



Manipur

Gazette

**EXTRAORDINARY  
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**GOVERNMENT OF MANIPUR  
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS  
(PERSONNEL DIVISION)**

**NOTIFICATION**

Imphal, the 25<sup>th</sup> May, 1981

No. 1/89/80-Rules/ DP.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Manipur hereby makes the following rules regulating the appointment and other service conditions of the employees of the Government Aided / Private Institutions taken over by the Government namely : —

*1. Short title and commencement :*

- (i) These rules may be called the Manipur Civil Service (Appointment and other service conditions of employees of Government Aided/ Private Institutions taken over by the Government) Rules, 1981.
- (ii) These rules shall come into force from the date of publication in the Manipur Gazette.
- (iii) Appointments of persons of the Govt. Aided/ Private Institutions taken over, before the commencement of these rules shall be deemed to have been made under the corresponding provisions of these rules.
- (iv) These rules shall also apply to the persons appointed as a result of the Govt. Aided/ Private Institution before the coming into force of these rules except in case of service or posts in whose service rules a definite provisions exists for the purpose, in so far as these rules do not operate to the disadvantage of any person.

*2. Definitions :*

- (a) “Appointing Authority” means the Government of Manipur and includes in relation to any post in the service such other officer or authority who may, with the approval of the Government, be specially empowered to exercise the powers and functions of the appointing authority.
- (b) “Commission” means the Manipur Public Service Commission.
- (c) “Government” means the Government of Manipur.
- (d) “Management” shall mean the erstwhile Governing Bodies or Managing Committees of the Government Aided/ Private Institutions.

- (e) “Government/ Aided Institutions” shall mean educational institutions managed by a body other than the Government receiving Grant-in-aid from the Manipur Government under the Grant-in-aid rules.
- (f) “Private Institutions” shall mean educational institutions managed by a body other than the Government receiving lump sum financial assistance from the Government or from any organization.

3. *Taking over of Government Aided/ Private Institutions :*

- (1) In case the Government takes over/decided to take over a Government Aided/Private Institutions along with the staff in public interest, it shall –
  - (a) Obtain option from the staff of such institution/institutions as to their willingness or otherwise to be absorbed in Government service. A person who opts for absorption in Government service should submit an application in the appended as schedule I. The option shall be exercised in writing in the form appended as Schedule III along with the application so as to reach the Government/Appointing Authority on a date to be specified by them.
  - (b) Prepare a list of all the staff willing to be absorbed in Government service along with their bio-data and forward the same along with the original applications and the information regarding the availability of posts against which they may be absorbed to the Departmental Promotion Committee constituted by the Government for corresponding grade/class of service or posts or any committee to be constituted for the purpose by an order of the Government. In the event of a fresh committee being constituted, the Chairman or the Member of the Manipur Public Service Commission will be associated as the Chairman of such committee where consultation with the Commission is necessary.
- (2) On receipt of the list, the committee shall –
  - (a) decide the equation of post/posts in such institution or institutions and those existing under the Government;
  - (b) make its recommendation for appointment of the staff of the institution/institutions in Government service in such equated or lower post/posts to the Government against available post/posts or to be made available subject to the following condition –
    - (i) A person who has opted for absorption in Government service should fulfill the requirement of the Recruitment Rules of the equated posts of the Government at the time of the initial appointment in the institutions.

Provided that a person who did not possess the requisite qualifications prescribed in the Recruitment Rules of the equated post of the qualifications subsequently after the appointment prior to the take over of the institutions by the Government shall be deemed to have fulfilled such qualifications from the date of acquisition of the qualification. The suitability or otherwise of such person shall be determined from the date of acquisition of such qualifications.

- (ii) While making their recommendation for appointment the committee shall prepare and append a list of persons considered suitable for appointment to various grades/posts under the Government on the basis of the dates on which they were qualified in clause 2 above. If two or more person are found qualified for appointment on the same date to the same grade or post, the committee shall recommend, based on their age, educational and other qualifications, the persons in order of preference. The committee may also make their recommendation for absorption of such employees in lower grade/post giving the reason for doing so.

4. *Consultation with the commission :*

- (a) The list prepared under clause (2) of rule 3 shall be forwarded by the Government/Appointing Authority to the Commission, where consultation with the Commission is necessary, or where the Chairman of the Committee desires that a reference be made to the Commission, along the relevant records.
- (b) On receipt of the list along with the relevant records referred to the clause (a) above the Commission after due consideration, shall forward their recommendation to the Government/Appointing Authority for absorption of employees of Government Aided / Private Institutions in the corresponding grades/posts under the Government of Manipur. If the Commission considers it necessary to make any changes in the list, the Commission shall inform the Government/Appointing Authority of the changes proposed.
- (c) The list shall finally be approved by the Government/Appointing Authority after taking into account the changes, if any, proposed by the Commission.

5. *Appointment to Government services :*

The Government/Appointing Authority on the basis of the list referred to in clause (c) of rule 4 above/shall absorb the employees of Government Aided/Private Institutions as recommended by the Commission wherever necessary under the Government of Manipur.

Provided that such employees as declared unsuitable for absorption in the grade/post to be created for which he/she was considered shall be absorbed I the next level grade/post to be created by the Government as a special case consequent on the take over of the Government Aided/ Private Institutions by the Government if no such post exists and also that such employee shall continue to hold the post so created till his/her retirement and also ssuch post shall be deemed to have been abolished on his/her retirement.

6. *Disqualification :*

- (a) No person who is physically unfit and suffers from any of the disqualifications prescribed for recruitment to the corresponding grades/posts under the Government shall be absorbed in the Government service.
- (b) No person shall be absorbed if at any time in the post he or she was removed debarring from the future employment or dismissed from State Government/Central Government service.  
“Provided that Government may exempt application of this rule in exceptional circumstances to the employees already approved by the Government in consultation with the Commission wherever necessary”.

7. *Protection of past service :*

- (a) The persons so appointed in the Government service shall be deemed to have been appointed in the same capacity as in the same capacity as in the Government Aided/Private Institutions, i.e. Temporary, Officiating, Substantive as in the case may be, and the condition of probation and confirmation shall be deemed to have been waived in case of substantive or permanent officials.
- (b) The service rendered by the employees the Government Aided/Private Institutions on an equated post be counted as experience or service required for promotion or direct recruitment as the case may be.

8. *Seniority :*

The inter-seniority of persons selected as a result of taking over of Government Aided/Private Institutions shall be determined on the basis of order indicated in the list as approved by the Government, in consultations with the Commission wherever necessary, for appointment to various grades/posts under the Government.

9. *Overriding effect of the Rules :*

The provisions of these rules shall have effect notwithstanding anything to the contrary in any orders/notifications/instructions issued by the Government in this regard.

10. *Power to remove difficulties :*

The State Government may, for the purpose of removing any, difficulty in regard to other matters regarding recruitment, probation, confirmation, promotion etc. and in the implementation of any provision of these rules, make any general or special order as it may consider necessary or expedient in the interest of fair dealing and/or in the public interest in consultation with the Commission, where necessary.

11. *Interpretation :*

If any question arises as to the interpretation of these rules, the same shall be decided by the Government in consultation with the Commission.

By order and in the name of the Governor,  
M. B. SINGH,  
Deputy Secretary (DP) to the Govt. of Manipur.

SCHEDULE – I  
APPLICATION FORM FOR ABSORPTION IN GOVERNMENT  
SERVICE

(To be filled up in candidates' own handwriting.)

A candidate who knowingly or willfully furnishes incorrect or false particulars or suppresses materials/information will not be considered and, if absorbed through oversight and finally detected will be liable to dismissal from service).

1. Name of the applicant  
(in Block capital).
2. Home address in full  
(including postal address).
3. Name of the institution and  
name of post held.
4. Scale of pay and pay drawn  
at present.
5. Date of appointment to the  
post.
6. Whether appointment has  
been made by a competent  
Authority with the approval  
of the Govt.? (Appointment  
order No. to be indicated and  
copy of the same to be  
enclosed).
7. Where your appointment is  
on temporary/officiating/  
permanent capacity? (Appointment  
order No. to be indicated and  
copy of the same to be  
enclosed).
8. Are you a SC/ST ?  
Yes or No :  
If yes, certificate from the  
Competent Authority to be  
Furnished.
9. Date of Birth (According to  
School final or equivalent  
Certificate).
10. What was your age at the  
time of initial appointment  
to the post held by you.

11. Particulars of all examinations passed (commencing from School Final or equivalent examinations arranged chronologically).

Name of School/name of Institution	Examination passed	Division/Class/Grade point & percentage of marks secured	Subject taken.
1	2	3	4

12. Other qualifications e.g. teaching experience etc.

Name of Institution	Name of post	Scale of pay	Period	
			From	To
1	2	3	4	5

13. Were you previously removed or dismissed from State Govt./Central Govt. service ? If so, give details (copy of the order to be enclosed).

14. Whether the post held by you at present is the post appointed initially?

15. Whether the post held by you at present is a promotion post from a lower post? If so, give the following details.

Name of the lower post	Date of appointment to the lower post	Scale of pay of lower post	Name of higher post	Date of appointment to the higher post.	Scale of pay of higher post.
1	2	3	4	5	6

16. Additional Remarks (Applicants may mention here any special qualification or experience which has not been given under the above heads. If the space below is insufficient for this purpose please give full particulars on a sheet of paper duly authenticated by the candidate's full signature and attached it to this application inserting here a reference to the sheet attached).

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I solely declare that the above statements are true to the best of my knowledge and belief.

Date :

Full signature of the candidate  
with designation.

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17. Details of enclosures in original in support of the above particulars.

- 1.
  - 2.
  - 3.
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**FOR USE BY THE HEAD OF DEPARTMENT/INSTITUTION**

Certified that Shri/Smt./Kumari ..... hold a post of ..... with effect from ..... Office/Institution/Organization. The above information furnished by the applicant is true to the best of my knowledge as per records maintained in the office. Certified also that he/she submitted his/her application to the Department/Office/Institution/Organization on ..... for onward transmission to the Committee.

No. ....  
Date .....  
Place .....

Signature .....  
Designation .....  
Institution/Deptt. ....  
Office Stamp .....

**SCHEDULE – II  
MODEL FORM FOR EXERCISING OPTION.**

1. I, ..... holding the post of ..... in the institution of ..... In a substantive/officiating/temporary capacity, do hereby elect to be absorbed in the Government service.
2. The option hereby exercised is final and shall be modified at any subsequent date.

Date .....  
Place .....

Signature .....  
Name in Full .....  
Designation .....  
Day of .....19.....

The option has been exercised in my presence.

Date .....  
Place .....

Signature .....  
Name in Full .....  
Designation .....  
(Not below the rank of Gazetted Officer)

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