15 years of combined service at the level of Vice Principal / Selection Grade / Senior Grade Lecturer.
6	Dy. Director	Promotion	(1) Vice Principal College	3 years service at their own grade	If no suitable person is available, experience is relaxed to 8 years of combined service at the level of Vice-Principal and Senior Grade Lecturers
7	Head of Department in Engg./ Technical Branches	Promotion	Lecturer in appropriate Engineering/ Technical Subject TCPO Polytechnic	5 years service in their own grade 8 years of continuous service in their own grade and with B.E. / B. Tech. in appropriate subject	
8	Vice- Principal, College	Promotion	Lecturers of colleges, B. Ed. College, Government Polytechnics (non-technical subjects)	3 years service in their own grade	
9	Lecturer, College and B.Ed. College	Direct recruitment 100%		Post Graduate Degrees (minimum qualification)	As per Govt. prescribed rules.
10	Lecturer, Polytechnic	Direct Recruitment 75% Promotion 25%		B. E./ B. Tech. (minimum qualification) Senior Instructor in appropriate Engg./ Technical subject	10 years of satisfactory service in his own grade

Name of posts	Method of	Persons eligible for	Experience	Remarks
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Sl. No.		recruitment with % of vacancies to be filled up by different methods	consideration for promotion etc. required	and Qualification required	
1 1 .	TCPO Polytechnics	Direct Recruitment 100%		Diploma in any branch of Engineering	
1 2 .	Workshop Superintendent	Promotion	Foreman in Engineering Subjects	5 years of experience in his own grade	
1 3 .	Senior Instructor in Engineering subjects	Direct Recruitment		At least 2 nd Class Diploma in the respective branch of Engg. from recognized Polytechnic/ Institution conducting Diploma courses. Preference will be given to candidate having practical experience in any Engg./ Technical Institute, Workshop or Industry	
1 4 .	Demonstrator in Physics/ Chemistry	Direct Recruitment 100%		At least 2 nd Class Science Degree with honours in Physics/ Chemistry for Physics/ Chemistry Laboratory respectively. Candidates without honours but having at least 5 years of teaching/ laboratory experience at degree level may be considered	
1 5 .	Audio/ Visual Technician	Direct Recruitment 100%		At least B. Sc. Passed. Preference will be given to the candidate having three years experience in operation & maintenance of audio-visual equipments	
1 6 .	Foreman	Direct Recruitment	Workshop Instructor	Pass SSLC and pass in Trade test conducted by recognized ITI 10 years of continuous and satisfactory shop floor experience in Industry or in Technical Institution	
1 7 .	Workshop Instructors	Direct Recruitment 100%		At least SSLC passed and pass in the Trade List in the respective trade conducted by recognized ITI/ Technical institutes affiliated to DGCT, New Delhi. Preference will be given to the candidate with some practical/ industrial experience in any technical institute/ industry or enterprise	

Sd/-
P. S. Thangkhiew)
Principal Secretary, Education

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**