

GOVERNMENT OF MEGHALAYA
(SOIL CONSERVATION DEPARTMENT)

THE MEGHALAYA SOIL CONSERVATION SERVICE RULES 1990

(As Amended upto 31st August 2004)

9th March 1990

No.SCD.17/77/Pt./44: - 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 posts in the Soil Conservation Service of Meghalaya namely: -

THE MEGHALAYA SOIL CONSERVATION SERVICE
RULES, 1990

1. **Short title and commencement:** - (1) This rules may be called “The Meghalaya Soil Conservation Service Rules, 1990”.

(2) It shall come into force at once.

2. **Definitions:** - In this 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 and 9;
- (d) “Forest College” means the Indian Forest Research Institute and College, Dehra-Dun and includes any other Forest College recognized by the Government as such;
- (e) “Governor” means the Governor of Meghalaya;
- (f) “Government” means the Government of Meghalaya;
- (g) “Institute” means the Soil Conservation Research, Demonstration and Training Institute, Dehra-Dun;
- (h) “Member of the Service” means a member of the Meghalaya Soil Conservation Service;
- (i) “Service” means the Meghalaya Soil Conservation Service constituted under these rules;
- (j) “State” means the State of Meghalaya;
- (k) “Schedule” means the Schedule appended to these Rules;
- (l) “Year” means the Calendar Year.

3. **Constitution of the Service:** - There shall be constituted a Service to be known as the Meghalaya Soil Conservation Service consisting of the following persons, namely: -

- 1) Members of the Assam Soil Conservation 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.
- 2) Persons appointed to different posts in the Service on or after 21st January 1972 but before the commencement of these Rules.
- 3) Persons appointed to different posts in the Service in accordance with the provisions of these Rules.

4. **Composition of the Service:** - (1) The Service shall consist of such categories of posts as the Governor may from time to time determine.

(2) The Service shall at the commencement of these rules consist of the following grades and posts, namely: -

- (i) Senior Grade Director of Soil Conservation,
Additional Director of Soil Conservation,
Joint Director of Soil Conservation.
- (ii) Grade I Divisional Soil Conservation Officers/
Planning Officer/Monitoring Officers /
Instructors.
- (iii) Grade II Assistant Soil Conservation Officers.

(3) Each of the categories of posts in clauses (i), (ii) and (iii) of sub-rule (2) shall form an independence 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 members of the service holding posts in the Senior Grade and Grade I shall be Class I Gazetted and those holding posts in the Grade II shall be Class II 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 post in the Senior Grade and Grade I shall be made by promotion from amongst the members of the service holding the next lower posts in the senior Grade, Grade I and Grade II as the case may be and possessing the experience as specified in Schedule II and included in the select list approved under sub-rule (5) of Rule 10.

(2) Appointment to posts in the Grade II shall be made in the following manner: -

- (a) by promotion from amongst the Rangers belonging to the Meghalaya Soil Conservation Subordinate Service who possess the experience as specified in Schedule II and included in the select list approved under sub-rule (4) of Rule 11.
- (b) by direct recruitment on the result of the examination conducted by the Commission.
- (c) The proportion of vacancies to be filled up in any year in accordance with clause (a) and (b) above shall be twenty – five percent by promotion and seventy – five percent by direct recruitment.

Provided that the number of persons recruited under clause (a) above shall not at any time exceed 25 percent of total strength in that Grade of the service.

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: -

Chairman-

- (i) Chief Secretary.

Member-Secretary-

- (ii) Special Secretary/Secretary, Soil Conservation Department.

Members-

- (iii) Special Secretary/Secretary/Additional Secretary, Personnel and A.R. Department.
- (iv) Special Secretary/Secretary, Finance Department.
- (v) Director of Soil Conservation, Meghalaya.
(If not a candidate himself).

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

9. (1) For the purpose appointment by promotion under clause (a) of sub – rule (2) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members: -

Chairman-

- (i) Special Secretary/Secretary, Conservation Department.

Member-Secretary-

- (ii) Director of Soil Conservation, Meghalaya.

Members-

- (iii) Special Secretary/Secretary/Additional Secretary, Personnel and A.R. Department or his representative.

- (iv) Special Secretary/Secretary, Finance Department or his representative.

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

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

- (i) A list of the members of the service drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (1).

Provided that such restriction shall not apply in respects 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.

- (ii) The Character Rolls and Service Records of such members.

- (iii) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Committee.

(2) The Committee after examining the Character Rolls, Service Records and other documents in respect of all such persons, shall prepare a list based on seniority with due regard to individual merit and suitability. The number of persons to be included in the list shall be as laid down in part III of the Instruction appended to the Meghalaya Public Service Commission (Limitation of Functions) Regulations; 1972. The list shall be forwarded by the committee to the Appointing Authority.

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

(4) For the purpose of appointment by promotion under sub – rule (1) of Rule 7, the Appointing Authority shall consider the list prepared by the Committees along with the Character Rolls and 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 account the comments, if any, of the Committee approved the said 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) above shall form the Select List for the purpose of appointment by promotion under sub-rule (1) of Rule 7.

11. **Consultation with the Commission:** - (1) For the purpose of appointment under clause (a) of sub-rule (2) of Rule 7, Appointing Authority shall forward the list prepared by the Committee as laid down under sub-rules (1), (2) and (3) of Rule 10 to the Commission along with 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 it in sub-rule (1) above 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 as may in its opinion to be just and proper.

(4) The list as approved by the Commission either under sub-rules (2) or (3) shall, when finally approved by the Appointing Authority, form the Select list for the purpose of appointment under clause (a) of sub-rule (2) of Rule 7.

12. **Validity of the select list:** - (1) 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 finalized 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 or performance of duties on the part of any person in the list, the Appointing Authority may, if he thinks fit, remove the name of such person from the list. Where the name of such person appear in the list which has been finalized in consultation with the Commission

the Commission shall be consulted. The reasons 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 (b) of sub-rule (2) of Rule 7 shall be held at such intervals as the Government may, in consultation with the Commission from time to time, determine. The date on which and the place at which the examination shall be held shall be fixed by the Commissions.

(2) The examination shall be conducted by the Commission in accordance with such syllabus as the Appointing Authority 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) On the basis of the result of the Examination; the Commission shall prepare a list of all successful candidates in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relative merit which shall be 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 laid down in Part IV of Instruction appended to the Meghalaya Public Service Commission (Limitations of Functions) Regulations, 1972. The list so prepared shall be forwarded to the Appointing Authority.

(5) Inclusion of a candidate's name in the list confer no right to appointment unless the Governor 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 examination:** - In order to be eligible to compete at the examination, a candidate must satisfy the following conditions namely:

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(1) **Nationality:** - He must be a citizen of India.

(2) **Age:** - He must have attained the age of 18 yrs 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 candidates belonging to Schedule Caste or Schedule Tribe, the upper age limit will be subject to any relaxation made by the Government from time to time.

(3) **Educational Qualification:** - As laid down in Schedule II

(4) **Physical fitness:** - A candidate shall undergo successfully a physical test of 16 Kms. Walk to be covered in 4 hours to be arranged by the Appointing Authority in consultation with the Commission.

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

(1) No person shall be appointed who, after such medical examination as the Government, may prescribe, is not found to be in the 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 post in 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 post in 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 persons 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 shall be made by the Appointing Authority and shall be notified in the Meghalaya Gazette.

(2) (i) Subject to provisions of sub-rule (3) and sub-rule (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 prepared by the Commission under sub-rule (4) of Rule 13.

(ii) A person appointed by direct recruitment shall join within 15 days from the date of receipt of the order of appointment, failing which and unless the Appointing Authority extends the period, which shall not in any case exceed 3 months in all the appointment, shall be cancelled.

(3) Appointment under sub-rule (1) and clause (a) 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 10 or sub-rule (4) of Rule 11.

17. Probation- (1) Every person appointed under sub-rule (2) of Rule 7 shall be on probation for a period of 2 years:

Provided that the period of probation may, for good and sufficient reasons be extended by the Governor in individual cases by a period not exceeding two years:

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

18. **Departmental examination and training:** - (1) Such person referred to in sub-rule (1) of Rule 3 who have not passed all the papers of 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 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 undergo successfully if he has not already done so, such training as the Appointing Authority may prescribe.

(2) Such persons referred to in sub-rule (2) 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 all the papers of Departmental Examination and undergo successfully such prescribed training.

(3) Every person appointed to post in the service after the commencement of these Rules shall, during the period of probation, appear at and pass the Departmental Examination conducted by the Commission and successfully undergo 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 lien had it not been suspended under the Rules applicable to him prior to his appointment to the post, if: -

(1) he fails to make sufficient use of the opportunities given during the training or fails to give satisfactory performances during or at the end of the period of probation, or

(2) he fails to pass the Departmental Examinations, unless the Governor permits him to sit for re-examination in the subject or subjects in which he failed: or

(3) on any information received relating to his nationality, age, health, character and antecedents, the Governor 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 (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) Not with standing 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 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 appeared in the list prepared by the Assam Public Service Commission. Such members shall be junior to all the members mentioned in sub-rule (1) above in the respective cadre.

(3) The 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 lists prepared by the Commission or the Select Lists approved by the Appointing Authority or the Commission. Such members shall be junior to all the members mentioned in sub-rules (1) and (2) above in the respect cadres.

(4) The inter-se seniority of the members of the service appointed to different posts 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 10 or sub-rule (4) of Rule 11:

Provided that a member of the service appointed by promotion shall be senior to a member appointed by the 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 – a – 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 appointed by promotion to Senior Grade I and Grade II shall be made in the respective cadre according to his seniority in that cadre subject to the following conditions: -

- (a) That he has served not less than on year in the post where he is to be confirmed.
- (b) That his performance is satisfactory (to be judge on the basis of Annual Confidential Reports and other relevant records).
- (c) That there is no Departmental proceeding/vigilance enquiry against him.
- (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 successfully completed the period of probation to the satisfaction of the Appointing Authority.
- (b) That he is considered otherwise fit for confirmation by the Appointing Authority.
- (c) Subjects to availability of vacancy;

Provided that where a probationer is not given opportunity for undergoing the prescribed training during the period of probation, his confirmation shall not be held up for reason of not successfully undergoing the said training but such probationer shall when called upon by the Governor and opportunity given, successfully undergo the said training, failing which he shall be liable to removal from service unless the Governor allows him other chances;

Provided further that the Governor 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.

22. **Gradation List:** - There shall be prepared and published annually and 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 also be indicated against each name.
23. **Time scale pay:** - The time scale pay admissible to the members of the service shall be as shown in Schedule I subject to revision by the Government from time to time.
24. **Fixation of Initial Pay in the time scale:** - (1) Except as otherwise admissible under the Fundamental Rules and Subsidiary Rules or under special orders of the Government, on first appointment to post in the service, the pay of any member of the service shall be fixed, at the minimum of the time scale.
- (2) On promotion from one cadre or post to another in the service the pay shall be fixed in accordance with the principles governing such fixation in the Fundamental Rules and Subsidiary Rules or any other rules for the time being in force.
25. **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, increments due shall be allowed only on completion of the period of probation successfully.
- (2) Such persons referred to in sub-rules (1) and (2) of Rule 3 who have not passed the Departmental Examination or have not undergone the training prescribed shall be allowed to draw increment becoming due within the period of two years from the date of commencement of these Rules but further increment 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 or on passing the Departmental Examination and/ or the prescribed training shall be fixed at such a stage in the time scale as if he had been allowed his usual increments due but he shall not be entitled to any arrear in pay on account of withholding 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 course.

(4) 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.

26. **Leave, Pension, etc, and other conditions of service:** - Except as provided in these rules, all matters generally relating to pay, allowances, Leave, pension, discipline and other conditions of service shall be regulated by the general rules framed by the Government from time to time and applicable to other State Government servant of corresponding status having similar functions.

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

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

28. **Interpretation:** - If any question arises relating to the interpretation of these Rules, the decision of the Government in the Soil Conservation Department with the approval of Personnel and A.R. (A) Department shall be final.

29. **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 notification so repealed or any action taken in pursuant thereto shall be deemed to have been validly made or taken under the corresponding provision of these rules.

SCHEDULE – I

Sl no	Name of Posts	Time Scale Of Pay	No.of Posts		
			Perma- nent	Tempo- rary	Total
1	2	3	4	5	6
1	Director of Soil Conservation	Rs 11,750-375-13,625-400-15,625	1	-	1
2	Additional Director of Soil Conservation	Rs 10,750-325-12,700-350-14,800	-	1	1
3	Joint Director of Soil Conservation	Rs 10,000-300-11,800-EB-325-14,075/-	3	-	3
4	Divisional Soil Conservation Officer / Planning Officer / Monitoring Officer / Instructors.	Rs 8,750 – 275-10,400-EB-300-13,100/-	13	7	20
5	Assistant Soil Conservation Officers	Rs 6350-225-7700-EB-240-9380-250-11, 130/-	35	9	44

Sl.No.2: Inserted vide Notification No.SCD.109/2000/8 dated 8th.March 2001.

SCHEDULE II
[Rule 7 (1), Rule 7 (2), Rule 14 (3)]

Sl No	Post	Method of Recruitment with Percentage of vacancies to be filled up in any Recruitment year by Direct Recruitment or Promotion	Direct Recruitment			Promotion		Remarks
			Educational Qualification Etc required	Lower Age Limit	Upper Age Limit	Person eligible for considerations for Appointment by Promotion	Educational Qualification, Experience Etc.	
1	2	3	4	5	6	7	8	9
1	Director of Soil Conservation	Promotion	...	...	...	Additional Director of Soil Conservation	Bachelor Degree in Agriculture/ Forestry or Bachelor Degree in Mechanical / Civil Engineering and should have served at least 2 (two) years as Additional Director Soil Conservation or 20 (twenty) years of experience.	
2	Additional Director of Soil Conservation	Promotion	...	...	...	Joint Director of Soil Conservation	Bachelor Degree in Agriculture/ Forestry or Bachelor Degree in Mechanical / Civil Engineering / Agriculture Engineering and should have served at least 3 (three) years as Joint Director Soil Conservation or with 18 years experienced.	
3	Joint Director of Soil Conservation	Promotion	...	...	...	Divisional Soil Conservation Officer / Planning Officer / Monitoring Officer / Instructor	Must have rendered not less than 5 (five) years of continuous service as Divisional Soil Conservation Officer / Planning Officer etc on the first days of the year in which the selection is made.	

Sl.2 column-2, 3,7 & 8: Inserted vide Notification No.SCD.109/2000/8 dated 8th March 2001

1	2	3	4	5	6	7	8	9
4	Divisional Soil Conservation Officer / Planning Officer / Monitoring Officer / Instructors	Promotion	...	...	...	Assistant Soil Conservation Officer	Must have rendered not less than 5 (five) years of continuous service as Assistant Soil Conservation Officer on the first day of the year in which the selection is made.	
5	Assistant Soil Conservation Officer	(i) 25 % by promotion	...	...	...	Rangers belonging to the Meghalaya Soil Conservation Subordinate Service.	Must have rendered not less than 5 (five) years of continuous service as Ranger on the first days of the year in which the selection is made.	
		(ii) 75 % by Direct recruitment	1. Bachelor Degree in Agriculture/Forestry or Bachelor Degree in Mechanical / Civil Engineering or Agricultural Engineering from a recognized University, or 2. Diploma in Forestry from any of the recognized Forest College or any other equivalent Qualification from any Foreign University recognized by the Government or hold a certificate in Forestry from any of the recognized Rangers college in the country with at least 5 years field experience in Soil Conservation, or 3. Hold a certificate in Soil Conservation/ Graduate Assistance/ Rangers' Training course from the Training Centers conducted by or recognized by the Indian Council of Agricultural	18 yrs	27 yrs	...	...

Research or ICAR or the Government of Meghalaya with at least 5 years field experience in Soil Conservation.

4. Hold a 3 years diploma or licentiate in Civil / Agricultural / Mechanical Engineering from Government recognized Polytechnic with at least 5 years field experience.

Shri M.S.Rao
Commissioner & Secretary to the Government of Meghalaya,
Soil Conservation Department.