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PART - IIA

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 11th August, 2010

No.MPCB/CL-2/Pt-II/2010-2011.-In exercise of the powers conferred under Sub-section (2) of Section 17 of the Water (Prevention and Control of Pollution) Act, 1974 read with rule 32 of the Meghalaya Water (Prevention and Control Pollution) Rule, 1996, and under Sub-section (2) of section 17 of the Air (Prevention and Control of Pollution) Act, 1981 read with rule 31 of the Meghalaya Air (Prevention and Control of Pollution) Rules, 1988, the Meghalaya State Pollution Control Board has established its Central Laboratory in the year 1988. Consequent upon the grant of approval of the Meghalaya State Pollution Control Board during its 53rd Board Meeting held on 09th July 2010, the rates for sampling and analysis of environmental samples are revised as indicated below with effect from 01st September 2010 and until further orders.

A. Sampling Charges :

I. Sampling charges for water and wastewater samples

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	GRAB SAMPLING:	
	1) Grab sampling/same place	550.00
	2) For every additional Grab sampling/same place	250.00
2.	COMPOSITE SAMPLING:	
	1) Composite sampling/source/place	
	upto 8hrs	1000.00
	upto -do- 16hrs	2000.00
	upto -do- 24hrs	3000.00
	2) For every additional composite sampling/same place but different source	
	upto 8hrs	550.00
	upto -do- 16hrs	1100.00
	upto -do- 24hrs	1650.00
3.	Service charge per day	1,000.00

Note: *Transportation charges shall be charged separately as per actual.*

II. Sampling charges for Source Emission Parameters

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	Sampling/measurement of velocity, flow rate, temperature, composition of gases molecular weight of Flue Gas	5500.00
2.	Sampling Sulphur-dioxide/ Oxides of nitrogen	2000.00
3.	Sampling PAH (Particulate) each compound	3000.00
4.	Sampling of VOCs/BTX	3500.00
5.	Service charge	1500.00

Note: *Transportation charges shall be charged separately as per actual.*

III. Sampling charges for Air/fugitive emission samples

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	Sampling (upto each 8hrs) for suspended particulate matter and gaseous pollutant	2000.00
2.	Sampling (upto each 24hrs) for suspended particulate matter and gaseous pollutant	6000.00
3.	Sampling of Volatile Organic Compound (VOC)/benzene toluene xylene (BTX)	2000.00
4.	Sampling of Poly Aromatic Hydrocarbon (PAHs)	3000.00
5.	Service charge	1500.00

Note: *Transportation charges shall be charged separately as per actual.*

IV. Sampling charges for soil sample

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	Grab sampling/samples/place	600.00
2.	For additional grab sampling/same place	300.00

Note: *Transportation charges shall be charged separately as per actual.*

V. Sampling charges for hazardous waste

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	Integrated sample collection	5500.00

Note: *Transportation charges shall be charged separately as per actual.*

VI. Noise monitoring

Sl. No.	Type of sampling	Revised Rate in Rs.
1.	First monitoring	4000.00
2.	Each subsequent monitoring within same premises	2000.00
3.	For 8 hours continuous monitoring or more	10,000.00

Note: *Transportation charges shall be charged separately as per actual.*

B. Analysis Charges

I Analysis charges of water and wastewater samples

Sl. No.	Parameters	Revised Rate in Rs.
1.	Colour	60.00
2.	Conductivity	60.00
3.	Odour	60.00
4.	pH	60.00
5.	Suspended Solids	100.00
6.	Settleable solids	100.00
7.	Sludge volume Index	200.00
8.	Total solids	100.00
9.	Total volatile solids	150.00
10.	Total Fixed solids	150.00
11.	Total Dissolved Solids	100.00
12.	Temperature	60.00
13.	Turbidity	60.00
14.	Velocity of Flow	200.00
15.	Acidity	100.00
16.	Alkalinity	100.00
17.	Ammonical Nitrogen	200.00
18.	Bromide	100.00
19.	Biochemical Oxygen Demand	600.00
20.	Carbon dioxide	100.00
21.	Chemical Oxygen Demand	350.00

22.	Chloride	100.00
23.	Chlorine Residual	100.00
24.	Cyanide	350.00
25.	Dissolved Oxygen	100.00
26.	Flouride	200.00
27.	Hardness	100.00
28.	Iodide	100.00
29.	Nitrate-Nitrogen	200.00
30.	Nitrite-Nitrogen	200.00
31.	Nitrogen (Organic)	350.00
32.	Oil & Grease	200.00
33.	Pesticides processing/pre-treatment per sample	1000.00
34.	Pesticides (each)	400.00
35.	Phosphate	200.00
36.	Phenol	200.00
37.	Silica	200.00
38.	Sulphite	200.00
39.	Sulphide	200.00
40.	Sulphate	150.00
41.	Salinity	100.00
42.	Sodium Adsorption Ratio	600.00
43.	Tanin/Lignin	350.00
44.	Total Coliform	350.00
45.	Faecal Coliform	350.00
46.	E.coli	350.00
47.	Polycyclic Aromatic Hydrocarbons processing and treatment charge per sample	1000.00
48.	Polycyclic Aromatic Hydrocarbons (each)	400.00
49.	Volatile Organic Acids	350.00
50.	Total Organic Carbon	500.00
51.	Metals Processing/pre-treatment charge per sample	500.00

52.	Aluminium	300.00
53.	Arsenic	300.00
54.	Cadmium	300.00
55.	Boron	300.00
56.	Calcium	300.00
57.	Chromium	300.00
58.	Copper	300.00
59.	Cobalt	300.00
60.	Iron	300.00
61.	Lead	300.00
62.	Magnesium	300.00
63.	Manganese	300.00
64.	Mercury	300.00
65.	Nickel	300.00
66.	Potassium	200.00
67.	Selenium	300.00
68.	Sodium	200.00
69.	Tin	300.00
70.	Uranium	300.00
71.	Zinc	300.00

II. Analysis charges for Source Emission Parameters.

Sl. No.	Parameters	<i>Revised Rate in Rs.</i>
1.	Sampling/measurement of velocity, flow rate, temperature, composition of gases	5500.00
2.	Particulate matter	600.00
3.	Sulphur-dioxide	600.00
4.	Oxides of nitrogen	600.00
5.	Ammonia	600.00
6.	Acid Mist	600.00
7.	Carbon-mono-oxide	600.00
8.	Chlorine	600.00
9.	Flouride (Gaseous)	600.00
10.	Hydrogen sulphide	600.00
11.	Hydrogen chloride	600.00
12.	PAH (Particulate) each compound	750.00

III. Analysis charges of ambient air/fugitive emission parameters

Sl. No.	Parameters	<i>Revised Rate in Rs.</i>
1.	Particulate matter (SPM)	600.00
2.	Sulphur-dioxide	600.00
3.	Oxides of nitrogen	600.00
4.	Ammonia	600.00
5.	Acid Mist	600.00
6.	Chlorine	600.00
7.	Fluoride (Gaseous)	600.00
8.	Fluoride (particulate)	600.00
9.	Hydrogen sulphide	600.00
10.	Hydrogen chloride	600.00
11.	PAH (Particulate) each compound	750.00
12.	Lead and other metals each	300.00
13.	Particulate matter (PM 2.5)	600.00
14.	Respirable suspended particulate matter (PM 10)	600.00
15.	Volatile organic compound	2000.00
16.	Ozone	1000.00
17.	Benzene toluene xylene (BTX)	1000.00
18.	Wind Speed & Direction (upto 8 hrs)	200.00
19.	Relative humidity (upto 8 hrs)	200.00
20.	Ambient temperature (upto 8 hrs)	200.00
21.	Rainfall (upto 8 hrs)	200.00

IV. Analysis charges for Soil/Sediment/Solid parameters

Sl. No.	Parameters	<i>Revised Rate in Rs.</i>
1.	Ammonia	300.00
2.	Bicarbonate	200.00
3.	Boron	400.00
4.	Calcium	150.00
5.	Calcium Carbonate	350.00
6.	Cation Exchange Capacity	400.00
7.	Chloride	150.00
8.	Colour	100.00
9.	Electrical Conductivity(EC)	1000.00
10.	Exchangeable Sodium Percentage(ESP)	550.00
11.	Magnesium	300.00
12.	Nitrate	300.00
13.	Nitrite	300.00
14.	Nitrogen Available	350.00
15.	Organic Carbon/Matter	350.00
16.	Poly Aromatic Hydrocarbon (PAHs)	750.00
17.	Polychlorinated Biphenyls (PCBs) Processing/pretreatment charge per sample	1000.00
18.	Polychlorinated Biphenyls (PCBs) each	400.00
19.	Pesticide	400.00
20.	pH	100.00
21.	Phosphorous(available)	400.00
22.	Phosphate (ortho)	300.00
23.	Potassium	300.00
24.	Sodium Absorption ratio (SAR) in soil extract	650.00
25.	Sodium	300.00
26.	Soil Moisture	100.00
27.	Sulphate	200.00
28.	Total Kjeldhal nitrogen	400.00
29.	TOC	550.00
30.	Total water soluble salts	200.00
31.	Metals Processing/pretreatment charge per sample	500

32.	Aluminium	300.00
33.	Arsenic	300.00
34.	Cadmium	300.00
35.	Boron	300.00
36.	Calcium	300.00
37.	Chromium	300.00
38.	Copper	300.00
39.	Cobalt	300.00
40.	Iron	300.00
41.	Lead	300.00
42.	Magnesium	300.00
43.	Manganese	300.00
44.	Mercury	300.00
45.	Nickel	300.00
46.	Potassium	200.00
47.	Selenium	300.00
48.	Sodium	200.00
49.	Tin	300.00
50.	Uranium	300.00
51.	Zinc	300.00

V. Analysis charges for Hazardous waste parameters

SL No.	Parameters	Revised Rate in Rs.
1.	Preparation of leacheate (TCLP extract /Water extract)	1000.00
2.	Flash point /Ignitibility	550.00
3.	Reactivity	550.00
4.	Corrosivity	550.00
5.	Measurement of LC50	2800.00
6.	Measurement of Dimensionless Toxicity	1600.00
7.	Total organic Carbon	500.00
8.	Adsorbable Organic Halogen (AOX)	2000.00
9.	Determination of various parameter in leacheate	As mentioned in respective group at clause 2 (I)

Note: Above rates may be revised and re-notified at any time, if required so.

D. HOOROO,
Member Secretary,
Meghalaya State Pollution Control Board.

Shillong, the 10th August, 2010

No.ERTS(E)37/84/366.-- In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules regulating the recruitment and conditions of service of persons appointed to the Meghalaya Excise (Subordinate) Service :-

1. Short title and commencement - (1) These rules may be called "the Meghalaya Excise (Subordinate) Service Rules, 2010".

(2) 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 -

(i) The Governor of Meghalaya in respect of the post of Inspector of Excise, and

(ii) The Commissioner of Excise, Meghalaya, in respect of the post of Assistant Inspector of Excise, Head Excise Constable, and Excise Constable.

(b) "*Commission*" means the Meghalaya Public Service Commission.

(c) "*Committee*" means the Departmental Promotion Committee or the Departmental Selection Committee constituted under Rule 8(1), Rule 8(3) and Rule 9, as the case may be.

(d) "*Government*" means the Government of Meghalaya.

(e) "*Governor*" means the Governor of Meghalaya.

(f) "*Member of the Service*" means a member of the Meghalaya Excise (Subordinate) Service.

(g) "*Rules*" means the Meghalaya Excise (Subordinate) Service Rules, 2010.

(h) "*Service*" means the Meghalaya Excise (Subordinate) Service.

(i) "*Schedule*" means the schedule appended to these Rules.

(j) "*State*" means the State of Meghalaya.

(k) "*Year*" means a Calendar Year.

3. Constitution of the Service - There shall be constituted a Service to be known as the Meghalaya Excise (Subordinate) Service consisting of the following persons, namely -

(ii) Persons appointed to different posts in the Service in accordance with the provisions of these Rules.

(i) Persons appointed to different posts in the Service by the Government of Meghalaya on or after 21st January 1972 but before the commencement of these Rules; and

4. Composition of the service - (1) The Service shall consist of the following categories of posts, namely -

(i) Category - I Inspector of Excise

(ii) Category - II Assistant Inspector of Excise

(iii) Category - III Head Excise Constable

(iv) Category - IV Excise Constable

(2) Each of the categories specified in clauses (I), (II), (III) & (IV) of sub-rule (1) shall form an independent cadre. A member of the lower cadre shall have no claim for appointment to any of the posts in the higher cadre except in accordance with the provisions of these rules.

5. Status - The status of the members of the service holding the posts of Inspectors of Excise shall be of Class - II Gazetted, those holding the posts of Assistant Inspectors of Excise and Head Excise Constables shall be of Class - III Non-gazetted, and those holding the posts of Excise Constables shall be of Grade IV.

6. Strength of the Service - (1) The strength and composition of the service shall be such as may be determined by the Government from time to time.

(2) At the commencement of these rules, the strength of the service, and the nature of the posts therein, both permanent and temporary, shall be as shown in **Schedule-I** of these rules.

7. Method of recruitment - (1) Inspector of Excise- Recruitment to the post of Inspector of Excise shall be made -

(a) By promotion from amongst the Assistant Inspectors of Excise, who have rendered not less than five years of continuous service in such capacity on the first day of the year in which the selection is made, and who have passed the prescribed Departmental Examination and have successfully undergone the prescribed course of training; and

(b) By direct recruitment on the result of the Competitive Examination conducted by the Commission.

(c) The proportion of vacancies to be filled up in any year in accordance with clause (a) and clause (b) above shall be fifty percent (50%) by promotion, and fifty percent (50%) by direct recruitment.

(2) Assistant Inspector of Excise - Recruitment to the post of Assistant Inspector of Excise shall be made -

(a) By promotion from amongst the Head Excise Constables, who have rendered not less than 5 years of continuous service, in such capacity on the first day of the year in which the selection is made; and

(b) By direct recruitment on the result of the Competitive Examination conducted by the Commission.

(c) The proportion of vacancies to be filled up in any year in accordance with clause (a) and clause (b) above shall be fifty percent (50%) by promotion, and fifty percent (50%) by direct recruitment.

(3) Head Excise Constable - Recruitment to the post of Head Excise Constable shall be made by promotion from amongst the Excise Constables, who have passed at least HSLC/Matriculation, and who have rendered not less than five years of continuous service in such capacity on the first day of the year in which the selection is made.

(4) Excise Constable - Appointment to the post of Excise Constable shall be made by direct recruitment on the result of a written test and/or interview to be conducted by the Departmental Selection Committee, constituted under Rule 9 at such intervals as the Appointing Authority may from time to time determine in consultation with the Departmental Selection Committee.

8. Departmental Promotion Committee - (1) For the purpose of appointment by promotion to the post of Inspector of Excise under clause (a) of sub-rule (1) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members, namely -

- (i) **Chairman** - Principal Secretary/ Commissioner & Secretary/ Secretary to the Government of Meghalaya, Excise, Registration, Taxation & Stamps Department
- (ii) **Member-Secretary** - Commissioner of Excise, Meghalaya,
- (iii) **Member** - Commissioner & Secretary/ Secretary, Personnel & AR Department or his representative
- (iv) **Member** - Commissioner & Secretary/Secretary, Finance Department or his representative

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

(3) For the purpose of appointment by promotion to the post of Assistant Inspector of Excise & Head Excise Constable, under clause (a) of sub-rule 2 and under sub-rule (3) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members, namely -

- (i) **Chairman** - Commissioner of Excise, Meghalaya
- (ii) **Member-Secretary** - Deputy Commissioner of Excise (HQ)
- (iii) **Member** - Assistant Commissioner of Excise (HQ)
- (iv) **Member** - Assistant Commissioner of Excise, East Khasi Hills District, Shillong.

(4) The Committee may invite any other person, as co-opted member, to attend its meetings as and when considered necessary.

9. Departmental Selection Committee - For the purpose of appointment by direct recruitment to the post of Excise Constable, under sub-rule (4) of Rule 7, there shall be a Departmental Selection Committee consisting of the following members, namely —

- (i) **Chairman** - Commissioner of Excise, Meghalaya
- (ii) **Member-Secretary** - Deputy Commissioner of Excise (HQ)
- (iii) **Member** - Assistant Commissioner of Excise (HQ)
- (iv) **Member** - Assistant Commissioner of Excise, East Khasi Hills District, Shillong.

10. Procedure for preparing the select list - (1) At the beginning of each year, the appointing authority shall refer to the Committee, constituted under sub-rule (1) or sub-rule (3) of Rule 8, the approximate number of vacancies likely to occur in each grade of the service during the year, along with a list of the members of the service who are eligible to be considered for promotion to higher posts. Such list shall contain the names of the eligible members of the service comprising three times the number of likely vacancies.

(2) The Appointing Authority shall also furnish the Committee with the following documents, namely -

- (i) A Gradation List of the members of the service drawn up in order of seniority;
- (ii) The Character Rolls and Service Records of such members; and
- (iii) any other documents and information as may be considered necessary by the Appointing Authority or as required by the Committee.

(3) The Committee, after examining the Character Rolls, Service Records, and other documents in respect of all such eligible members, shall prepare a list of the members who, based on their individual merit and suitability, are recommended for promotion to a higher post or grade. The select list shall be forwarded by the Committee to the Appointing Authority.

(4) The Committee shall place the names of the persons in the select list 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.

(5) The list prepared by the Committee for the purpose of promotion to the post of Assistant Inspector of Excise & Head Excise Constable, under sub-rule (2) and sub-rule (3) of Rule 7, shall be considered and approved by the Appointing Authority. If the Appointing Authority considers it necessary to make any changes in the select list before approving it, the appointing authority shall inform the Committee of the proposed changes, and after taking into account the comments, if any, of the Committee, it shall approve the list finally, with or without modification, as may, in its opinion, be just and proper.

(6) The list, as finally approved by the appointing authority, under sub-rule (6), shall form the Select List for the purpose of appointment by promotion to the post of Assistant Inspector of Excise & Head Excise Constable under sub-rules (2) and (3) of Rule 7.

11. Validity of the Select List - (1) The Select List approved by the Appointing Authority under sub-rule (7) of Rule 10 shall ordinarily remain in force for a period of one year unless its validity is extended by the appointing authority with the approval of the Government.

Provided that such an extension shall not be for a total period exceeding six months:

Provided that in the event of any serious lapse in the conduct or performance of duty by any of the persons empanelled in the Select List, the Appointing Authority may, if it thinks fit, remove the name of such person from the Select List. The Appointing Authority shall record the reasons for doing so in writing.

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

12. Direct recruitment - (1) A competitive examination and/or interview for direct recruitment to the post of Inspector of Excise, Assistant Inspector of Excise and Excise Constable, under sub-rule (1), sub-rule (2) and sub-rule (4) of Rule 7, shall be conducted by the Commission, or by the Selection Committee constituted under Rule 9, as the case may be.

(2) The examination and/or interview shall be held at such intervals as the Appointing Authority may, in consultation with the Commission or with the Selection Committee, as the case may be, determine from time to time. The date, time and place for holding the examination and/or interview shall be fixed by the Commission or by the Committee, as the case may be.

(3) The examination shall be conducted by the Commission or by the Selection Committee, as the case may be, in accordance with such syllabus as the Appointing Authority may, from time to time, prescribe in consultation with the Commission or the Committee, as the case may be.

(4) On the basis of the result of the competitive examination and/or interview, the Commission or the Committee, as the case may be, shall prepare a list of all successful candidates in order of their merit, which shall be determined in accordance with the aggregate marks obtained by such candidate in the written examination or interview, or in both, where both written examination and interview are held. The merit list so prepared shall be forwarded to the Appointing Authority, as soon as the list is finalized by the Commission or Committee.

(5) If two or more candidates obtain equal marks, the Commission/Committee shall arrange their names in the select list in order of their relative merit which shall be determined in accordance with the general suitability and the age of the candidates.

(6) 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 Castes and Schedule Tribes and Backward Classes to such extent and on such conditions and in accordance with the Government policy of reservation in force.

(7) The inclusion of the name of a candidate in the merit list prepared by the Commission or Committee shall 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 respects for appointment to the post.

13. Condition of eligibility to appear for the competitive examination - In order to be eligible to appear for the competitive examination and/or interview for recruitment to any of the posts under these Rules, a candidate must satisfy the following criteria, namely -

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

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

(c) **Educational qualification** - For recruitment to the post of-

(i) **Inspector of Excise** - a candidate must hold a degree from any recognized University.

(ii) **Assistant Inspector of Excise** - He must have passed at least PUC or HSSLC or 12th Standard examination conducted by any recognized University or School Education Board.

(iii) **Excise Constable** - He must have passed at least HSLC or equivalent examination from any School Education Board recognized by the Government.

14. Disqualification for appointment to the Service - (1) No person shall be appointed to any post in the service who, after such medical and physical examination as the Appointing Authority may prescribe, is found to be of poor health, or is physically or mentally unfit, or does not conform to the prescribed physical standards of height and bodybuild, or who is having some physical defect or infirmity which may render him unfit in the discharge of the duties of his post.

(2) No person shall be appointed to the Service who had been convicted for any offence involving moral turpitude.

(3) No person who has more than one spouse living shall be eligible for appointment to any post 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, or by any recommendation, either written or oral, or by any other means, shall be appointed to the Service.

15. Appointment to the Service - (1) Appointment to any post in the service under these Rules shall be made by the Appointing Authority by an order in writing and shall be published in the Official Gazette.

(2) Appointment by direct recruitment shall be made from amongst the candidates who are included in the Merit List prepared by the Commission or by the Selection Committee, under Rule 13, on the result of the competitive examination and/or interview conducted by the Commission or by the Committee, as the case may be,

- (3) Subject to the provisions of sub-rule (6) and sub-rule (7) of Rule 13, appointment shall be made in the order in which the names of the candidates appear in the Merit List prepared by the Commission or by the Committee, as the case may be.
- (4) A person appointed by direct recruitment shall join within 15 (fifteen) days from the date of receipt of the order of appointment, failing which, and unless the Appointing Authority extends the period of joining, which shall not in any case exceed three months, the appointment shall be cancelled.
- (5) Appointment by promotion shall be made in the order in which the names of the candidates appear in the Select List approved by the Commission or by the Appointing Authority, under Rule 10 or Rule 11, as the case may be.

16. Probation - Every person appointed to the Service, either by direct recruitment or by promotion, in accordance with the provisions of these Rules, shall be on probation for a period of 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.

17. Departmental Examination and Training - (1) Every person appointed to the service as a probationer shall, within a period of two years from the date of appointment, appear at and pass the prescribed Departmental Examination conducted by the Commission, and shall also successfully undergo such training as may be prescribed by the appointing authority.

- (2) Notwithstanding anything contained in sub-rule (1), a person appointed to the post of Head Excise Constable or Excise Constable, under sub-rule (3) or sub-rule (4) of Rule 7, may not be required to appear for the Departmental Examination, but shall have to successfully undergo such training as may be prescribed.

18. Discharge and reversion - (1) A person appointed to the service on probation, by direct recruitment, shall be liable to be discharged from service -

- (i) if he fails to make sufficient use of the opportunity given during the training or otherwise fails to render satisfactory performance during or at the end of the period of probation; or
- (ii) if he fails to pass the prescribed departmental examination, or fails to complete the training successfully, within the probation period, unless the Appointing Authority permits him to sit for re-examination in the subject or subjects in which he failed; or
- (iii) if, 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 to be a member of the service; or
- (iv) if he fails to comply with the provisions of these Rules or commits a serious breach of any other Rules or Regulations that are in force.

19. Seniority - (1) The *inter-se* seniority of the members of the service appointed on or after 21st January 1972, but before the commencement of these rules, shall be in the order in which their names appear in the respective merit lists prepared by the Commission, or in the select lists approved by the Commission.

- (2) The *inter-se* seniority of the members of the Service appointed to different posts in the service, after the commencement of these Rules, shall be in the order in which their names appear in the Merit List prepared by the Commission or by the Committee, as the case may be, under sub-rule (4) of Rule 13, or in the Select List approved by the Commission or by the Appointing Authority under sub-rule (7) of Rule 10 or sub-rule (4) of Rule 11.

- (i) Provided that the members of the service, who are appointed by promotion to any particular cadre in the service, shall be senior to the members appointed by direct recruitment to that particular cadre, where such appointment falls in the same year.
- (ii) Provided further that the members of the service, who are appointed to the service in a particular year, shall be senior to those members who are appointed to the service in any subsequent year, though such members were empanelled in the same merit list or select list.
- (3) If confirmation of any member of the service is delayed on account of his failure to qualify for such confirmation, he shall lose his seniority *vis-a-vis* such of his juniors who have been confirmed earlier than him. His original position shall, however, be restored on his confirmation subsequently.

Provided that the restoration of the seniority of a member of the service, in a particular post or grade, shall have precedence only over those members who are holding that particular post or grade, and shall not affect the seniority of those members who have been promoted to a higher post prior to such restoration of the seniority of the member.

20. Gradation List - (1) There shall be prepared and published annually an up to date Gradation List as on first day of January of the year, consisting of the names of all the 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.

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

- (a) that he has served not less than one year in the post where he is to be confirmed;
 - (b) that the performance of the employee is satisfactory (to be judged on the basis of Annual Confidential Reports and other relevant records);
 - (c) that there is no Departmental Proceeding/vigilance enquiry against him; and
 - (d) subject to availability of vacancy and that no officer holds a lien on it.
- (2) Confirmation of a probationer shall be made according to his seniority in that cadre subject to the following conditions :-
- (a) that he has completed the period of probation to the satisfaction of the Appointing Authority;
 - (b) that he has passed the Departmental Examination completely and successfully undergone the training courses 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 a person is not given opportunity to undergo the prescribed training during the period of probation his/her confirmation shall not be held up for reasons of not successfully undergoing the said training but such person shall, when called upon by the Appointing Authority and an opportunity given, successfully undergo the said training.

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/her in the respective cadre of the Service.

22. Promotion - (1) Every member of the Service holding a lower post or grade shall have a fair chance to be considered for promotion to a higher post or grade in the Service if he is qualified for promotion in accordance with the provisions of these Rules

(2) Notwithstanding anything contained in sub-rule (1), promotion of a member of the Service, after the commencement of these Rules, shall be made strictly in accordance with the provisions of these Rules, and on the basis of seniority-cum-merit with due regard to suitability, and no member shall have the right to claim for promotion, under these Rules, unless his name is included in the Select List referred to under Rule 10 or Rule 11, and unless there exists a vacancy for promotion with due regard to the proportion of vacancies specified in clause (c) of sub-rules (1) and (2) of Rule 7 and the conditions of service specified in clause (a) of sub-rules (1) and (2) and sub rule (3) of rule 7 of these Rules.

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

- (2) Such persons referred to in sub-rules (2) of Rule 3 shall be allowed to draw increment becoming due within the period of 2 (two) years from the date of commencement of these Rules but further increments shall be allowed only on passing the Departmental Examination completely and on successful completion of the training courses prescribed.
- (3) The pay of the member of the Service on his completion of the period of probation or on passing the Departmental Examination and/or training prescribed shall be fixed at such a stage if he has been allowed his usual annual increments due but he shall not be entitled to any arrear in pay on account of withholding due increments for the period prior to the date of his completion of the period of probation or passing the Departmental Examination and/or the prescribed training.
- (4) The increment admissible to a member of the Service promoted from one post to another shall accrue on the expiry of such year as admissible under the Rules.

24. Power of the Governor to dispense with or relax any Rule - The Governor, if satisfied that the operation of any of the provision of these Rules causes undue hardship in any particular case or cases or results in any particular post or posts being left unfilled for want of person(s) possessing the minimum experience as specified by these Rules for promotion to such post(s), may dispense with or relax the requirement of any of these Rules to such extent and subject to such condition, as it may consider necessary for dealing with the case in a just and equitable manner, or, for meeting the exigencies of public interest.

25. Interpretation - If any question arises relating to the interpretation of these Rules, the decision of the Government in the Excise, Registration, Taxation & Stamps Department with the approval of the Personnel & AR Department shall be final.

26. Repeal and saving - (1) All Rules or Orders or Notifications or instructions, corresponding to and in force immediately before the commencement of these Rules, are hereby repealed.

(2) Provided that all orders made, or any action taken under the Rules, Orders or Notifications so repealed or any action taken in pursuance thereto, shall be deemed to have been validly made, or taken under the corresponding provisions of these Rules.

SCHEDULE – I <i>[See Rule 6(2)]</i>					
Sl. No.	Category of posts	Name of posts	Number of post		Total
			Permanent	Temporary	
1	Category – I	Inspector of Excise	11	32	43
2	Category – II	Assistant Inspector of Excise	15	26	41
3	Category – III	Head Excise Constable	5	23	28
4	Category – IV	Excise Constable	77	124	201

SCHEDULE – II <i>(See Rule 25)</i>			
Sl. No.	Category of posts	Name of posts	Scale of pay
1	Category - I	Inspector of Excise	Rs.14100-350-16550-EB-460-20690-620-27510/-
2	Category - II	Assistant Inspector of Excise	Rs.9200-230-10810-EB-300-13510-410-18020/-
3	Category - III	Head Excise Constable	Rs.8300-210-9770-EB-270-12200-370-16270/-
4	Category - IV	Excise Constable	Rs.7100-180-8360-EB-230-10430-310-13840/-

J. LYNDOH,
Secretary to the Govt. of Meghalaya,
Excise, Registration, Taxation & Stamps Department.

The 12th August, 2010

CORRIGENDUM

No.RDG.73/2008/Pt/9.-Please read “with immediate effect” instead of “1st July, 2010” as appeared in this Department’s Notification No. RDG.73/2008/46, dated 19th July, 2010.

P. W. INGTY,
Commissioner & Secretary to the Govt. of Meghalaya,
Revenue and Disaster Management Department.