

DHOOL GAZETA

የሶማሌ ክልላዊ መንግሥት
Somali Regional State

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| <p>Qimaha የንዱ ዋጋ 10.35 Unit Price</p> | <p>Dhool Gazeta Waxaa soo Saara Baarlamaanka Dawladda Deegaanka Sommaalida</p> | <p>✉ 205</p> |
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Bayaan Tirsi 66 /2000
Bayaanka Dib Habeyanta bayaanka
Maamulka Shaqaalaha Dawlada
Deegaanka Soomaalida bayaan tirsi
38/1995

አዋጅ ቁጥር ፳፮፻፲፱
 የሶማሌ ክልላዊ መንግሥት
 የመንግሥት ሠራተኞች አስተዳደር
 አዋጅ ቁጥር ፴፰/፲፱፻፺፭ ለማሻሻል
 የወጣ አዋጅ

Proclamation No 66/2000
 The Proclamation to Provide an
 Amendment of Civil Servant
 Proclamation no 38/1995 of Somali
 Regional State

Bayaan Tirsi 66 /2000
Bayaanka Dib Habeyanta bayaanka
Maamulka Shaqaalaha Dawlada
Deegaanka Soomaalida bayaan tirsi
38/1995

Maadaama Bayaanka Maamulka Shaqaalaha Dawlada Deegaanka Soomaalida, Bayaan Tirsi 38/1995 una xeerinayn qodobbo ku taxaluqa hanaanka xulaashada iyo meelaynta shaqaalaha dawladda ee xaladaha dib-u-habeeynta shaqaalaha ama qaab-dhismeedka hay'adaha dawlada. Maadaama ay haboon tahay in la bayaamiyo nidaam qaabila isla markaana dhagaysta cabashooyinka shaqaalaha dawlaadda ee aan ku qanacsanayn habka xulashadda & meelaynta shaqaalaha dawladda ee wax iska bedelka hay'adaha dawladda Maadaama ay haboon tahay in la bayaamiyo qodobbo dheeri ah oo daboolaya baahidan oo ka mid noqonayaa bayaanka. Sidaasi awgeed, Golaha Xildhibaanada ee Deegaanku Soomaalida sida u dhigayo qodobka 49(3,b) ee dastuurka dib loo habeeyay ee deegaanka wuxuu bayaaminayaa sidan.

አዋጅ ቁጥር ፳፮፻፲፱
 የሶማሌ ክልላዊ መንግሥት
 የመንግሥት ሠራተኞች አስተዳደር
 አዋጅ ቁጥር ፴፰/፲፱፻፺፭ ለማሻሻል
 የወጣ አዋጅ

የሶማሌ ክልላዊ መንግሥት የሠራተኞች አስተዳደር አዋጅ ቁጥር ፴፰/፲፱፻፺፭ የመንግሥት አካላት አደረጃጀት ወይም የሲብል ሰርቪስ ማሻሻያ በሚደረግበት ጊዜ ለሠራተኛው ምረጫ ምደባ የሚመለከት አንቀጾች የማይደነገግ ሆኖ በማገኘቱ፡- በመንግሥታዊ ተቋማት አደረጃጀት ምክንያት የሚያስከትለው ለውጥ ለሠራተኛው ምረጫ ምደባ ቅሬታ ያላቸው ሠራተኞች የሚቀራረብበትና የሚቀላቀልበት ሥርዓት መደንገግ አስፈላጊ ሆኖ በመገኘቱ፤ የሶማሌ ክልል ም/ቤት በተሸሻለው የክልል ሕገ-መንግሥት አንቀጽ ፵፱ (፫.ሀ) መሠረት የሚከተለውን አውጇል ፡፡

PROCLAMATION NO 66/2000
THE PROCLAMATION TO
PROVIDE AN AMENDMENT OF
CIVIL SERVANT
PROCLAMATION NO 38/1995 OF
SOMALI REGIONAL STATE

Whereas, civil services proclamation no 38/1995 of Somali regional state is found inappropriate in regulating the selection and placement of civil servants in the occasions of civil service reform or restructuring of public bodies.

Whereas, it is important to provide a mechanism that entertains and hears complaints lodged by civil servants not dissatisfied with their selections and placement of civil servants in implementing service reform program or restructuring of Government institutions.

Whereas, it is found necessary to proclaim additional provisions as part of the proclamation to fulfill the gap.

Now therefore, in accordance with Article 49(3, A) of the revised constitution of the Somali regional state, it's hereby proclaimed as follows;

Qodka 1^{aad} **Ciwaan Gabaan**
Bayaankan waxaa loogu yeedhi karaa
"Bayaanka waxka bedelka bayaanka
maamulka shaqaalaha Dawlada ee
Deegaanka Soomaalida ee tirsiiigisu
yahay, bayaan tirsi 66/2000".

Qodka 2^{aad} **wax ka bedel**
Qodobada soo socda ee bayaaankan 72,
73, 74 iyo 75 oo cusub oo noqonayaa
qaybta kow iyo tobnaad ee bayaanka
maamulka shaqaalaha dawlada deegaanka
soomaalida bayaan tirsi 38/1995. iyadoo
qaybta hore kow iyo tobnaad ee bayaanku
ay tahay qaybta laba iyo tobnaad , qayb
kasto oo ku xigtana hal tiro dib u gurayso
ayay qodobadi hore ee 72, 73, 74,
75,76,77,78,79,80,81,82,83,84,85,
86, 87, 88 isla bayaankaas ay
noqonayan 76, 77, 78, 79. 80, 81, 82, 83,
84, 85, 86, 87, 88, 89, 90, 91, 92

Qaybta kow iyo Tobnad

Geedi - socodka dib u habeynta qab-
dhismeedka xafiisyada, Meleeynta iyo
caydhinta shaqaalaha dawlada

72^{aad} **Xulashada shaqaalaha**

1. Shaqaalaha dawladda waxaa lagu xulan hab wafaaqsan awaamiirta golaha hawl-fulinta ee degaanku u soo saaro xulashada shaqaalaha u qalmaya meeleynta ee geedi-socodka dib u habeynta hay'adaha dawlada deegaanka.
2. Iyadoo laga duulayo farqada (1^{aad}) ee qodobkan qalmida ama u qalmilanta meeleynta shaqaalaha waxaa lagu xaqiijin:-
 - b). in ay goaantahay hirgalinta yoolka horumarineed iyo maamulka suuban ee dawlada deegaanka.
 - t)' in lagu yaqaan sumcad wanaag , isxilqaan shaqo iyo fir-fircooni iyo.
 - j). in lagu yaqaan Nadif ka ahaanta musuqa leh anshax wanaagsan
 - x). inu nadif ka yahay uruurada nabad diidka ah.

አንቀጽ ፩ አጭር ርዕስ
ይህ አዋጅ የሱማሌ ክልላዊ መንግሥት የመንግሥት ሠራተኞች አስተዳደር አዋጅ ቁጥር ፴፰/፲፱፻፺፭ ለማሻሻል የወጣ አዋጅ ቁጥር ፳፮፻ሺህ ተብሎ ሊጠቀስ ይችላል ።

አንቀጽ ፪ ማሻሻያ
በሚከተሉት አዋጅን አዲስ አንቀጾች ፸፪ ፣ ፸፫፣ ፸፬፣ እና ፸፭ የመንግሥት ሠራተኞች አስተዳደር አዋጅ ቁጥር ፴፰/፲፱፻፺፭ ክፍል አሥራ አንድ ሆኖ የመጀመሪያ የአዋጅ ክፍል አሥራ አንዱ ወደ አሥራ ሁለት በማሸጋሸጉ የአያንዳንዱ ክፍልም በአንድ ቁጥር በማሸጋሸግ የአዋጅን አንቀጽ ፸፪ ፣ ፸፫፣ ፸፬፣ ፸፭፣ ፸፮፣ ፸፯፣ ፸፰፣ ፸፱፣ ፹፣ ፹፩፣ ፹፪፣ ፹፫፣ ፹፬፣ ፹፭፣ ፹፮፣ ፹፯፣ ፻፩ ፣ ፻፪ ፣ ተብሎ ተስተካክሏል ።

ክፍል አሥራ አንድ
የክልሉ መንግሥት መሥሪያ ቤቶች
እንደገና በማደራጀት ሂደት
የሠራተኞች ድልድልና ስንብት

- ፸፪" ስለ ሠራተኞች መረጣ
- ፩. የክል መሥሪያ ቤቶች እንደ ገና በማደራጀት ሂደት በክልሉ ካብኔ በሚያወጣው መመሪያ መሠረት ብቁ የሆኑ ሠራተኞች ተለይተው ለድል ድል እንዲቀርቡ ይመረጣሉ ፤
 - ፪. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) መሠረት ሠራተኞች:
 - ሀ) የክልል መንግሥት የመልካም አስተዳደርና የልማት ተልዕኮ ለማሳካት የተዘጋጁ
 - ለ) በተነሳሽነታቸውና በታሪክ ነታቸው የታወቁ ፤
 - ሐ) ከሙስና የፀዳና በመልካም ሥነ-ምግባራቸው የታወቁ መሆናቸው
 - መ) ከፀረ-ሰላም ኃይሎች ግንኙነት አለመኖሩ እየተረጋገጠ ለድልድል ንቁ መሆናቸው ወይም አለመሆናቸው ይታያል ።

Part one
General provisions

Art 1. Short Title
This proclamation may be cited as "The Proclamation to Amend Civil Servants Proclamation No 66/2000 of the Somali Regional State, Proclamation No 66/2000"

Art 2. Amendment
The following new articles 72,73,74,75 is included in section eleven of proclamation no 38/1995 where the previous Article 73,74,75,76,77,78,79,80,81,82,83,86, 87, 88 are renumbered 77, 78, 79, 80, 81, 82, 83, 86, 87, 88, 89, 90, 91 and 92 respectively.

Part Eleven

Placement and Dismissal of Civil Servants in the Reform and Restructuring of the Offices of the regional State

- 72". **Eligibility for placement**
1. Civil servants shall be identified in accordance with the directives and by the committee of the regional state in order to select civil servants that are eligible for placement in the restructured offices of the regional state.
 2. In accordance with sub-article (1) of this Article, the eligibility or ineligibility of civil servants shall be determined on the basis of their ;
 - a). Readiness to accomplish the mission of the regional state in respect of good governance and development;
 - b) Good reputation for honesty, hard work and initiative;
 - c). good reputation for integrity, incorruptibility and ethical behavior.
 - d). that he/she independent of external influences and elements

73^{aad} Meleeynta Shaqaalaha

Dawlada

1. Shaqaalaha hab-wafaaqsan qodobka 72^{aad} ee bayaankan loo xushay inay u qalman meleeyn waxaa lagu meleeyn xafiiska ay dawladu u go'aamiso.
2. Iyadood u sidiisa yahay arimaha ku cad furqada 1^{aad} ee qodobkan shaqaalaha loo xushay in ay u qalman meleeyn lakiin aan loo helin boos shaqo waxaa go'aan ka gaadhi golaha hawlfuulinta.
3. marka Hab wafaaqsan farqada 2^{aad} ee qodobkan go'aanka golaha hawl fulintu u noqdo in shaqaalaha boos shaqo loo waayo in la dhimo waxaa lagu magdhaawi hab wafaaqsan qodobka 85^{aad} ee bayaan tirsi 38/1995 ee dib numberiyay ee bayaanka maamulka shaqaalaha dawlada deegaanka.

74^{aad} Habka Cabashooyinka

1. Shaqaalaha dawlada ee sida u dhigayo qodobka 72^{aad} nidaamka xulasho ee ku cad marka loo arko in una u qalmin meleeyn, ee cabasho ka qabo go'aankas, wuxuu cabasho u soo dhaweeyan karaa gudiga racfaanka cabashooyinka ee deegaanka oo racayaa X/nidaamka golaha hawlfuulinta ee deegaanka u soo saaro cabaashooyinka. go'aanka gudiga dhegaysiga cabashooyinka racfaanka ee deegaanku waa kamadameys, wax racfaan ahna lagama qadanayo
2. Shaqaalaha dawlada ee kadib marka loo xushay inu u qalmo meeleyn ee aan ku qancsanayn habka qaybiinta loo sameeyay, wuxuu cabasho u soo dhaweeyan karaa gudigaa dhegaysi cabaashooyinka qaybinta shaqaalaha oo racayaa X/nidaameedka u Golaha hawlfuulinta u soo saaro. go'aanka gudigu waa kama dambeys wax racfaan ah lagama qadan karo.

፸፫፻ ስለ መንግሥት ሠራተኞች ምደባ

- ፩. በዚህ አዋጅ አንቀጽ ፸፪ መሠረት ለምደባ ብቁ ሆነው የተመረጡ የመንግሥት ሠራተኞች ካብኔው በሚወሰነው መሥሪያ ቤት መሠረት ይመደባሉ ፤
- ፪. የዚህ አንቀጽ ንዑስ አንቀጽ (፩) ድንጋጌ ቢኖርም ለምደባ ብቁ ሆነው ከተመረጡ በኋላ የሥራ መደብ ያልተገኘባቸውን የመንግሥት ሠራተኞች በተመለከተ ካብኔው በሚወሰነው መሠረት ይፈጸማል ።
- ፫. በዚህ አንቀጽ ንዑስ አንቀጽ (2) መሠረት የካብኔው የሥራ መደብ ያልተገኘባቸው ሠራተኞች እንዲሰናበቱ ሲወሰን ፣ ሠራተኞቹ በአዋጅ ቁጥር ፴8/፲፱፻፺፭ አንቀጽ ፹፭ መሠረት ካሳይከፈሉ ላቸዋል ።

፸፬፻ ስለ ቅሬታ አቀራረብ

- ፩. በዚህ አዋጅ አንቀጽ ፸2 መሠረት ለምደባ ብቁ ያልሆኑትና ቅሬታ ያላቸው የመንግሥት ሠራተኞች የክልሉ ካብኔ በሚያቋቁመው የቅሬታ ይግባኝ ኮሚቴ ካብኔ በሚያወጣው ደንብ መሠረት ቅሬታ ሊያቀርቡ ይችላሉ ። የቅሬታ ይግባኝ ሰሚ ኮሚቴ ውሳኔ የመጨረሻ ይሆናል ። ከውሳኔው ይግባኝ ይወሰንላቸዋል ።
- ፪. ለመረጣ ብቁ ሆኖ ከተመረጠ በኋላ በተካሄደው ድል ድል ቅሬታ ያላቸው የመንግሥት ሠራተኞች የክልሉ መንግሥት ካብኔ በሚያቋቁመው የድድል ቅሬታ ዎች ሰሚ ኮሚቴ ካብኔው ቢያወጣው ደንብ መሠረት ቅሬታቸውን ሊያቀርቡ ይችላሉ ። የኮሚቴው ውሳኔ የመጨረሻ ነው ፣ ይግባኝ መጠየቅ አይፈቀድም ።

73' Placement of civil servants

1. Civil servants that found eligible in accordance with Article 72 of this proclamation shall be placed in the offices of the region as determined by the regional state.
2. Notwithstanding the provision sub-article of (1) of this Article, cases of eligible civil servants that are not placed for lack of vacant position shall be administrated by the decision of regional state.
3. Where the decision of the regional state in accordance with sub-article (2) of this article entails the retrenchment of employees for lack of position, such civil servants shall be entitled to severance pay in accordance with Article 85 as renumbered of civil service proclamation no 38/1995

74' Grievance procedure

1. A civil servant that has been identified as not eligible for placement as per Article 72 of this proclamation may lodge his compliant on the decision to the Appellate committee of the regional state in accordance with the regulations issued by the cabinet of the regional state. The decision of the Appellate committee shall be final' no appeal shall be lie from such decision.
2. A civil servant that has been identified eligible for placement but dissatisfied with the placement given to him may lodge his complaint on the decision to the grievance committee in accordance with the regulations issued by the regional state. The decision of the grievance committee shall be final; no appeal shall be lie from such decision.

75^{aad}. Maxkamada Arrimaha Shaqaalaha Dawlada

Maxkamada maamulka shaqaalaha ee lagu asaasay bayaanka tirsigisu yahay 38/1995 in ay dhagaysato cabashooyinka shaqaalaha dawladu awood garsoor uma laha arrimaha lagu bayaamiyay qodobada 72,73, 74 ee bayaankan, wixii dacwada ah ee arrimahan la xidhiidha ee ay gacanta ku hayan waa in ay ku wareejiyaan gudiga cabashooyinka ee u dhisayo golaha hawl-fulinta ee deegaanku.

Qodk 3^{aad}. Iyadoo arrimaha ku cad farqada 1,2 iyo 3 ee Qodka 85^{aad} ee dib loo nambeeryiy ee bayaanka maamulka shaqaalaha dawlada deegaanku uu sidiisa ahaanayo waxaa lagu daray farqadan 4^{aad} ee hoos ku cad:-

4''. marka shaqaalaha joogtada ah lagu caydhiyo hab waafaqsan qodobka 72 & 73 ee bayaankan waxaa la siin sadex bilood oo musharkiisii ah lana sugayo xuquuqdiisa hawl-gabnimo.

Qodka 4^{aad} Mudada Dhaqangalka

Bayaanka

Bayaankani wuxuu dhaqan-galayaa laga bilaabo Bisha 30ka nahase/2000 Ec.

Waxaa la ansixiyey 4/pagume/2000

Jig-jiga

C/laahi Xasan Maxammed
Madax-waynaha Dawladda Deegaanka

75'' የመንግሥት ሠራተኞች የአስተዳደር ፍርድ ቤት

በአዋጅ ቁጥር ፬፮/ ፲፱፻፺፭ መሠረት የተቋቋመው የመንግሥት ሠራተኞች የአስተዳደር ፍርድ ቤት በዚህ አዋጅ አንቀጽ ፸፪, ፸፫ እና ፸፬ በተደ ነገጉ ጉዳዮች የመዳኘት ሥልጣን የለውም :: በመታየት ላይ ያለው እነዚህ ጉዳዮች የክልሉ ካብኔ በዚህ በሚቋቋመው የአቤ ቱታ ሰሚ ኮሚቴ ማሰባሰብ ማስተ ላለፍ አለባቸው ::

አንቀጽ ፫ በአዋጁ አንቀጽ ፹፭ በአዲሱ ቁጥ 30-ስ አንቀጽ ፩፣ ፪ እና ፫ ድንጋጌዎች እንደተጠበቁ ሆኖ አዲስ 30-ስ አንቀጽ ፬ ተጀምረዋል ::

4'' ማንኛውም ቋሚ የመንግሥት ሠራተኛ በዚህ አዋጅ አንቀጽ ፸2 እና ፸፫ መሠረት ከሥራ ስን ብት የሦት ወር ደምወዝ ይከፈላቸዋል ፤ የጡረታ መብ ቱም ይከበርለታል ::

አንቀጽ ፬ አዋጁ የሚፀናበት ጊዜ

ይህ አዋጅ ከነሐሴ ፬/፪ ሺህ ፡፡፡ ጀምሮ የፀና ይሆናል ::

ጅጅጋ ጳጉሜ ፬/፪ ሺህ ፡፡፡

አብደላሂ ሐሰን መሐመድ

የሱማሌ ክልላዊ መንግሥት ፕሬዚዳት

75''. Civil Service Administrative Tribunal

The Civil service Administrative tribunal established pursuant to proclamation no 38/1995 to hear complaints of civil service have no jurisdiction to hear over complaints against matters proclaimed under Articles 72, 73, 74 of this proclamation. Complaints relating to it, pending before the Administrative tribunal shall be transferred to the Appellate committee established by the cabinet of the regional state.

Art 3. Under sub-Article 1, 2,3 of Article 85 as renumbered of the proclamation is added the following new sub-article four.

4''. Where a permanent civil servant is terminated under Article 72 and 73 of this proclamation shall be entitled amount equivalent to his three months salary as severance pay in addition to his right under pension law.

Art 4. Effective Date

This proclamation shall enter into force as of 30th day of Nahase 2000.

Done at Jig-jiga this 04th day of pagme 2000

Abdullahi Hassan Mohammed

President of Somali