

**Appointment to the Maharashtra Service
of Engineers Class – I And Class -II
Procedure and Rules Regarding.....**

GOVERNMENT OF MAHARASHTRA,
Irrigation & Power Department,
Resolution No. GAB 1070 – E (I),
Sachivalaya, Bombay 32 (BR)
Dated 19th December 1970.

READ :-

- Government Resolution, Public Works Department, No. 7708 / 27, dated the 22nd March, 1937.
- Government Notification, Political & Service Department (Public Works) No. 7708 / 27, dated the 21st September, 1939.
- Government Resolution, Public Works Department No. 7708 / 27, dated the 12th July 1940.
- Government Resolution, Public Works Department No. GAB 1059 – E (I), dated the 29th April, 1960.
- Government Resolution, Irrigation & Power Department No. GAB 1061 / 74775 – E (I), dated the 24th February, 1962.
- Government Resolution, Irrigation & Power Department, No. POG 1159 / 180039 – E (I), dated the 10th September, 1964.
- Government Resolution, Irrigation & Power Department, No. GAB 1061/ 9731 – E (I), dated the 27th May 1965.
- Government Resolution, Irrigation & Power Department, No. SLS 1160 / 2507 – E (I), dated the 26th November, 1965
- Government Resolution, Irrigation & Power Department, No. GAB 1065 / 93682 – E (I), dated the 26th November 1965.
- Government Resolution, Irrigation & Power Department, No. BCS 1364 / 86460 – E (I), dated the 28th December 1965.
- Government Resolution, Irrigation & Power Department, No. GAB 1068 / E (I), dated the 18th May 1968.
- Government Resolution, Irrigation & Power Department, No. BCS 1368 / 122648 – E (I), dated the 19th February 1969.
- Government Resolution, Irrigation & Power Department, . GAB 1070 / E (I), dated the 6th July 1970.
- Government Resolution, Irrigation & Power Department, No. GAB 1070 / E (I), dated the 19th August, 1970.
- Government Resolution, Building & Communication Department, No. CDS 1170 / E, dated 3rd November 1970.
- Confidential Letter No. 73 (a) (vi) / 5685-C, dated the 10th November 1970, From the Secretary, Maharashtra Public Service Commission.



RESOLUTION :- It has been the experience during the last ten years that direct recruits to Class I and Class II are not available in the required numbers and that the proportion fixed for direct recruits and promotees were causing hard – ship to the members of junior cadre and the Subordinate Service of Engineers. A large number of temporary promoted officers both in Class I & Class II could not be confirmed in spite of permanent vacancies being available. It also led to conflict in claims for seniority, confirmations and promotions between the direct recruits and promotees on one hand and among the promotees between graduates and diploma holders on the other. A review of the 1960 Government Resolution has, therefore been under consideration of Government for some time.

With a view to remove the difficulties experienced in the last few years, to fix equitable proportions for direct recruits and promotees, to provide incentives to direct recruits as well as both to graduate and non graduate members of the Subordinate Engineering Service and thereby to ensure the efficiency of the Engineering Service as whole, the Government is now pleased to make the following Rules :-

D) ENFORCEMENT, REPEAL AND APPLICATION :

1. Those rules will come into force from 21st December 1978.
2. The Government Resolution, Public Works Department No. GAB 1059 / E (I), dated the 29th April, 1960 and all other orders issued earlier will stand superceded or modified to the extent they are repugnant to those rules.
3. These rules will apply to the Maharashtra Service of Engineers cadres both in the Irrigation and Power Department and Building and Communication Department. They will apply to the Maharashtra Public Health Engineering Services Class I and Class II also.
4. These rules will not, however, apply to the promotion to or confirmation in the posts of Superintending Engineers and Chief Engineers.

II) MAHARASHTRA SERVICE OF ENGINEERS CLASS I & CLASS II AND ITS CADRE.

5. The Maharashtra Service of Engineers shall consist of Class I and Class II and will comprise the following cadres with the scales shown against them separately under the Irrigation and Power Department and Building and Communication Department.

	<u>CLASS - I</u>	<u>PAY SCALE</u>
1	Chief Engineers	Rs. 1800-100-2000
2	Superintending Engineers	Rs. 1300-60-1600
3	Executive Engineers	Rs. 650 – (6 th Year)-45-1100-50-1200
4	Asstt. Engineers Class I	Rs. 410-30-650-EB-45-1010 (Fixed pay of Rs. 380/- during the period of probation)
	<u>CLASS II</u>	
1	Deputy Engineers	Rs. 325 –30-625-EB-30-925
2	Asstt. Engineers Class II	Rs. 325-30-625-EB-30-925 (Fixed pay of Rs. 325/- during the period of probation)
3	Sub-Divisional Engrs.	Rs. 325-25-550-30-610-EB-30-910
4	Sub-Divisional Officer	Rs. 325-25-550-30-610-EB-30-880

6. Officers who are confirmed in or who have a lien on a post in any one of the cadres of Class I or Class II will be members of Maharashtra Service of Engineers Class I or Class II respectively. Officers who do not have such a lien but who may be officiating in a post in any one of the cadres of Class I or Class II will be temporary Members of Maharashtra Service of Engineers Class I or Maharashtra Service of Engineers Class II respectively.

III) Direct Recruitment to Class 1 and Class II :

Probation and Training .

7. (a) All officers confirmed or on probation, as Assistant Engineers in Class I on the date of commencement of these rules, shall be designated as Assistant Engineers Class

- (b) All appointments to the cadre of Assistant Engineers Class I and Assistant Engineers Class II shall hence forth be made by nomination through the Maharashtra Public Service Commission by a competitive examination.

8. Appointments by nomination to the Maharashtra Service of Engineers Class I i.e. Assistant Engineers Class I and the Maharashtra Service of Engineers, Class II i.e. Assistant Engineers Class II, shall be made on the basis of a competitive examination to be held by the Maharashtra Public Service Commission. The examination shall be common for both the service. i.e. Class I and Class II and shall comprise both written papers and viva voce. Rules for the competitive examination are prescribed in Appendix I * to this resolution.

9. To be eligible for admission to the examination a candidate must :
 - (i) Have attended the age of 21 years and not have attained the age of 25 years (30 years in the case of candidates belonging to Backward Classes) on the date as may be prescribed by the commission, and

 - (ii) Have passed the B.E. (Civil) degree examination of a statutory University or possess a qualification recognised by the Government of Maharashtra as equivalent to such a degree.

10. Subject to other provisions of these rules and also subject to any reservation for candidates belonging to the Backward Classes, appointments to available posts in the Maharashtra Service of Engineers Class-I and Class-II will be made from the lists of qualified candidates prepared by the commission. Vacancies in the Maharashtra Service of Engineers, Class-I and Class-II reserved for candidates belonging to the Backward class shall be filled in by appointment in order of merit

belonging to that class who have qualified in the examination referred to above and are considered suitable for such appointments.

*** Printed as an accompaniment to this Resolution.**

Candidates selected by the Competitive examination shall, unless they have already passed a similar medical test, be placed before a Medical Board and they shall not be appointed unless the Board Certificates them to be physically and mentally fit for appointment to the Maharashtra Service of Engineers, Class I or Maharashtra Service of Engineers Class II as the case may be.

11. Candidates appointed to either of the two cadres by nomination, shall be on probation/ for a period of two years. They will be required to serve, in the first instance, as trainees for a period that may be specified by Government in each case. This period of training initially specified will not exceed one year and during that period the candidates will not be placed in charge of a Sub –Division. The period of training may be extended by Government, if the performance of candidate as seen from the notes kept by him and from the reports of the officer under he is being trained appears to be unsatisfactory and not up to the standard required. After satisfactory completion of the training the candidates will, in a probationary capacity, be placed in charge of a Sub-Division for a period of not less than one year and unless this period is extended by Government the candidates will be confirmed in his appointment in the cadre as Assistant Engineer in Maharashtra Service of Engineers Class I or Assistant Engineer in Maharashtra Service of Engineers Class II, as the case may be, after a total period of two years of his joining service on nomination if favorably reported upon by the officers under whom he may have served. During the period of training the candidates will maintain notes of the works seen and done by them, which should be submitted to Government through the Officers under whom they are placed for training. The Officers responsible for the training will scrutinise these notes carefully with a view to arriving at a general assessment of the candidate's work.

Services of candidates , who on account of adverse reports during the period are not confirmed in a total period of 3 years of joining service by nomination are likely to be dispensed with.

IV) Appointments by promotion to Class II.

12. (a) The cadre of Deputy Engineers will consist of –

- i) All officers confirmed upto the date of commencement of these rules as Deputy Engineers whether actually working in or only having alieu on the posts :
 - ii) All direct recruitment who have been appointed up to the date of commencement of these rules on probation against permanent posts of Deputy Engineers and,
 - iii) All officers who were officiating as Deputy Engineers on 30th April 1960.
- b) As many permanent posts of Deputy Engineers are required for officers covered by the above three categories will be apart at the commencement of these rules for the cadre of Deputy Engineers. No new appointments will however, be made in future to this cadre and the permanent vacancies resulting from promotion or retirement of Deputy Engineers will from time to time transferred to the other three cadres in the same proportion as are laid down for distribution of permanent posts between them.
- c) The permanent posts in Class II remaining in balance after setting the posts for the cadre of Deputy Engineer and all the temporary posts existing at any time in Class-II shall be distributed in the three cadres in the following :-

	<u>Permanent Posts</u>	<u>Temporary Posts</u>
2 Assistant Engineer Class-II	34%	NIL
3 Sub-Divisional Engineers.	33%	50%
4 Sub-Divisional Officers	33%	50%

- d) The proportions of the three cadres in the distribution of permanent and temporary posts in Class-II shown in rule 2 © will be in force for three years and will be reviewed thereafter.

- 13(a) Officers who on the date of commencement of these rules, are officiating in the erstwhile cadre of Deputy Engineers from a date later than 30th April, 1960, shall be treated as appointed from the date of commencement of these rules to officiate (i) as Sub-Divisional Engineers if they are graduates and (ii) as Sub-Divisional Officers if they are not graduates.
- (b) The service as Deputy Engineer rendered by officers covered by Sub-Rule (a) will for all purposes be treated as service rendered in their new cadres respectively.
- (c) Subject to Rule 14 below, all the appointments to the cadre of Sub-Divisional Engineers shall be made by promotion from among the Junior Engineers (graduates) from the Subordinate Service of Engineers.
- (d) Subject to Rule 14 below, all appointments to the cadre of Sub-Divisional Officers shall be made by promotion from the following categories of the Subordinate Services of Engineers.
- j) Overseers with Diploma Qualification.
 - ii) Overseers holding upper Subordinate Certificates.
- 14(a) Subject to Rules 13, 15 and 17 members of the District Technical Service Class-II (Engineering) under the Zilla Parishads will be eligible for promotion to the cadre of officiating Sub-Divisional Engineers, Sub-Divisional Officers, as the case may be provided that their promotions shall be restricted to 9 temporary posts of Sub-Divisional Engineers and 9 temporary posts of Sub-Divisional Officers under Irrigation and Power Department and 35 temporary posts of Sub-Divisional Engineers and 34 temporary posts of Sub-Divisional Officers under the Building and Communications Department, which should be reserved for them in these cadres.
- b) The number of posts reserved for Zilla Parishad employees should be reviewed every two years.

- a) In case qualified Zilla Parishad employees are not available, the vacancies out of the reserved posts may be temporarily filled by qualified Junior Engineers or Overseers, as the case may be from the Department concerned until qualified persons from the Zilla Parishad are available for promotion.
- 15) To be eligible for promotion as officiating Sub-Divisional Engineer, Junior Engineer in the Subordinate Service of Engineers or a graduate in the District Technical Service Class-III (Engineering) under the Zilla Parishad should have a minimum service of three years.
- 16) (a) The promotions to the posts of Sub-Divisional Engineer shall be made by selection from the State-wide seniority lists of Junior Engineers maintained by the Irrigation and Power Department and Buildings and Communications Department, separately.
- (b) Promotions from District Technical Service Class-III (Engineering) under the Zilla Parishads shall be similarly made by selection from the Statewide seniority list of Graduates maintained by the Rural Development Department.
- 17) To be eligible for promotion as officiating Sub-Divisional Officer the minimum services should be as under :-
- | | |
|---|----------|
| a) Diploma holding Overseers | 8 years |
| b) Overseers holding Upper Sub-ordinate Certificate | 10 years |
- 18) The promotions to the cadres of Sub-Divisional Officers shall be made by selection from the State-wise Seniority Lists of Overseers maintained by the Irrigation and Power Department and Buildings and Communications Department separately.
- 19) The promotion to the cadre of Sub-Divisional Engineers from the District Technical Service Class-III (Engineering) under the Zilla Parishads shall also be made by selection from the State wise Seniority lists maintained by the Rural Development Department.,

- 20) For preparing select lists of Overseers eligible for promotion as Sub-Divisional Officers, separate gradation lists shall be drawn up of all Non-Graduates, arranged by giving two years weightage to diploma holders over a holder of Upper Subordinate Certificate, Seniority Inter-se in each group of Overseers shall be as in the State-wise lists of Overseers.
- 21) From 1st April, 1974 onwards the promotion as Sub-Divisional Engineer or as Sub-Divisional Officer shall be further subject to passing the professional examination of Overseers unless an exemption or extension of time for passing the examination is granted in any particular case.
- 22) Promotions to the posts of Sub-Divisional Engineers and Sub-Divisional Officers shall be made on the basis of select lists to be drawn up by the Irrigation and Power Department and the Buildings and Communications Department according to the orders issued from time to time.
- 23) The officiating Sub-Divisional Engineers and Sub-Divisional Officers shall be eligible for confirmation after rendering three years of satisfactory service in officiating capacity.

V) PROMOTION AND CONFIRMATION AS EXECUTIVE ENGINEERS.

- 24) All the posts of Executive Engineer (permanent and temporary) shall be filled by promotion of (i) direct recruits to Class-I i.e. Assistant Engineers Class-I and (ii) Officers from the four cadres in Class-II viz. Deputy Engineers, Assistant Engineers Class-II, Sub Divisional Engineers and Sub Divisional Officers in the ratio of 40% for direct recruits to Class-I and 60% for promotions for Class-II
- 25) After all the Deputy Engineers ((Excepting those who are finally considered unfit for promotion have been promoted, the 60% posts of Executive Engineers available

for promotees from Class-II shall be filled by promotion in the following proportions.

- i) 25% by promotion from among the direct recruits to Class-II
- ii) 25% by promotion from among the graduate promotees in Class-II and
- iii) 10% by promotion from among the non-graduate promotees in Class-II

26) The proportions fixed in Rules 24 and 25 will be in force for three years and will be reviewed thereafter.

27) These proportions shall, as far as possible, be maintained while making officiating promotions also. The proportions may not necessarily apply to permanent or temporary vacancies in any particular year. The posts shall be filled as far as possible, in the overall proportions fixed for the various categories with reference to the total number of posts in the Executive Engineers cadre (permanent and temporary) as a whole.

28) To be eligible for promotion as officiating Executive Engineer, minimum service requirement shall be as follows:-

- i) Assistant Engineers Class-I 4 years
- ii) Deputy Engineers, Assistant Engineers Class-II and Sub Divisional Engineers. 7 years in Class-II
- iii) Sub-Divisional Officers 10 years in Class-II

29) The above eligibility for promotion shall be further subject to the passing of the prescribed professional examination, unless an exemption or extension of time to pass the examination is granted in any particular case.

30) Promotions to the posts of Executive Engineer shall be made on the basis of select lists to be drawn up by Irrigation and Power Department and the Buildings and Communications Department according to the orders issued from time to time

- 31) i) Assistant Engineer Class-I 6 years.
ii) Deputy Engineer, Assistant Engineer 10 years total service in Class
Class-II, Sub Divisional Engineer -I and Class-II
iii) Sub Divisional Officer 13 years total service in Class-
I and Class-II
- b) No Officer, will, however, be confirmed as Executive Engineer without having completed at least 2 years of satisfactory service as officiating Executive Engineer.
- 32) Assistant Engineers Class-I appointed before the commencement of these rules will be confirmed at not more than nine years of service unless the period is extended by Government.

VI) **SENIORITY**

- 33) There shall be two parts of the seniority list in each cadre in Class-I and Class-II viz. Part-A of Confirmed Officers and Part – B of those who are not confirmed.
- a) In Part-A the names shall be arranged with reference to the year of confirmation.
- b) The Confirmed Officers shall be treated as Senior to the unconfirmed officers in the respective cadre.
- c) In Part-B of the Seniority List of any cadre, the names shall be arranged with reference to the date of continuous officiation where a promotion in an officiating capacity was by way of a purely temporary or local arrangement.
- 34) On promotion as Sub-Divisional Engineers/Sub-Divisional Officers from the District Technical Service Class-III (Engineering) their seniority shall be fixed vis-a-vis those in the Irrigation and Power Department/Buildings and Communications Department with reference to the dates of promotion.
- 35) In the case of direct recruits, both in Class-I and Class-II, the Seniority will be fixed with reference to the ranks assigned to them by the Maharashtra Public

Service Commission except where a candidate fails to join within the time stipulated for joining the appointment.

- 36) In Part-A of the Seniority List of Executive Engineers, the names shall be arranged with reference to the year of confirmation as confirmations will be made by fixed proportions from among the direct recruits and purposes, the list of confirmed Executive Engineers shall, subject to the 37 below, be drawn up on the basis of length of confirmed service only,
- 37(a) In the list of permanent Executive Engineer the names of Officers confirmed in a particular year shall be arranged in the following orders :-
- i) Promotees from Assistant Engineer Class-I in a bunch.
 - ii) Promotees from the Deputy Engineers in a bunch.
 - iii) Promotees from the Assistant Engineers Class-II in a bunch.
 - iv) Promotees from the Sub Divisional Engineers in a bunch.
 - v) Promotees from the Sub Divisional Officers in a bunch.
- b) In list of permanent Deputy Engineers, the names of Officers confirmed in a particular year shall be arranged in the following orders.
- i) Direct recruits to Class-II in a bunch,
 - ii) Promotees from Class-II in a bunch.
- 38) a) As an exception to Rule 37 and as a special measure adopted to mitigate the hardship either to direct recruits or promotees, the confirmation against the backlog of vacancies resulting from modifications of proportions of direct recruitment and promotions or minimum service requirements made through these rules shall in both the cadre of Executive Engineers and Deputy Engineers be made with reference to the fixed proportions in the cadre as a whole but the names of officers so confirmed shall be arranged against vacancies rotated as far as possible between direct recruits and promotees in the ratio of 1:1
- b) The officers confirmed under this Rule shall hold the same inter-se-seniority as will be allotted to them in the order of their confirmation.
- c) This rule will be in operation only upto the 30th June, 1971.

VII) PRINCIPLES OF PROMOTION AND CONFIRMATION :-

- 39) Officiating promotions and confirmations shall, subject to suitability be governed by seniority. They all also be subject to the overall proportions and minimum service requirements fixed for different categories in these rules.
- 40) All officiating promotions made in excess of the fixed proportions or in contravention of the fixed minimum requirements of service shall be treated as fortuitous and the service rendered in that capacity shall not count for seniority.

VIII) REMOVAL OF DIFFICULTIES :

- 41) Where the State Government is satisfied that the operation of any of the foregoing rules regulations the conditions of service of persons appointed by M.S.E. Class-I and Class-II causes undue hardship in any particular case, it may, by order, dispense with or relax the requirements of that rule to such extent and subject to such exception and conditions, as it may consider necessary for dealing with the case in a just and equitable manner.
- 42) These orders are being issued with the concurrence of the Finance Deptt. D.O. Letter No. PCR-1870/XXVI, dt. 9th Oct. 1970, and also with the concurrence of the Buildings and Communications Deptt. and the General Administration Department.
- 43) The General Administration Deptt. is requested to issue necessary correction slip to the Maharashtra Civil Service Classification and Recruitment Rules.

By Order and in the name of the Governor of Maharashtra

Sd/-
(B.A. KULKARNI)
Secretary to Government.

