

MIZORAM RIGHT TO PUBLIC SERVICES ACT, 2015

[Act No. 6 of 2015]

(Mizoram sawrkar hnathawhna-ah mipuite laka sawrkar mawhphurhna dan)
[Act No. 6 of 2015]

HE DAN HI

Mizoram state chhunga mipui ten sawrkar hnathawhna (Public services) tarlan bikah te hunbi tuk chhungin an mamawh an dil chhuah ngei theihna tur atan te leh chutiang hawizawnga mipuite tana awlsamna leh hamthatna awm te pekchhuah anih theihna atan.

India ram in mahni a ro inrelna a neih atanga kum sawmruk leh parukna ah Mizoram Legislative Assembly chuan he dan hi a siam a, chu chu:-

1. A dan hming, a huamchin leh hman tan ni tur:

- (1) He dan hming atan hian Mizoram Right to Public Services Act, 2015 tih ani ang.
- (2) Mizoram pum huap tura siam a ni.
- (3) State sawrkar in Official Gazette (Sawrkar thuchhuahna) ah hriattirna abik taka chhuah in a hman tan ni tur hi a ruat ang.

Sawizauna: He dan hi Notification No. H. 12018/236/2014- LJD, the 16th April, 2015 anga chhuah ani a, Mizoram Gazette, Ext. Ordinary, Vol. XLIV Dt. 20/4/2015 Issue No. 156 ah chhuah a ni bawk. Mizoram Governor remtihpuina hi Dt. 25/3/2015 hian lak ani bawk.

Tin, Dt. 1.12.2015 atangin he dan hi ataka hmang turin hriattirna Notification No. H. 12017/1/2014- P&AR (GGC) 23rd Oct., 2015 (Vide, Mizoram Gazette, Ext. Ordinary, Vol. XLIV Dt. 8.12.2015 Issue No. 628)hmanga chhuah a ni.

2. A hmanna tur thuneitu te:

He dan hi sawrkar hnathawk, mipui hamthatna tura thawk tu (civil services) emaw chutiang sawrkar hna bik (post) chelh tute, sawrkar hnathawk dang hun engemawti chhunga chutiang hna thawk tura rawih (deputation basis) te, tualchhung sawrkar a thuneitute leh thuneitu dang Mizoram sawrkar hnuai ami emaw Mizoram sawrkar in sumpaia a tuamhlawm thuneitu dang te pawh huamtel in, Mizoram sawrkar hna an thawhna kawng hrang hrang ah hman tur a ni. Ahnuai amite erawh hi chu a huam velo ang,

- (1) A kah pah (casual) a rawih te leh ni bi ang (daily rates basis) a thawk te ah
- (2) Sawrkar nena inremna bil neia rawih (contract) ah te, chutianga sawrkar nen an inremna ah abik taka ziahlan anih loh chuan.
- (3) Sawrkar mi pawimawh bik, an hnathawh leh kalphung India danpui (Constitution) in a tarlan phak te
- (4) Sawrkar hnathawk India danpui hnuai Schedule parukna (Sixth Schedule) hnuai inrelbawl bik ah te

3. Hrilhfiahna:

He dan ah hian abik taka kawhbik nei anih loh chuan:-

- (a) "Application" tih hi ziakin a dil theitu in he dan hnuiaia tarlan bik sawrkar mawhphurhna (Notified services) a dilna.
- (b) "Designated Officer" tih hi tualchhung sawrkar leh sawrkar in sumpaia a tanpui leh a pek thin pawl te pawh huam telin, section 4 (2) anga a diltu mipuite mamawh pechhuaktu tur atana ruatbik sawrkar thuneitu tihna a ni.
- (c) "Eligible person" tih awmzia chu khua leh tui tupawh he dan hnuiaia tarlan bik sawrkar hmalakna dilchhuak thei tura dikna chanvo nei te a ni.
- (d) "First Appellate Authority" tih hi section 4 (3) hnuiaia thuneitu atana ruat, mi tu emaw sawrkar hnathawk ten mipui in sawrkar -a an thil, dil tualchhung sawrkar a thawk te tiamin pechhuak tha duh lo emaw pechhuak tlai tute hremna leh thupek tul dang pe tura thuneitu atana ruat te an ni.
- (e) "Government Servant" tih hi mipui hamthatna tura sawrkar hnathawk (civil service) te, sawrkar hnathawk dang hun engemawti chhunga chutiang hna thawk tura rawih (deputation basis) te, tualchhung sawrkar a thuneitute leh thuneitu dang Mizoram sawrkar hnuai ami emaw Mizoram sawrkar in sumpaia a tuamhlawm thuneitu dang te pawh sawina a ni.
- (f) "Local body" tih hi sawrkara thunei tu, Municipality te, Development Council ho te, Town Planning Authority te, Village Council te, Autonomous District Council te erawh tello in mahni thuneihna bila inrelbawl (Autonomous body) te, emaw dan anga Mizoram state chhunga thuneitu dang, mipui nawlpui mamawhna puhru tura hnathawk emaw khawimaw lai tualchhung bik tana sawrkar hmalakna kengkawhtu te sawina a ni.
- (g) "Notification" tih hi Official Gazette-ah hriattirna chhuah tihna a ni.
- (h) "Notified service" tih hi section 4 (1) angin state sawrkarin mipuite laka sawrkar mawhphurhna a tarlan bikte tihna a ni.
- (i) "Prescribed" tih hi he dan hnuiaia Inkaihhruaina (Rules) in a tarlan/tuk bik sawina a ni.
- (j) "Right to public service" tih hi he dan hnuiaia tarlan bik te, he dan section 5 in a tarlan anga hun bi tuk chung ngeiin mipuiin an dilchhuah maitheih dikna chanvo tihna a ni.
- (k) "Rules" tih awmzia chu State sawrkar in he dan hnuiaia Inkaihhruaina (Rules) a siam tihna a ni.
- (l) "Second Appellate Authority" tih hi tualchhung thuneitute tiamin he dan section 4 (3) angin lungawiloh thu thlenna tur thuneitu tihna a ni.
- (m) "State Government" tih awmzia chu Mizoram sawrkar tihna a ni.
- (n) "Stipulated time limit" tih awmzia chu he dan section 4 (1) anga hunbi ruat bik, Designated Officer ruatbik in mipui te hnena an mamawh a pekchhuah hunbi tuk emaw, First Appellate Authority leh Second Appellate Authority te hnenah lungawi loh thu thlen chinfel hun chung tura hun bi tuk tihna a ni.
- (o) "Year" tih awmzia chu Calendar pangngai a kumbi, January ni 1 atanga chhut a December ni 31 thleng tihna a ni.

4. Sawrkar mawhphurhna (public Services) tura tarlanna leh hunbi tuk na, Designated Officers, First Appellate Authority leh Second Appellate Authority te:

(1) State sawrkar in atul hun apiangah he dan hnuai sawrkar mawhphurhna (public service) tur hi a ruat bik anga, tin, mipuite hnena pekchhuah na tur hunbi pawh atuk thei ang a,

(2) Achunga sub-section (1) anga public services tarlan ang te mipui hnena fel taka pechhuaktu tur bik Officer rintlak tak te Official Gazette-a chhuah in State sawrkar hian a ruat ang a, chutiang mite chu 'Designated Officers' tih an ni ang.

(3) State sawrkar hian Official Gazette-ah hriattirna chhuahin Officer te zingah mipuite hnena public service pekchhuah thu a lungawilohna thlenna tur First Appellate Authority leh Second Appellate Authority te aruat bawk ang.

(4) Achunga sub-section (3) na anga mipui mamawh pekchhuah tura mawh phur tura ruat First Appellate Authority te hi Designated Officer te aiin an hna chelh a lal zawk anni tur ani a, chutiang bawkin Second Appellate Authority te pawh First Appellate Authority tura ruat aiin an hna chelh a lal zawk ani bawk tur a ni.

5. Hunbi tuk chung ngeia khua leh tui ten sawrkar hnen atanga mamawh an hmuh mai na tur dikna chanvo:

He dan hnuai section 4 (1) anga hunbi tuk chung ngeiah hian dan anga dikna chanvo nei mipui ten sawrkar atanga an duh leh mamawh dilchhuah hi an dikna chanvo a ni.

6. Sawrkar hnathawkten hunbi tuk chungin mipui mamawh an pekchhuah hi an bat a ni:

(1) Designated Officer hian section 4 (1) anga hunbi tuk chung ngeiin mipui ten an mamawh an dil chu a pechhuak ngei tur a ni.

(2) A chung sub-section (1) ti hlawhtling tur hian Designated Officer chuan Officer dangte emaw sawrkar hnathawk dangte tanpuina atul ang zelin a dil thei ang.

(3) Designated Officer in Officer dangte emaw sawrkar hnathawk dangte ah puihna adil thu ah, chu sawrkar hnathawk dang pawh chu he dan hnuai atul anga athawhna ah chuan Designated Officer mawhphurhna la anga ngaih ani ang.

7. Mipuite mamawh pe chhuak tura hun bi tuk:

(1) Mipuite thil dil pechhuak tura hun bi tuk hi an dilna Designated Officer emaw sawrkar hnathawk mawhphurtu dang emaw ten an dawn ni atanga chhiar tan tur ani ang a, chutiang dilna reng reng chu an dawnna lehkha chu ziakin a diltu hnenah an pe ngei bawk tur a ni.

(2) A chung sub-section (1) a tarlan angin Designated Officer in mamawh dilna a dawn chu hunbi tuk chung ngeiin a pechhuak in emaw, hnawl tur chi anih chuan a hnawlna lehkha chu a diltu hnenah ziakin a chhan leh vang tarlang ngei

bawkin ape chhuak tur a ni:-

(a) a dilna hnawl anihna chhan te;

(b) dilna hnawl anih avanga lungawilohna thuneitu sang zawka a thlen theih hun chhungte; leh

(c) a lungawilohna athlenna tur First Appellate Authority te a hrilh hre chiang bawk tur a ni.

8. Lungawiloh thu thlenna hmasa:

(1) Mi tupawhin in thuneitu hnenah a mamawh a dil anih a, a dilna chu hnawl anihin emaw, hunbi tuk chhunga pekchhuah anih loh chuan a lungawiloh thu chu, a dilna hnawl anih ni atanga chhuta ni 30 chhungin emaw, a dilna hunbi tuk chhunga pekchhuah anih loh chuan dan in pekchhuah hun bi atuk chhung aral atanga chhuta ni 30 chhungin emaw First Appellate Authority ah lungawiloh thu a thlen nghal thei. First Appellate Authority chuan lungawiloh thu thlen a dawnna chu ziaka hming ziah hnan in a thlen tu hnenah a dawn ngei thu a pechhuak bawk tur a ni.

Amaherawhchu, achunga tarlan ni 30 chhung tih ah khian, chhan leh vang tling tawk avanga ni 30 chhunga lungawiloh thu a thlen hman nganglo anih chuan, ni 30 ral hnu ah pawh First Appellate Authority chuan lungawiloh thu thlen chu a chhan leh vang atha tawk anih chuan alo la pawm sak thei ang, chutihlaiin engkawng zawng mahin lungawiloh thu thlen chu ni 60 ral hnu ah chuan pawmsak theih ani tawh lo ang.

(2) First Appellate Authority chuan sub-section (1) a tarlan lungawiloh thu thlen chu a dawnni atanga chhuta ni 30 chhungin a relfel sak ngei tur a ni.

(3) First Appellate Authority chuan lungawiloh thu thlen a relna ah chuan Designated Officer chu hunbi ruat sakin mi in sawrkara a mamawh an dil chu pechhuak tura thu pe in emaw lungawiloh thu ahnena thlen chu hnawl emaw pawhin a rel thei anga. First Appellate Authority chuan lungawiloh thu thlen chu ahnawl anih chuan ahnawl chhan chiang takin a thutlukna ah a ziak lang bawk tur a ni.

Amaherawhchu, First Appellate Authority hian sub-section (3) a tarlan anga lungawiloh thu thlen a ngaihtuahna ah chuan Designated Officer leh lungawiloh thu thlen tute thu leh hla chu lai takin a ngaithla ve ve ngei tur a ni.

9. Second Appeal:

(1) First Appellate Authority rorelna a lungawilo Designated Officer emaw, mimal sawrkar dawrtu zawk emaw te chuan chumi thutlukna siam atanga chhuta ni 30 chhungin Second Appellate Authority hnenah lungawiloh thu an thlen ve leh thei ang.

Amaherawhchu, achunga tarlan ni 30 chhung tih ah khian, chhan leh vang tling tawk avanga ni 30 chhunga lungawiloh thu a thlen hman nganglo anih chuan, ni 30 ral hnu ah pawh Second Appellate Authority chuan lungawiloh thu thlen chu a chhan leh vang atha tawk anih chuan alo la pawm sak thei ang, chutihlaiin engkawng zawng mahin lungawiloh thu thlen chu ni 60 ral hnu ah chuan pawmsak theih ani tawh lo ang.

(2) Second Appellate Authority chuan ahnena lungawiloh thu thlen chu thubuai putluh atanga chhutin ni 30 chhungin Designated Officer chu hunbi ruat sakin mi in sawrkara a mamawh an dil chu pechhuak tura thu pe in emaw, a thubuai in a zir ang zelin thutlukna dang pawh a siam thei ang.

Amaherawhchu, Second Appellate Authority hian sub-section (2) a tarlan anga lungawiloh thu thlen a ngaihtuahna ah chuan Designated Officer leh lungawiloh thu thlen tute thu leh hla chu lai takin a ngaithla ve ve ngei tur a ni.

10. Lungawiloh thu thlenna (Appellate Authority) te thuneihna:

(1) Ahnuaia tarlan te chungthu bikah hian First Appellate Authority leh Second Appellate Authority te hian an hnena thubuai awm an ngaihtuahna ah Code of Civil Procedure, 1908 in Civil Court te thuneihna apek ang an nei ang, chungte chu:-

- (a) Lehkha pawimawh enfiah leh an hnena thehlun tir tura thuneihna;
- (b) Designated Officer leh thubuaia lungawilo te a hnena inlan tura koh theihna, leh
- (c) He dan hnuaia tarlan anga atul danga thuneihna.

11. Inhremna;

(1) (a) First Appellate Authority hian thubuai a ngaihtuahna ah chhan leh vang tha tawk awm lovin Designated Officer hian sawrkar hnena mamawh diltu hnenah a dilna a pechhuak duhlo anih chuan chu Designated Officer chu ₹ 500/- (cheng zanga) aia tlem lo cheng 5000/- (sangnga) thleng a chawitir thei ang.

(b) First Appellate Authority hian thubuai a ngaihtuahna ah chhan leh vang tha tawk awm lovin Designated Officer hian sawrkar hnena mamawh diltu hnenah a thil dil chu pechhuak mai lovin a ti khawtlai ni a a hmuh chuan hun tiam bituk apelh atanga chhutin ni khatah cheng 250/- (zahnih leh sawmnga) zel nitin a tih khawtlai hunchhung zawng chawi turin ati thei a, chutihlaiin a pawisa chawi tur chu a zavaiin cheng 5000/- (sangnga) aia tam erawh a chawitir tur ani lo.

Amaherawh chu, Designated Officer hi hremna pek anih hma in insawifiahna hun remchang erawh siam sak ngei ngei tur a ni.

(2) Second Appellate Authority hian thubuai a ngaihtuahna ah chhan leh vang tha tawk awm lovin First Appellate Authority hian hunbi tuk chhungin a hnena lungawiloh thu chu arel fel lo anih chuan ₹ 500/- (zanga) aia tlem lo cheng 5000/- (sangnga) thleng First Appellate Authority hi a chawitir thei ang.

Amaherawh chu, First Appellate Authority hi hremna pek anih hma in insawifiahna hun remchang erawh siam sak ngei ngei tur a ni.

(3) He dan hnuaia hremna pek chungthu ah hian athu in a zir anih chuan Designated Officer te, First Appellate Authority te leh an hnuaia he dan hnuaia mawhphurtu te chungah hremna hi pek theih ani ang a, mawhphurhna an neih

rip dan atang te, an inthlahdah leh pawlawhna ang te leh chhan dang dang te pawh hremna pek nat dan tur ngaihtuahna atan hian buk tawn tur a ni.

(4) Heta hremna pek tur hi dan dang hmanlai ah te, dan hnuaia inkaihhraina ah te, dan bithliah dang ah te leh sawrkar hriattirna dang anga hremna pek annih in chutiang belhchhahna tur hremna anga ngaih mai tur ani ang.

12. Thubuai relfel tawh ennawn leh na:

Designated Officer emaw First Appellate Authority ten an chung a hremna Second Appellate Authority in a lekkawh chungthu ah lungawilohna an nei anih chuan sawrkar in thuneitu hran aruat leh te hnenah hremna pek ni atanga chhiara ni 60 (sawmruk) chhungin hremna thupek ennawn chu an dil leh thei ang a, dan in atuk angin chutiang ennawn dilna thubuai chu ngaihtuah tur ani ang.

Lungawiloh thu ennawn tura sawrkarin thuneitu aruat chuan chhan leh vang tling tawk ahmu anih chuan achunga tarlan tak ni 60 (sawmruk) ral hnu ah pawh ennawn dilna chu ala pawm sak leh thei ang.

13. Sawrkar hnathawk te hremna anga kalpui theihna:

Section 11 na anga hremna pek mai bakah Second Appellate Authority chuan chhan tha tawk ahmu anih chuan First Appellate Authority emaw Designated Officer chu he dan hnuaia an mawhphurhna an hlen tha lo uchuak hle anih chuan, sawrkar hnathawk te inkaihhraina dan anga hremna dang pe bawk turin rawtna asiam thei bawk.

14. Civil Court thuneihna khuahkhirhna:

He dan hnuaia lungawiloh thu inthlen chhawn dan tarlan angte tih chauh lo ah chuan Civil Court te reng reng in a hnena rel turin thubuai emaw, lungawiloh thu thlen dilna leh kawngdanga thubuai putluhna ang chi reng reng alo pawm sak thei lo ang.

15. Thil tha duhna avanga hmalakna humhalh sakna:

He dan hnuai ani emaw, he dan hnuaia inkaihhraina ang emaw pawhin mi tupawhin thil tha duhna avanga ahma lakna chungthu ah reng reng eng thubuai mah siamsak theih ani lo ang.

16. Dan dang nena inkawihhnawih chungthu a he dan dinchanna:

He dan hnuaia mipuite hnena sawrkar mawhphurhna tarlanna leh chumi ang ataka chantirna chungthu ah reng reng dan bung leh chang dangah engpawh chuang ni se, he dan kalpuina hi a subuai lo ang.

17. Inkaihhraina siam theihna:

(1) He dan hi ataka kalpui anih theihna atan state sawrkar in atul angin Official Gazette ah hriattirna chhuahin inkaihhraina (Rules) a siam thei ang.

(2) He dan hnuai inkaihruaina (Rules) siam reng reng te chu siam anih atanga hun hmasa berah Mizoram Legislative Assembly ah pharh tur ani ang a, Assembly thutkhawm anih in ni 30 chhungin emaw vawi khat thutkhawmna ah emaw, vawihnih emaw a aia tam thutkhawmna ah pawh ni 30 ral hma anih chuan ala pharh theih anga, Assembly in chu inkaihruaina chu alo pawmthlap ang emaw, a pawmlo emaw anih pawhin a pawmloh anga tih danglam anih angin emaw, angai ngai ang emaw pawhin atul angin chu inkaihruaina chu hman zui tur ani ang, amaherawhchu, siam danglam anih in emaw, pawmloh anih pawhin chu inkaihruaina anga hma lo lak tawhna reng reng chu dan tlinglo anga hmalakna angah chhuah theih ani lo thung ang.

18. Thu inchuh relfel tura thuneihna:

(1) He dan hi a taka kalpuina ah thu harsa bik a awm anih chuan sawrkar in official gazette a chhuaha thupek siamin he dan kalh silo in thu harsa bik kalpui dan tur chu atul ang zelin asiam thei ang.

Amaherawhchu, chutiang thupek chu he dan hman tan anih atanga chhiara kum hnih hnu ah chuan siamtheih ani tawhlo ang.

(2) He dan chang anga thupek siam reng reng te hi hun hmasa berah Mizoram Legislative Assembly hma ah pharh tur ani ang.

Secretary
Law & Judicial Department
Government of Mizoram