

GOVERNMENT OF MEGHALAYA
PERSONNEL & ADMINISTRATIVE REFORMS (B) DEPARTMENT

No.PER(AR)25/2022/Pt/3

Dated Shillong, the 10th May 2022

OFFICE MEMORANDUM

Subject : **Reservation Policy – Maintenance of Reservation Roster.**

In pursuance of the Judgment of the Hon'ble High Court of Meghalaya dated 05-04-2022 in the W.P. (C) No.394/2021 Zanera R Marak vs. State of Meghalaya and the Judgment of the Hon'ble High Court of Meghalaya dated 20-04-2022 in the In Re sou motu preparation of roster regarding implementation of the State Reservation Policy vs. State of Meghalaya, the following guidelines are hereby notified with immediate effect:

A. Quantum of Reservation : The reservation of posts in favour of the Schedule Tribes and Schedule Castes will be as per the Resolution No.PER.222/71/138 dated 12th January, 1972.

B. Principles to be followed in preparation of Reservation Roster:

1. The Reservation Roster will be maintained for all direct recruitment posts only at the entry level.
2. The Reservation Roster will not be applicable to:-
 - i) Vacancies filled by transfer or deputation or by promotion.
 - ii) Temporary appointment of less than 45 days duration.
 - iii) Purely temporary establishments such as Work-Charged staff including the daily-rated and monthly-rated staff.
 - iv) Contractual appointments.

3. For posts where reservation of posts for Persons with Disabilities (PWDs) is not applicable, a 100 points reservation roster is to be maintained by the Administrative Department concerned for each category of post, as per the format given in Annexure --I. For Departments that have a cadre of posts which is less than 100, reservation rosters are provided in Annexure I-A(20 points), Annexure I-B (40 points), Annexure I-C (60 points) and Annexure I-D(80 points).

For posts which have been identified as eligible for Persons with Disabilities (PWDs) a reservation roster is to be maintained by the Administrative Department concerned for each category of post, as per the format given in Annexure – II(204 points). The posts that have been identified as suitable for PWDs have been notified by Personnel and A.R. Department vide notification No.PER(AR).150/88/Pt.282 dated 25th January, 2012. -

In the OM.No.PER(AR)150/88/536 dated 06-08-2020 the Clause "***Provided in any recruitment year, the following Reservation shall be made within the existing percentage of Reservation of Posts in the Category of Unreserved, Khasi and Jaintia, Garo ,and Other Schedule Tribes/ Other Schedule Castes of Meghalaya***" shall be inserted instead of "Provided in any recruitment year, the following Reservation shall be made within the existing percentage of Reservation of Posts in the Category of Khasi-Jaintia, Garo, Other Schedule Tribes/ Other Schedule Castes of Meghalaya".

4. Immediately after an appointment is made, the Administrative Department concerned shall enter the details of the person appointed in the Reservation Roster in the appropriate column and the entry shall be signed by the appointing authority or by an officer authorized to do so. No gap shall be left in completing the roster.
5. The Reservation Roster Register shall be maintained in the form of a running account year after year. For example, if in any recruitment cycle the number of appointments made stops at point 36, recruitment in the following year shall begin from point 37.
6. After every recruitment cycle, an account shall be noted in the reservation roster indicating representation of Khasi and Jaintia, Garo, Other STs & SCs and details of backlog reserved vacancies, which will be carried forward to the next recruitment cycle.
7. Reservation Roster is only to ensure the implementation of the Reservation Policy. These Registers/Rosters registers do not determine seniority. Seniority will continue to be based as per existing rules.
8. After all the points of the roster are covered, a fresh cycle of the roster shall start.

C. Approving Authority:

1. The Personnel &A.R.(B) Department shall be the authority to approve the Reservation Roster maintained by all Departments/Heads of Department.
2. All Departments are to immediately ensure that the Reservation Roster is filled up for all categories of posts that have been filled up together with the cadre strength. The Reservation Roster shall be submitted to the Personnel and A.R. (B) Department after approval of the Head of Department.
3. Before sending the posts for advertisement by Meghalaya Public Service Commission (MPSC) or District Selection Committee(DSC) or Central Recruitment Board (CRB) or any other authority concerned, the Departments/Heads of Department are to submit their Reservation Roster and the proposed advertisement to Personnel &A.R. (B) Department for vetting of the same. Henceforth, all Departments/Heads of Department/District Heads are to obtain the approval of Personnel & A.R.(B) Department before advertising any post to be filled by direct recruitment.

D. Initial Preparation of Reservation Roster

1. In order to prepare the Reservation Roster, names of all the candidates holding the post as on the date of notification of this O.M., starting with the earliest appointee, since the time the Reservation Policy came into effect, subject to information being available, shall be filled up in the Reservation Roster against the point in the Roster.
2. If an appointee belonging to a Scheduled Tribe category was appointed on his/her own merit, *UR* will be written in column 5. If an appointee belonging to a Scheduled Tribe category was appointed on reservation, *ST* will be written in column 5. If an appointee belonging to an OST/OSC category was appointed on reservation, *OST/OSC* will be written in column 5. After making entries as indicated above, details about the number of ST and OSTs/OSCs candidates appointed by reservation, backlog reserved vacancies, if any, may be indicated in Remarks column.
3. After initial preparation of the register, the names of persons appointed thereafter may be added by filling up the columns as stated above.

E. Maintenance of register of complaints by the Government Establishment :

1. Every Department shall appoint a Senior Officer of the Department of the Rank of Under Secretary and above as the Grievance Redressal Officer for any grievances that should arise in implementation of the Reservation Roster.
2. The Grievance Redressal Officer shall maintain a Register of complaints of any category with the following particulars, namely :-
 - (a) date of complaint
 - (b) name of complainant
 - (c) the name of the Establishment or person against whom the complaint is made
 - (d) gist of the complaint
 - (e) date of disposal by the Grievance Redressal Officer and
 - (f) any other information
3. Any person aggrieved with the issue of maintenance of Reservation Roster may file a complaint with the Grievance Redressal Officer of the respective Government Establishment, which shall be disposed off within a period of two months from the date of receipt of the complaint.

F. At the District Level or Sub-divisional Level

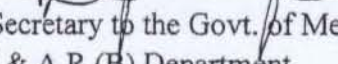
For district level posts or sub-divisional level posts, the reservation of vacancies is determined vide O.M. No. PER.272/72/5 dated 18th December, 1972. This O.M. provides that

“The reservation orders as embodied in the Resolution No.PER222/1/132 dated 12.01.1972 provide reservation of 40 per cent of the vacancies in favour of Khasi-Jaintia, 40 per cent in favour of Garos and 5 per cent in favour of other Scheduled Tribes and Scheduled Castes for the vacancies at the State level and District level to be filled up through direct recruitment. It is not possible to strictly adhere to the above reservation in respect of posts and vacancies at the District level, as in respect of such posts at the district level which are not transferable, the post reserved in one District for the Scheduled Tribes belonging to the other district are not likely to be filled up even if the reserved quota is carried forward to the following year. As such, this will create administrative difficulties and dislocation.

Considering the position as regards the District Level posts as stated above, the Governor of Meghalaya is pleased to order that in respect of posts at the District level where the incumbent are not likely to be transferred outside the District of Original posting, there will be a combined reservation of 80 percent of the posts in favour of

Garos, Khasi-Jaintia instead of separate reservation of 40 percent each for Garos, Khasi-Jaintia respectively, apart from 5 percent reservation in favour of Other Schedule Castes and Schedule Tribes. While selecting candidates to such posts, preference should be given to local candidates residing permanently in the district in which the vacancies occur. In other words in Garo Hills the whole combined reservation of 80 percent will be available to Garos in the absence of any interested candidate belonging to the Khasi-Jaintia community, and in Jowai or Shillong, the combined reservation of 80 percent will be available to Khasi-Jaintias in the absence of any interested candidates belonging to Garo community."

So for District Level Posts/Sub Divisional Posts, the Reservation Rosters as provided in for in Annexure I and Annexure II may be modified accordingly by the Departments concerned.


Commissioner & Secretary to the Govt. of Meghalaya
Personnel & A.R.(B) Department

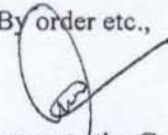
Dated Shillong, the 10th May 2022

M.No.PER(AR)25/2022/Pt/3

Copy to :-

1. The Secretary to the Governor, Meghalaya Shillong.
2. The P.S to the Chief Minister, Meghalaya Shillong for information of Chief Minister.
3. The P.S to the Deputy Chief Minister, Meghalaya Shillong for information of Deputy Chief Minister.
4. The P.S to Ministers for information of Ministers.
5. The P.S to the Chief Secretary, Govt of Meghalaya Shillong for information of Chief Secretary.
6. The P.S to the Additional Chief Secretaries, Govt of Meghalaya Shillong for information of Additional Chief Secretaries.
7. All Principal Secretaries/Commissioners & Secretaries to the Govt of Meghalaya.
8. All Administrative Departments.
9. All Heads of Departments.
10. The Commissioner of Division- Shillong/Tura.
11. All Deputy Commissioners/Sub-Divisional Officers (Civil).
12. The Commissioner for Persons with Disabilities.
13. The Secretary, Meghalaya Public Service Commission.
14. All District Selection Committees.
15. The Director, Printing & Stationery, Shillong for favour of Publication in the Meghalaya Gazette.
16. The Officer on Special Duty, Cabinet Affairs Department for information.

By order etc.,


Deputy Secretary to the Govt. of Meghalaya,
Personnel & A.R. (B) Department