

GOVERNMENT OF MEGHALAYA
LAW (A) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong, the 28th August, 2012.

No. LJ (A) 23/85/472 - In exercise of powers conferred by the proviso to Article 309 read with Article 234 of the Constitution of India, the Governor of Meghalaya in consultation with the Gauhati High Court is pleased to make the following Rules, further to amend the Meghalaya Judicial Services Rules, 2006, hereinafter referred to as the principal Rules, namely:

1. **Short Title and Commencement.** - (1) These Rules may be called the Meghalaya Judicial Services (Amendment) Rules, 2012.

(2) They shall come into force on the date of publication in the Official Gazette.

2. **Amendment of Rule 8.** - (1) In the principal Rules, in rule 8 (1) (ii), in Serial No. 1 of Column No. 3 of the table, for the existing provisions, the following shall be substituted,-

“65% of the posts in the cadre shall be filled by promotion from the cadre of Grade-II of the service on the basis of merit-cum-seniority by the High Court following the criteria in Schedule – E”.

(2) In the principal rules, in rule 8 (1) (iii), in Serial No. 1 of Column No. 3 of the table, for the existing provisions, the following shall be substituted,-

“Remaining 10% of the cadre of the service shall be filled up by the promotion strictly on the basis of merit through limited departmental competitive examination as conducted by the High Court in Schedule B of the specified Rules.

“Provided that if candidates are not available for 10% of seats, or are not able to qualify in the examination then vacant posts shall be filled up by regular promotion”.

3. **Amendment of Rule 24:** - In rule 24 of the principal Rules-

(a) in sub-rule (1), for the existing figure “58”, the figure “60” shall be substituted.

(b) Sub-rule (2), sub-rule (3), sub-rule (4), sub-rule (5), sub-rule (6) and sub-rule (7) shall be substituted by the following, namely,-

“(2) Notwithstanding anything contained in sub-rule (1) above, the High Court shall have the power to assess and evaluate the record of a judicial officer for his continued utility in service up to 60 years.

(3) The potential for continued utility shall be assessed and evaluate by an appropriate Committee of Judges of the High Court, constituted and headed by the Chief Justice and the evaluation shall be made on the basis of the Judicial Officer’s past record of service, character roll, quality of judgements and other relevant matters.

(4) The High Court shall undertake and complete the exercise well within time, before the Judicial Officer attains the age of 58 years”

4. **Amendment of rule 25.** - (1) For sub-rule (1) of rule 25 of the principal Rules, the existing provisions shall be substituted as follows,-

“There shall be a committee consisting of three senior Judges, headed by Chief Justice of the High Court to review the career progress and other attributes of all Judicial Officers”.

(2) In sub-rule (2) of the principal Rules, the following proviso shall be added,-

“Provided that nothing in sub-rule (2) shall be considered as preventing consideration for compulsory retirement of a member of the service at any time other than those mentioned herein”.

5. **Amendment of Schedule F.** - (1) In the amended rules, 2007 in Schedule F (A) (b), the words **“twenty five percent”** shall be substituted with the words **“ten percent”**.

(2) In the amended rules, 2007 in Schedule F (B), the word **“fifty percent”** shall be substituted by the words **“sixty five percent”**.

(3) In the amended Rules, 2007 in Schedule F (C), in Serial No. 4 of Column No. 2 of the table, the words **‘Viva voce’** and (c) **‘Performance in the oral interview’** shall be deleted.



(L.M. Sangma)

Secretary to the Government of Meghalaya,
Law Department.

Memo No. LJ (A) 23/85/472-A,

Dated Shillong, the 28th August, 2012.

Copy for information and necessary action to: -

1. P.S. to Chief Minister, Government of Meghalaya, Shillong.
2. P.S. to the Chief Justice, Gauhati High Court, Guwahati- 781001.
3. P.S. to Deputy Chief Minister (Law), Government of Meghalaya, Shillong.
4. P.S. to Chief Secretary, Government of Meghalaya, Shillong.
5. Accountant General (A &E) Meghalaya, Shillong.
6. Principal Secretary, Finance Department.
7. Commissioner & Secretary, Personnel & A.R. Department.
8. Registrar General, Gauhati High Court, Guwahati- 781001.
9. Registrar, Gauhati High Court, Shillong Bench, Shillong-793001.
10. The Director, Printing & Stationery, Government of Meghalaya, Shillong with the request to kindly publish the above notification in the Extra Ordinary Gazette and also to furnish 100 (one hundred copies) of the notified copy to this Department.
11. State Informatics Officer, NIC, Shillong with a request to kindly upload the above notification in the Official Website.
12. District & Sessions Judge/Chief Judicial Magistrate, Shillong.
13. The Secretary, Meghalaya Public Service Commission, Shillong.
14. DIPR, Shillong.
15. Cabinet Affairs Department with reference to their ID CA 44/2012 dated 23-8-2012.
16. Guard file.

By order etc.,



Secretary to the Government of Meghalaya,
Law Department.
