

No.A-12011/1/2020-P&AR(GSW)
GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

Mizoram Secretariat
Aizawl, the 3rd August, 2020

OFFICE MEMORUNDUM

Subject: Guidelines for framing, amendment and relaxation of service rules and matters connected thereto

The Government of Mizoram has been considering for quite some time the issue of making guidelines on the subject matter of framing, amendment and relaxation of service rules to govern the method of recruitment and conditions of service of members of an Organised Service. Taking into account the broad guidelines on the subject matter issued by the Government of India in Department of Personnel and Training vide OM AB.14017/48/2010-Estt.(RR) dt. 31.12.2010, the guidelines to be followed for framing, amendment and relaxation of service rules under the Government of Mizoram are hereby laid down as follows which will come into force with immediate effect:

2. GENERAL PRINCIPLES ON FRAMING/AMENDMENT OF SERVICE RULES

- 1) Article 309 of the Constitution empowered the State legislature, subject to the provisions of the Constitution, to make laws regulating the recruitment and conditions of service of persons appointed to public service and posts in connection with the affairs of the State.
- 2) Further, the proviso to article 309 of the Constitution also empowered the Governor, or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment and the conditions of service of persons appointed to such services or posts, until provision in that behalf is made by or under an Act of the State Legislature, and any rules so made shall have effect subject to the provisions of any such Act.
- 3) Service rules are basically subordinate legislations and thus, they are statutory in nature.
- 4) Whenever any new Service is proposed to be created by the Government, or when re-structuring of any cadre with multiple ramifications within an existing service is done, action should be taken immediately by the Administrative Department concerned, in consultation with the respective Head of Department in case of Group 'B', 'C' and 'D' posts, to frame draft service rules in exercise of the power conferred by the proviso to article 309 of the Constitution.

3. PROCEDURE FOR FRAMING/AMENDMENT OF SERVICE RULES

- 1) The first step in the framing of service rules is the formulation of draft service rules. Standard format as prescribed at *Annexure-I* shall, as far as possible, be followed by the respective Administrative Department/Head of Department while framing draft service rules for such services in which there are no existing service rules to be superseded. Standard format as prescribed at *Annexure-II* may be adhered to by the respective Administrative Department/Head of Department while framing draft service rules for such services in which the existing service rules have to be superseded.
- 2) The second step involves obtaining the comments/views of the concerned Service Association, if any, by the concerned Administrative Department/Head of Department in writing on the draft service rules. The concerned Service Association shall invariably submit their comments/views on the draft service rules within one month from the date of receipt of the draft. Final decision on framing/amendment of service rules, however, solely lies with the Government irrespective of the views/comments of the Service Association.
- 3) The third step pertains to obtaining the in-principle approval of the Hon'ble Minister of the concerned Department which framed the draft service rules.
- 4) The fourth step is submission of the draft service rules by the Administrative Department to the Department of Personnel & Administrative Reforms (General Service Wing) complete in all respects in letter format for examination. The documents as prescribed at paragraph 4 of this OM shall invariably be submitted for examination.
- 5) Fifth, the Department of Personnel & Administrative Reforms (General Service Wing) shall examine the draft service rules, if the proposal is complete in all respects, with reference to the guidelines contained in this Office Memorandum. If necessary, discussions may be held in DP&AR with officers of the concerned Department in case there are points for further clarification and scrutiny OR the proposal may be returned to the Department for written clarification and submission of missing documents. Thereafter, approval of the Hon'ble Chief Minister through the Hon'ble Minister in charge of Department of Personnel & Administrative Reforms will be obtained. DP&AR(GSW) reserves the right to alter/add/delete certain provisions in the draft service rules if the same does not fulfill the instructions contained in this Office Memorandum and in the larger public interest.
- 6) Sixth, concurrence of Finance Department shall be obtained if and only if the draft service rules contains provisions which involves additional financial implication like grant of time bound promotion to higher grade/post(s) without linkage to vacancies which is hitherto non-existent in the cadre

under consideration, enhancement of the quota for non-functional promotion to higher grade/post(s), etc.

- 7) Seventh, draft service rules duly approved by the Hon'ble Chief Minister shall be endorsed in file to the Law & Judicial Department for vetting with specific regard to the constitutionality/legality of the draft service rules.
- 8) Eighth, the duly vetted draft service rules shall be sent to the Mizoram Public Service Commission for consultation as mandated under article 320 of the Constitution with the exception of such posts/services which falls outside the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time.
- 9) Ninth, after consultation with the Mizoram Public Service Commission, if the Commission approve the draft rules without any recommendation for modifications/changes of a substantial character, a Cabinet Memorandum on the draft service rules shall be prepared by the Department of Personnel & Administrative Reforms and the same shall be sent to the Government in Political and Cabinet Department after obtaining the approval of the Hon'ble Minister incharge of DP&AR. However, in case the Commission recommended modifications/changes of substantial character in the service rules, the following procedure shall be followed:
 - a) the draft service rules shall be submitted to the Hon'ble Chief Minister through the Hon'ble Minister in charge of DP&AR and in case, there are no objections to the proposed modifications/changes recommended by the Commission, the draft service rules as recommended by the Mizoram Public Service Commission, with the proposed modifications/changes, shall be included in the Cabinet Memorandum for consideration of the Council of Ministers; or
 - b) the draft service rules shall be submitted to the Hon'ble Chief Minister through the Hon'ble Minister in charge of DP&AR and in case, there are objections to the proposed modifications/changes recommended by the Commission, then, the matter may be referred back to the Commission with reasons as to the objections/differences of opinion. If the Commission agreed to the views of the Government in DP&AR, then, the draft service rules as recommended by the Mizoram Public Service Commission shall be shall be included in the Cabinet Memorandum for consideration of the Council of Ministers. If, however, the Commission did not agree to the views of the Government in DP&AR, then, the draft service rules with the modifications/changes as recommended by the Commission and the views of the Government shall be included in the Cabinet Memorandum for consideration of the Council of Ministers for final decision.

- 10) The draft service rules as finally approved by the Council of Ministers shall be sent by the Department of Personnel & Administrative Reforms to the Controller, Printing and Stationery for publication in the Mizoram Gazette extra ordinary issue.
- 11) The procedure as indicated above will also apply to amendments proposed to be made to existing service rules. However, proposals for amendment of existing service rules should be submitted as per the format at *Annexure-V*.
- 12) The service rules or amendment(s) thereto as finally approved by the Council of Ministers are required to be notified as early as possible and not later than 3 weeks from the date of receipt of the decision of the Council of Ministers. This time limit should be strictly adhered to.
- 13) Although the service rules are statutory in nature, the copies of the notification of the same need not be placed on the Table of the Legislative Assembly as article 309 of the Constitution, under which these rules are framed, does not prescribe laying of the rules.

4. DOCUMENTS TO BE INCLUDED IN THE PROPOSAL FOR FRAMING/AMENDMENT OF SERVICE RULES:

The documents to be submitted to the Government in Department of Personnel and Administrative Reforms (General Service Wing) in the proposal for framing/amendment of service rules shall invariably consist of the following:

- a) Draft service rules as per the standard format in *Annexure-I* while framing new service rules for such services in which there are no existing service rules to be superseded OR draft service rules as per the standard format in *Annexure-II* while framing rules for such services in which the existing service rules have to be superseded OR draft service rules as per the standard format in *Annexure-III* for amendment of existing service rules.
- b) Supporting particulars as per the pro forma in *Annexure-IV* for amendment of existing service rules.
- c) Comments/views of the concerned service associations, if any. In this case, comments/views of all stakeholder service associations should invariably be obtained and furnished in writing.
- d) A copy of the notesheet bearing the in-principle approval of the Hon'ble Minister in charge of the Department on the draft service rules.
- e) Self contained note on the draft service rules or an amendment thereto explaining clearly the reasons for the proposal and any matters incidental

thereto. Any peculiarity in the proposal should be clearly brought out in the self contained note.

- f) Existing service rules/recruitment rules, if any, for the feeder post/grade.
- g) Post creation order(s) for the posts for which service rules are being framed or amended if such posts have not yet been reflected in the existing rules.

5. GUIDELINES ON PREPARATION OF THE NOTIFICATION FOR SERVICE RULES:

1) Short title and commencement:

- a) Service rules should have a clause clearly indicating the “short title” of the rules. It is necessary to give short titles to general statutory rules and statutory rules and orders framed by the Departments, for referencing and tracing of rules. All amendments to such rules should also bear short rules and be given serial numbers in the short titles. Short title for service rules invariably indicates the name of the Service and the year of notification of the service rules. The format for writing the short title may be as follows:

*“These rules may be called the Mizoram
_____1 Service Rules, _____2”*

- b) A clause on the date of commencement of the service rules should also be included in the service rules. All rules should be published before the date of their enforcement or they should be enforced from the date of their publication. The general convention for commencement of the service rules is the date of publication of the rules in the Official Gazette. In other words, service rules are made prospective in nature. The format for the clause on commencement of the rules is as follows:

*“They shall come into force from the date of their publication in
the Official Gazette”*

- c) However, when rules are made to operate with retrospective effect, it should not be discriminatory and not in violation of any constitutional right but must always be reasonable. If, owing to any unavoidable circumstances, the reasons which necessitated the retrospective operation of the rule, should be published separately along with the notification whereby the rule is made, but such explanatory memorandum should not form a part of the rule. The explanatory memorandum should further recite that the interests of no one would be prejudicially affected by reason of the retrospective operation of the rule.

¹_____The name of the Service should be indicated here.

² The calendar year of notification of the service rules should be indicated here

The explanatory memorandum may be inserted at the bottom of the Notification as follows:

“Explanatory memorandum: *The interests of any member of the service appointed before the commencement of these rules would not be prejudicially affected by reason of the retrospective operation of the new service rules”*

2) Definitions:

A clause on “Definitions” may invariably be inserted in the Notification defining the terms that are reflected in the service rules. The following standard definitions may be followed and in case any particular term is to be included under this clause, the same may be proposed with unambiguous explanations:

“Definitions.- In these rules, unless the context otherwise requires,-

- a) ‘Appointing authority’ means the authorities as defined under rule 2(a) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;*
- b) ‘Authorised strength’ means the strength of duty posts in the _____³ Service cadre against which regular appointments are made;*
- c) ‘Commission’ means the Mizoram Public Service Commission;*
- d) ‘Constitution’ means the Constitution of India;*
- e) ‘Departmental Promotion Committee’ in relation to any grade, means the Committee constituted by the Government from time to time as indicated in Schedule-IV of these rules;*
- f) ‘Duty post’ means any post, whether permanent or temporary, as specified in the Schedule-I of these rules;*
- g) ‘Gazette’ means the official Gazette of the State of Mizoram;*
- h) ‘Government’ means Government of Mizoram;*
- i) ‘Governor’ means the Governor of Mizoram;*
- j) ‘Grade’ means any of the grades of the Service as specified in Schedule-I of these rules;*
- k) ‘Regular service’ in relation to any grade means the period or periods of service in that grade rendered after selection and appointment thereto under the rules according to the prescribed procedure for regular appointment to that grade and includes any period or periods:-*

(1) taken into account for the purpose of seniority in case of those already in service at the time of notification of these rules;

(2) during which an officer would have held a duty post in that grade but for being on leave or otherwise not being available for holding such post;

³ Name of the Service may be indicated here

- l) 'Schedule' means the Schedule appended to these rules;
 m) 'Service' means the _____⁴ Service constituted under rule ___⁵ of these rules;

3) Constitution of the Service.-

A clause on constitution of the Service may invariably be inserted in the Notification of the rules on the following lines with the classification of the posts included in the Service:

- 1) There shall be constituted a service known as the _____⁶ Service
- 2) All posts included in the Service shall be classified as Group ___⁷ posts OR The posts included in the _____⁸ grade of the Service shall be classified as Group ___⁹ posts while posts included in ___¹⁰ grade of the Service shall be classified as Group ___¹¹ posts
- a) The Group classification of posts in the Service may be made following the classification of posts subsequent to the implementation of the Seventh Central Revision of Pay (as modified and extended to the employees under the Government of Mizoram) Rules, 2018, notified vide No.A-11016/1/2020-P&AR(ARW) dt. 30.01.2020:-

Sl. No.	Description of posts	Classification of posts
1.	A post carrying the pay in the Pay Matrix at the level from 10 - 14	Group A
2.	A post carrying the pay in the Pay Matrix at the level from 6 - 9	Group B
3.	A post carrying the pay in the Pay Matrix at the level from 1A - 5	Group C
4.	A post carrying the pay in the Pay Matrix at the level 1	Group D

- b) Whether the post in a grade is Gazetted or Non-Gazetted may also be indicated. The classification of the post pertaining to the Gazetted or Non-Gazetted status may be indicated as per the orders issued in this context by the Government in DP&AR (ARW) from time to time. In

⁴ _____
 Name of the Service may be indicated here

⁵ The number pertaining to the rules on "Constitution of the service" may be inserted here

⁶ Name of the Service may be indicated here

⁷ The group classification of the posts in the relevant grade as per the classification given by the Government from time to time may be indicated here

⁸ Name of the appropriate grade may be indicated here

⁹ Same as the foot note in Sl. No. 7

¹⁰ Same as the foot note in Sl. No. 8

¹¹ Same as the foot note in Sl. No. 7

general, most of the posts in Group 'A' are Gazetted while there are Gazetted and Non-Gazetted posts in Group 'B' category. Group 'C' and 'D' posts are Non-Gazetted posts.

4) Grades, authorised strength and review:

A clause indicating the different grades of the Service, the authorised strength of each grade and the authority to review the authorised strength and the level in the pay matrix/scale of pay corresponding to the post(s) may be inserted in the Notification as follows by keeping the details in the Schedule annexed to the rules:

- 1) *The authorized strength of various grades of the Service on the date of commencement of these rules, the number of posts in each grade, their designation and the level in the pay matrix/scale of pay attached thereto shall be as specified in Schedule-I.*
- 2) *After the commencement of these rules, the authorized strength of various grades of the Service shall be as may be determined by the Government from time to time.*
- 3) *The Government may make temporary additions to, or reduction in the strength of the duty posts in the various grades as it may deem necessary from time to time.*
- 4) *The Government may, in consultation with the Commission¹², include in the Service such posts as may be equivalent to the posts included in the Service in status, grade, scale of pay and professional content other than those included in Schedule-I or exclude from the Service a post included in the said Schedule.*
- 5) *The Government may, in consultation with the appropriate Departmental Promotion Committee, appoint an officer whose post is included in the Service under sub-rule (4), to the appropriate grade of the Service in a temporary capacity or in a substantive capacity, as may be deemed fit, and fix his seniority in such grade in accordance with the general orders and instructions issued by the Government from time to time.*

5) Members of the Service:

A suitable clause defining the "Members of the Service" may invariably be included in the Notification on the following lines:

- 1) *The following persons shall be the members of the Service, namely:*

¹²The words "in consultation with the Commission" may be included only if the posts in question comes within the purview of the Commission as per the MPSC (Limitation of Functions) Regulations, 1994 as amended from time to time

- a) A person deemed to have been appointed under rule ____¹³; OR
The officers of the _____¹⁴ Service holding duty posts in various grades of that Service on regular basis or holding lien on such posts on the date of commencement of these rules¹⁵; and
- b) A person appointed to any grades of the Service under rule _____¹⁶.

2) A person appointed under clause (a) of sub-rule (1) shall be deemed to be a member of the Service in the appropriate grade applicable to him¹⁷.

3) A person appointed under clause (b) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him from the date of such appointment.

6) Initial Constitution of the Service:

In cases where a new service is formed and the service rules are framed for the first time and that there are officers already holding different categories of posts proposed to be included in the service on a regular/long term basis, a suitable 'Initial Constitution' clause may be inserted in the Notification so as to count the regular service rendered by such officers before the date of notification of the rules. The said clause need not be inserted when service rules are framed in supersession of existing service rules but in such case, a saving clause "except as respect things done or omitted to be done before such supersession" should always be inserted in the first paragraph of the Notification. The "Initial constitution" clause may read as follows:

- 1) The officers holding the post of _____¹⁸ on regular basis on the date of commencement of these rules shall be deemed to have been appointed to the appropriate grade of the Service.
- 2) The regular continuous services of officers referred to in sub-rule (1) before the commencement of these rules shall count for the purpose of probation, confirmation, seniority, eligibility for promotion to the next higher grade and pension in the service

¹³ _____
The rule number indicating the clause on "Initial constitution of the Service" be indicated here

¹⁴ The name of the Service for which the rules are being framed may be indicated here

¹⁵ The provisions after the word "OR" may be used in case of framing service rules where existing service rules are to be superseded

¹⁶ The rule number indicating the clause on "Future Maintenance of the Service" be indicated here

¹⁷ Clause (a) of sub-rule (1) and sub-rule (2) need not be inserted when the "Initial constitution of the Service" clause is not present in the service rules

¹⁸ The post held by the officers before the service rules came into force and which is to be included in the cadre on a regular/long term basis should be indicated here

7) Future Maintenance of the Service:

A suitable clause on future maintenance of the Service after the commencement of the rules may invariably be inserted in the Notification of the service rules on the following lines by keeping the details in the Schedule annexed to the rules:

- 1) *After the commencement of these rules, the vacancies in any of the grades referred to in Schedule-I shall be filled in the manner as hereinafter provided under these rules.*
- 2) *The methods of recruitment, the field of selection and the eligibility criteria, as the case may be, for appointment to the grades included in the Service shall be as specified in Schedule-II.*
- 3) *The educational and other qualifications including the age limits for direct recruitment to the appropriate grades of the Service shall be as specified in Schedule-III.*
- 4) *The composition of the Departmental Promotion Committee and the circumstances for consultation with the Mizoram Public Service Commission for various methods of recruitment shall be as specified in Schedule-IV.*
- 5) *The procedure for conduct of direct recruitment including any other methods of recruitment shall be as per the rules or regulations or guidelines or instructions issued by the Government from time to time.*

8) Filling of Duty Posts by Deputation:

A general clause on filling of duty posts included in the authorised strength of the Service by means of deputation for a short period of time in order to tide over vacancies in critical posts which cannot be filled up due to non-availability of eligible candidates within the Service may invariably be included in the service rules as follows:

- 1) *In the event of non-availability of eligible candidates and notwithstanding anything contained in rule ___¹⁹, where the Government is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, fill-up duty post in any grade by deputation of suitable officers holding analogous posts under the Central/State Government.*

- 2) *The period of deputation shall be for a period not exceeding three years, which may, in special circumstances, be extended in any case not beyond five years, as the Government may think fit.*

9) Seniority:

A clause indicating the procedure for determination of seniority may be reflected in the service rules as follows which is largely in tune with the standard guidelines on determination of seniority prescribed by the State Government:

- 1) *The relative seniority of the members of the Service on commencement of these rules shall be the relative seniority in their respective grades as determined before the commencement of these rules:*

Provided that if the seniority of any member of the Service has not been determined before the commencement of these rules, it shall be determined by the Government in accordance with the general guidelines governing fixation of seniority issued by the Government from time to time.

- 2) *The seniority of persons recruited to the Service, after the commencement of these rules, shall be determined in accordance with the general guidelines issued by the Government in this behalf from time to time.*
- 3) *In cases not covered under sub-rule (1) and (2) of these rules, seniority shall be determined by the Government in consultation with the Commission.*

10) Probation:

A clause indicating the general guidelines on probation may be included in the service rules as follows following the standard guidelines prescribed by the State Government on probation:

- 1) *Every officer on appointment to the Service by direct recruitment shall be on probation for a period of two years;*

Provided that the period of probation for officers appointed to the Service through methods of recruitment other than direct recruitment shall be governed by the orders or instructions issued in this behalf by the Government from time to time;

Provided further that the appointing authority may extend the period of probation in accordance with the instructions issued by the Government in this behalf from time to time;

Provided also that any decision for extension of probation period shall be taken within six to eight weeks after the expiry of initial period of

probation and communicated in writing to the concerned officer, together with reasons for so doing within the said period.

- 2) *On completion of the period of probation or any extension thereof, an officer shall, if considered fit for permanent appointment, be considered for confirmation in terms of the orders of the Government issued from time to time.*
- 3) *If, during the period of probation or any extension thereof, as the case may be the Government is of the opinion that an officer is not fit for permanent appointment, it may discharge the officer or revert him to the post held by him prior to his appointment in the service, as the case may be.*
- 4) *During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of mandatory foundation/induction training or to pass such examinations or tests as the Government may deem fit, as condition for satisfactory completion of probation.*
- 5) *Once a member of the Service has been confirmed in the lower grade, he/she shall not be required to be confirmed again in each grade or post.*
- 6) *As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Government in this behalf from time to time.*

11) Appointment to the Service:

A standard clause on appointment to the Service may be inserted in the service rules as follows:

“All appointments to the Service shall be made by the appointing authority to the appropriate grades of the Service and not against specific posts.”

12) Posting of Members of the Service:

A clause which conferred upon the State Government the power to transfer a member of the Service to any equivalent post may be suitably inserted in the Notification as follows:

- 1) *Every member of the Service shall, unless he is on leave or otherwise not available for holding a duty post, be posted against a duty post of the appropriate grade in the Service.*
- 2) *Notwithstanding anything contained in sub-rule (1), the State Government, in public interest, shall have the right and power to*

transfer any member of the Service to any other post or position which is equivalent in rank or grade

13) Training and Departmental Examination:

A suitable clause which empowered the Department to prescribe such training, be it foundation training or induction training or mid-career training, for the officials recruited under the service rules or to make it mandatory to pass suitable Departmental Examination may be inserted in the Notification on the following lines:

“Every member of the Service shall undergo such training or pass such Departmental Examination as may be prescribed by the Government from time to time”

14) Disqualification:

A standard clause on disqualification for prohibition of bigamous marriage may be inserted in the Notification for service rules as follows:

“No person –

- a) who has entered into or contracted a marriage with a person having a spouse living; or*
- b) who, having a spouse living, has entered into or contracted a marriage with any person,*
shall be eligible for appointment to the Service;

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other valid grounds for doing so, exempt any such person from the operation of this rule”

15) Other conditions of service:

A clause on the following standard lines may also be invariably be provided in the Notification since all the provisions pertaining to conditions of service of members of the Service cannot be expressly provided in the service rules. Such other conditions of service shall, mutatis mutandis, be governed by the orders issued or rules framed by the Government from time to time.

“The conditions of service of the members of the Service in respect of matters not expressly provided for in these rules, shall, mutatis mutandis and subject to any special orders issued by the Government in respect of the Service, be governed by the general rules framed or orders issued by the Government from time to time”

16) Power to relax:

The power to relax the service rules is an inherent part of the service rules to consider relaxation of the provisions of the service rules with respect to any class or category of persons. In this case, it may be pertinent to mention that consultation with the Commission for relaxation of the service rules is to be done only in respect of such post(s) which falls under the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended. It may be inserted in the Notification as follows:

“Where the State Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, in consultation with the Mizoram Public Service Commission²⁰ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons”

17) Saving clause:

A clause in most of the extant service rules which is named as “Reservation and other concessions” may be suitably changed as “Saving” as given below in all future service rules framed under these guidelines. This clause will save the actions of the Government pertaining to the issue of reservation, relaxation of age limit and other concessions required to be provided to special categories of persons through an order issued by the Government of Mizoram from time to time instead of making separate amendments to the rules.

“Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, the Ex-servicemen and other special categories of persons in accordance with the order issued by the Government of Mizoram from time to time in this regard”.

18) Interpretation:

A suitable clause on the following standard lines may invariably be inserted in the Notification on service rules with the sole purpose of ensuring that interpretation of any provisions of these rules lies with the Government i.e. the rule making authority.

“If any question arises relating to the interpretation of these rules, it shall be decided by the Government”.

²⁰ The words “in consultation with the Mizoram Public Service Commission” has to be inserted **only** in the service rules for post(s) which falls under the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended

19) Repeal and saving clause:

The clause on “repeal and saving” in existence in certain extant service rules need not be inserted in future service rules framed under these guidelines on account of the following reasons: **a)** service rules issued under Notification should be “superseded” by another Notification instead of being “repealed”. The words “*in supersession of the _____ (name of the service rules to be superseded) notified in the Mizoram Gazette extraordinary issue number ____ dated ____*” should be inserted in the first paragraph of the Notification to supersede the existing rules. The process of repeal is meant for Acts duly enacted by the Legislature, **b)** saving of anything done or omitted to be done before the supersession of the existing service rules will be taken care by the following provision “*except as respect things done or omitted to be done before such supersession*” which shall invariably be inserted in the first paragraph of the notification just after the provision superseding the existing service rules.

6. GUIDELINES ON PREPARATION OF SCHEDULE-I ANNEXED TO THE SERVICE RULES:

The standard format of Schedule-I to be appended to the rules shall be as under:

SCHEDULE – I
[see rule _____²¹]

(Name of post/grade, scale of pay and number of posts)

A. _____²² Grade in level _____²³ of the pay matrix (_____ - _____²⁴)

Sl. No.	Name of post(s)	Number of post(s)
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>

²¹_____ The rule number pertaining to the clause on “Grades, authorized strength and review” may be inserted here

²² The name of the appropriate grade of the Service may be indicated here

²³ The level of the pay matrix or the scale of pay may be indicated here

²⁴ The figures corresponding to the level in the pay matrix may be indicated within the brackets, starting with the cell corresponding to index 1 and ending with the cell in the last index

B. _____²⁵ **Grade in level** _____²⁶ **of the pay matrix** (_____ - _____²⁷)

Sl. No.	Name of post(s)	Number of post(s)
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>

1) Name of post(s):

In Column 2 of the Schedule-I annexed to the service rules, the names of the different categories of posts corresponding to the grade may be clearly specified.

2) Number of post(s):

In Column 3 of the Schedule-I annexed to the service rules, the exact number of posts as specified in Column 2 may be indicated. The number of posts is an integral basis for determining the method of recruitment to any category of posts in as much as the quota of direct recruitment, promotion, deputation, etc., is to be decided after taking into account the number of posts. Therefore, whenever there is a substantial change in the number of posts, the concerned department should initiate action to review the existing rules, particularly the method of recruitment. The effect of the change in the strength on the method prescribed in the rules for the next higher and lower categories of posts should also be studied.

3) Level in pay matrix:

In the Schedule-I annexed to the service rules, the level in the pay matrix/pay scale should be clearly indicated as per the provisions of the Seventh Central Revision of Pay (as modified and extended to the employees under the Government of Mizoram) Rules, 2018. Special pay, if any, should also be mentioned. For instance, the level in the pay matrix in respect of the Assistant Grade in level 07 of the pay matrix may be written as “*Level 07 in the pay matrix (`39,100- `86,800)*”

7. GUIDELINES ON PREPARATION OF SCHEDULE-II ANNEXED TO THE SERVICE RULES:

The standard format of Schedule-II which is to be appended to the rules shall be as under:

²⁵ _____
Same as foot note Sl. No. 22

²⁶ Same as foot note Sl. No. 26

²⁷ Same as foot note Sl. No. 24

SCHEDULE – II
[see rule _____²⁸]

(Methods of recruitment, field of selection and eligibility criteria)

Sl. No.	Name of grade	Methods of recruitment and percentage of the vacancies to be filled by various methods	Whether selection or non-selection posts?	Field of selection and eligibility criteria
(1)	(2)	(3)	(4)	(5)

- 1) Name of grade:** In Column 2 of Schedule-II, the name of the appropriate grade of the Service may be indicated.
- 2) Methods of recruitment:** In Column 3 of Schedule-II, the methods of recruitment for the grade appearing in Column 2 may be indicated. The following methods of recruitment may be considered depending upon the nature of duties, qualifications and experience required for the relevant grade:
- i) Promotion
 - ii) Direct recruitment
 - iii) Limited departmental examination
- a) When different methods of recruitment are proposed, the percentage of vacancies to be filled by each method that may be prescribed for a particular grade depends on a judicious blending of several considerations such as:
- i) the nature of duties, qualifications and experience required;
 - ii) the availability of suitable personnel possessing the requisite qualifications and experience within a cadre.
 - iii) the need for ensuring that suitable incentives exist for the maintenance of an adequate standard of efficiency in the cadre;
 - iv) consideration of the question whether, having regard to the role to be performed by a specified cadre, it is necessary to provide for direct intake of officers at an appropriate level with a view to injecting fresh knowledge and experience that may not be normally available in a particular cadre or Department etc.
 - v) the proper mix of the six methods of recruitment mentioned at para 7(2) above.

²⁸_____The rule number pertaining to the clause on “Future Maintenance of the Service” may be inserted here

b) **Promotion:**

Promotion is a method of recruitment from feeder grade to higher grade in the hierarchy as per the provisions of the service rules. Promotion may be kept as a method of recruitment depending upon the availability of officers in the field of consideration. Care should be taken to see that the base for promotion is strong, i.e. the departmental candidates are fully qualified for the responsibilities of the higher grade and the field is also adequate. Normally the feeder grade should be at least thrice the number of sanctioned posts in the higher grade, in case the post in the higher grade is to be filled on Selection basis. For posts which are to be filled by non-selection method, it is not necessary that the feeder grades should consist three times of posts in the higher grade. For computing the base for promotion and determining the ratio of higher grade to the feeder grade, the number of sanctioned posts in the two grades (and not the number of vacancies at any one point of time) should be taken into consideration. The need for mandatory training before promotion may be considered by the concerned Department, where necessary, for incorporating suitable provision for training while prescribing eligibility service for promotion under Column 5 of Schedule-II. In cases where there are two or more feeder grades, a separate percentage for promotion may be prescribed to each of the feeder grade.

c) **Direct recruitment:**

Direct recruitment basically implies recruitment of candidates from open market through a system of competitive examination who are otherwise eligible in terms of age, educational qualifications, experience, etc as prescribed in the service rules. This is considered as one of the best method of recruitment to select the best and the brightest from the open market since it caters to all the willing candidates who are eligible as per the eligibility conditions prescribed in the service rules. If direct recruitment is the only method of recruitment, it may so happen that the Departments may not be able to fill up the vacancies caused by the incumbents being away for a duration of one year or more due to proceeding on deputation, study leave etc. In order to avoid such a contingency, the following "Note" may be inserted:

"Note 1: Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of State Government.

- i) *holding analogous posts on regular basis; and*
- ii) *possessing the educational and other qualifications prescribed for direct recruitment under Schedule-III*

Note 2: The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications”

d) **Limited departmental examination:**

Limited departmental examination is another method of recruitment for promotion to higher grade/post on the basis of a limited competitive examination amongst the officials in the feeder grade/posts only. The competitive examination is limited to the officials in the feeder grade/posts only and hence, is not open to candidates in the open market. This method of recruitment is considered suitable for filling up vacancies in higher grade/post having a good number of officials in the feeder grade/posts since it enables the department to select the most meritorious on the basis of the limited competitive examination which is otherwise not possible through the normal promotion method.

3) Selection or Non-selection:

- a) In Column 4 of Schedule-II annexed to the service rules, when promotion is proposed to be made on the basis of merit, the word “*Selection*” may be used. This is in line with the “Selection method” as prescribed in the OM on the procedure to be followed by Departmental Promotion Committee for promotion issued vide No-A.32012/1/2011-P&AR(GSW) dt. 28.02.2018. Selection may be prescribed for vacancy based promotion to higher grade/post.
- b) However, when promotion is to be made on the basis of seniority subject to the rejection of the unfit, the word “*Non-selection*” may be used. This is in line with the “Non-selection method” as prescribed in para 14 of the OM on the procedure to be followed by Departmental Promotion Committee for promotion issued vide No-A.32012/1/2011-P&AR(GSW) dt. 28.02.2018. Non-selection may be prescribed generally for non-functional time bound promotion to higher grade.
- c) In the case of direct recruitment or deputation or limited departmental examination, the entry should be “*Not Applicable*”.

4) Field of selection and eligibility criteria:

- a) In Column 5 of the Schedule-II annexed to the service rules, the field of selection within the methods of recruitment prescribed in Column 3 should be clearly specified in order to avoid any ambiguity in

recruitment. In particular, the field of selection should be written in the case of the following methods of recruitment viz, promotion and limited departmental examination but not for direct recruitment.

b) **Promotion:**

- i) If promotion is kept as a method of recruitment, the field of selection for promotion should invariably consists of the immediate feeder grade and should not normally include the grade just below the immediate feeder grade since the same can result in level jumping in the hierarchy within the Department. Further, provision of double channel of promotion from one feeder grade is not desirable and should, as far as possible, be avoided.
- ii) In the case of promotion, it is necessary to lay down the number of years of qualifying service before the persons in the field become eligible for promotion. Only regular, and not ad hoc, period of service is taken into account for the purpose of computing this service. With a view to making the position clear, the field may be specified as follows:

“Promotion: From officers in _____ grade of the Service with _____ years’ of regular service in the grade rendered after appointment thereto on a regular basis”.

- iii) When completion of specific training is considered essential for promotion from one grade to the next higher grade, then, the same may be inserted as one of the eligibility conditions for promotion while the nature and duration of training may be decided taking into account the functional requirement, knowledge and skill upgradation of feeder posts and the infrastructure of the organisation. The field of selection may be proposed as follows:

“Promotion: From officers in _____ grade of the Service with _____ years’ of regular service in the grade rendered after appointment thereto on a regular basis and having successfully completed _____ weeks training in _____(subject/ area of work relevant to duties and responsibilities of the higher grade)”.

- iv) The qualifying service for promotion from one grade to another is necessary so that there is no premature promotion or undue jump in pay and also to ensure that the officer has sufficient opportunity to demonstrate his competence/potential for holding the higher post/grade. The period of qualifying service varies from post to post depending upon the scale of pay and the experience required for manning the higher post/grade. Broadly, the following

qualifying service for promotion from one grade to another may be followed:

From Level in the Pay Matrix	To Level in the Pay Matrix	Qualifying service (in years)
1	1A	5 years
1A	2	3 years
1	4	10 years
2	3	3 years
2	4	8 years
3	4	5 years
4	5	5 years
4	6	10 years
5	6	6 years
5	7	8 years
6	7	5 years
6	8	6 years
6	9	8 years
6	10	10 years
7	8	2 years
7	9	3 years
7	10	5 years
8	9	2 years
8	10	3 years
8	11	8 years
9	10	2 years
9	11	6 years
10	10A	3 years
10	11	5 years
10A	11	3 years
11	11A	3 years
11A	12	3 years
11	12	5 years or 10 years of service after appointment to posts in level 10 of the Pay Matrix on regular basis with at least 2 years of regular service in the immediate feeder grade
11	13	10 years
12	13	5 years or 15 years of service after appointment to posts in level 10 of the Pay Matrix on regular basis with at least 2 years of regular service in the immediate

		feeder grade
12	13A	6 years
13	13A	2 years
13	14	5 years
13A	14	2 years or 25 years of service after appointment to posts in level 10 of the Pay Matrix on regular basis

- v) It may so happen that in some cases of promotion, the senior officers would not have completed the required service whereas the juniors would have completed the prescribed eligibility condition for promotion. In such cases, seniors will be left out from consideration for the higher post. To avoid such a situation, following note may be inserted below the Table in Schedule-II of the service rules.

“Note: Where juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than three months, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service.”

- vi) Where the eligibility service for promotion prescribed in the existing rules is being enhanced (to be in conformity with the guidelines issued by this department) and the change is likely to affect adversely some persons holding the feeder grade posts on regular basis, a note may be inserted on the following lines:

“Note: The qualifying/eligibility service shall continue to be _____ years for persons holding posts in the _____ grade on regular basis on the date of notification of these rules”

c) **Limited departmental examination:**

The field of selection for limited departmental examination should normally be in line with the feeder grade prescribed for promotion with similar qualifying service. There may be cases wherein the qualifying service prescribed for promotion and limited departmental examination are different in existing service rules but the same should not be cited as precedent and all future service rules may follow the same qualifying service since limited departmental examination is another method of promotion from one grade to the next higher grade. The field of selection for limited departmental

examination should invariably consists of the immediate feeder grade and should not normally include the grade just below the immediate feeder grade since the same can result in level jumping in the hierarchy within the department. When limited departmental examination is inserted as a method of recruitment in Column 3, then the field of selection in Column 5 may be entered as follows:

“Limited departmental examination: From officers in _____ grade with _____ years’ of regular service in the grade rendered after appointment thereto on a regular basis”

8. GUIDELINES ON PREPARATION OF SCHEDULE-III ANNEXED TO THE SERVICE RULES:

The standard format of Schedule-III which is to be appended to the rules shall be as under:

SCHEDULE – III
[see rule ____²⁹]

[Educational and other qualifications including age limit for direct recruitment]

Sl. No.	Name of grade	Educational and other qualifications	Age limit for direct recruitment
(1)	(2)	(3)	(4)

- 1) **Name of grade:** In Column 2 of Schedule-III, the name of the appropriate grade of the Service wherein direct recruitment is proposed as the method of recruitment in Schedule-II may be indicated.
- 2) **Educational and other qualifications:**
 - a) In Column 3 of the Schedule-III annexed to the service rules, the educational qualifications required for direct recruitment to the grade, the level of experience required and Skills Test/Physical Tests etc. may be indicated as precisely as possible, if necessary, these may be divided into two parts, viz., “Essential” and “Desirable”. These requirements vary from one service to another depending upon the level in the pay matrix/scale of pay and the nature of duties. But they should be determined, as far as possible, keeping in view the provisions in the approved service rules for similar grade and higher and lower grades in the same hierarchy.

²⁹_____ The rule number pertaining to the clause on “Future Maintenance of the Service” may be indicated here

- b) Departments may clearly specify the educational qualifications and thereby, avoid usage of the term ‘*or equivalent*’ since the same very often poses practical difficulties in interpretation of the equivalent qualification at the time of conduct of recruitment. They should also clearly prescribe an exhaustive list of educational qualifications so as to match the duties and responsibilities of the post.
- c) The experience prescribed by the Departments must be clear and quantified while also clearly bringing out the specific areas in which the experience is required so as to match the duties and responsibilities of the posts in the relevant grade.
- d) Prescribing First or Second Class/Division in respect of an educational qualification may be avoided. A simple Degree/Master’s Degree may be prescribed as there are differences in the assessment by various Universities /Boards and there may also not be any uniformity in the percentage of marks for deciding a Class/Division. It should, however, be ensured that qualifications and experience prescribed should be the minimum required for the post in the grade. The mere fact that persons with higher qualifications are available should not be the ground for stepping up the minimum required qualification/experience.
- e) In order to comply with the policy of the Government on basic computer proficiency for all employees and in line with the Mizoram Group ‘A’, ‘B’ and ‘C’ posts Service/Recruitment (Amendment) Rules, 2016, the following clause may invariably be inserted as an essential qualification in respect of the service rules for Group ‘A’, ‘B’ and ‘C’ posts with the exception of the posts of i) Driver Grade-III, ii) Conductor Grade-III, and iii) such other posts wherein specific higher qualifications pertaining to Computer proficiency are desired by the concerned Department:

“Basic knowledge of computer application equivalent to Course on Computer Concepts (CCC) of National Institute of Electronics and Information Technology (NIELIT) or Diploma in Computer Application/Certificate in Computer Application from institutions recognised by Mizoram State Council of Technical Education or such other courses of the level as determined by the Government from time to time.”

- f) In order to ensure that candidates possess working knowledge of Mizo language for recruitment to posts under the Government of Mizoram, the following clause may invariably be inserted in the service rules for Group ‘A’, ‘B’, ‘C’ and ‘D’ posts under the “essential” qualifications:

“Working knowledge of Mizo language at least Middle School standard”

3) Age limit for direct recruitment:

- a) In Column 4 of the Schedule-III annexed to the service rules, the age limit for direct recruitment may be filled up by any one of the methods indicated below:-
- i) “Not exceeding.....years” where only the maximum age-limit is intended to be prescribed.
 - ii) “Betweenandyears”.
- b) The Government of Mizoram prescribed the upper age limit for direct recruitment to all posts/services under the Government of Mizoram at 35 (thirty five) years of age, except for the Police forces, Excise forces and such other forces excluding their Ministerial staff, vide No.A-36012/1/2005-P&AR (GSW) dated 07.07.2006.
- c) Without prejudice to the provisions mentioned in paragraph 8(3)(b) above, upper age limit also depends upon the nature of duties, educational qualifications and experience requirements as prescribed in the service rules. Broadly, the following criteria may be followed:

Sl. No.	Posts	Upper age limit
1.	Direct recruitment to posts/grade in level 12 of the Pay Matrix and above	50 years
2.	Direct recruitment to posts/grade in level 11 of the Pay Matrix	40 years
3.	Direct recruitment to posts/grade in level 10 of the Pay Matrix and below	35 years

- d) The Government of Mizoram also notified upper age relaxations for direct recruitment for different categories of persons vide No.A-12011/1/2019-P&AR(GSW) dt. 03.06.2019 and published in the Mizoram Gazette extra ordinary issue No. 375 dt. 10.06.2019. These age relaxations for different categories of persons are applicable whenever the service rules provided the saving clause which specifically stated that nothing in the service rules shall affect relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes and other special categories of persons in accordance with the order issued by the Government of Mizoram from time to time.

- e) A Note on the following line may be inserted in Column 4 of Schedule-III to specify the crucial date for determination of the age limit for direct recruitment as follows:

“Note: The crucial date for determining the age limit of candidates shall be the closing date of receipt of applications from candidates”

4) Insertion of Notes:

Notes on the following lines may also be invariably be inserted below the table in Schedule-III when direct recruitment is included as one of the methods of recruitment.

Note 1: *Candidates whose final examination for a degree of recognized University has been held and the results are yet to be declared in due course may be allowed to appear in the written examination. All candidates who are declared qualified in the written examination will be required to produce proof of passing the requisite examination on or before the date of personal interview.*

Note 2: *In exceptional cases, the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department³⁰ conducting the examination may treat a candidate who does not have any of the foregoing qualification as a qualified candidate provided that he/she has passed examination conducted by other institution the standard of which in the opinion of the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department justifies his/her admission to the examination.*

Note 3: *Candidates possessing professional and technical qualifications which are recognized by Government as equivalent to professional and technical degree would also be eligible for admission to the examination.*

9. GUIDELINES ON PREPARATION OF SCHEDULE-IV ANNEXED TO THE SERVICE RULES:

The standard format of Schedule-IV which is to be appended to the rules shall be as under:

SCHEDULE – IV
[see rule ____³¹]

[Composition of the Departmental Promotion Committee and circumstances for consultation with the Mizoram Public Service Commission]

³⁰ _____
The name of the appropriate agency may be indicated here

³¹ The rule number pertaining to the clause on “Future Maintenance of the Service” may be inserted here

Sl. No.	Name of grade	Composition of Departmental Promotion Committee for various methods of recruitment	Circumstances for consultation with the Mizoram Public Service Commission
(1)	(2)	(3)	(4)

- 1) **Name of grade:** In Column 2 of Schedule-IV, the name of the appropriate grade of the Service may be indicated.
- 2) **Composition of Departmental Promotion Committee:**
 - a) In Column 3 of the Schedule-IV annexed to the service rules, the composition of the Departmental Promotion Committee (DPC) should be written. The composition of DPC should be clear, firm and include minimum 3 members including the Chairman. The DPC consists of Chairman and Members only and thus, the term “Member Secretary” should not, therefore, be used. Whenever alternative members are proposed in the composition of DPC, such members are to be associated only in the absence of the former.
 - b) Recruitment through the methods of direct recruitment, promotion, absorption and limited departmental examination for such posts/grades for which: a) consultation with the Mizoram Public Service Commission is necessary as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time, and b) the case lies outside the purview of the Mizoram Subordinate Services Selection Board as per the constitution of the Board, such as recruitment to Group ‘A’ and Group ‘B’ (Gazetted) posts, the DPC composition in Column 3, in such cases, may be written as “*Mizoram Public Service Commission*”.
 - c) Recruitment through the methods of direct recruitment, promotion, absorption and limited departmental examination for such posts/grades for which: a) consultation with the Mizoram Public Service Commission is not necessary as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time, and b) the case lies within the purview of the Mizoram Subordinate Services Selection Board as per the constitution of the Board, such as recruitment to Group ‘B’ (Non-Gazetted) posts, the DPC composition in Column 3, in such cases, may be written as “*Mizoram Subordinate Services Selection Board*”.
 - d) Recruitment through the methods of direct recruitment, promotion, absorption and limited departmental examination for such posts/grades for which: a) consultation with the Mizoram Public Service Commission is not necessary as per the Mizoram Public

Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time, and b) the case lies outside the purview of the Mizoram Subordinate Services Selection Board as per the constitution of the Board, such as recruitment to Group 'C' and Group 'D' posts, the DPC composition in Column 11, in such cases, may be written as "*Departmental Promotion Committee as constituted by the Government from time to time*".

- e) The norms being followed under the Government of Mizoram is to prescribe a common composition of Departmental Promotion Committee for recruitment to posts/grades which falls outside the purview of the Mizoram Public Service Commission and the Mizoram Subordinate Services Selection Board. The composition of Departmental Promotion Committee notified vide No.A-32012/1/2011-P&AR(GSW) dt. 07.07.2020 may invariably be followed while prescribing the same in the rules.
- f) In some cases, in accordance with provisions of the service rules, the appointment to a post is required to be made only by deputation (including short- term contract) or re-employment. In such cases, the selection is not to be made either by the Mizoram Public Service Commission or the Board or the duly constituted DPC but generally by a Selection Committee constituted for the purpose. The column may therefore, be filled up as "*Selection Committee as constituted by the Government from time to time*".
- g) The DPC composition for confirmation need not be indicated separately in Column 3 since the DPC composition for confirmation is the same as the DPC composition for direct recruitment in line with the instructions contained in OM No.A-31011/1/2019-P&AR(GSW) dt. 14.06.2019.

3) Circumstances for consultation with Mizoram Public Service Commission:

- a) In Column 4 of the Schedule-IV annexed to the service rules, the circumstances in which the Mizoram Public Service Commission are to be consulted in making recruitment should be clearly specified. The Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time stipulated the cases in which the Commission are to be consulted.
- b) Cases in which the Commission are to be consulted as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended are illustrated below:-
 - i) Direct recruitment to Group 'A' and Group 'B' (Gazetted) posts

- ii) Promotion to Group 'A' and Group 'B' (Gazetted) posts
 - iii) Limited departmental examination for promotion to Group 'A' and Group 'B' (Gazetted) posts
 - iv) Absorption to Group 'A' and Group 'B' (Gazetted) posts. Such consultation is necessary because permanent arrangements are being made without resorting to the method of open recruitment and the Commission would ensure that the post has been circulated widely as per the provisions of the rules and the best person is selected.
 - v) When the composite method of recruitment (promotion/deputation) is prescribed i.e. the departmental candidate is to be considered along with outsiders, the selection shall be made by the Commission only.
 - vi) Any relaxations or amendment of the service rules for posts which falls within the purview of the Commission
- c) In the above cases, the circumstances in which the Mizoram Public Service Commission is to be consulted may be entered in Column 4 of Schedule-IV as follows viz. *“As per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time”*.
- d) Cases in which the Commission need not be consulted as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended are illustrated below:-
- i) Direct recruitment to Group 'B' (Non-Gazetted), Group 'C' and Group 'D' posts
 - ii) Promotion to Group 'B' (Non-Gazetted), Group 'C' and Group 'D' posts
 - iii) Limited departmental examination for promotion to Group 'B' (Non-Gazetted) and Group 'C' posts
 - iv) Absorption to Group 'B' (Non-Gazetted), Group 'C' and Group 'D' posts
 - v) Deputation to Group 'A', Group 'B', Group 'C' and Group 'D' posts
- e) In the above cases, the circumstances in which the Mizoram Public Service Commission is to be consulted may be entered in Column 4 of

Schedule-IV as follows viz. “*Exempted from consultation with the Mizoram Public Service Commission*”

- f) If there are overriding compulsions for filling any Group ‘A’ or Group ‘B’ (Gazetted) post in the absence of service rules, Departments are advised to make a reference to the Mizoram Public Service Commission for determination of the method of recruitment as a one-time measure for filling up of a posts/grade on regular basis.

10. REVIEW OF SERVICE RULES:

- 1) Every cadre controlling authority shall initiate steps to undertake a comprehensive review of the provisions of every service rules under their control once in 10 years with a view to effecting such change as are necessary to bring them in conformity with the changed position including changes in the pay scale/level in pay matrix, group classification of the posts in the cadre, etc. and to amend the provisions pertaining to the composition of the Departmental Promotion Committee for recruitment, circumstances for consultation with the Mizoram Public Service Commission, educational and other qualifications for direct recruitment, field of selection for promotion, etc. in tune with the changing requirements of the Department concerned.
- 2) Service rules which are in existence for more than 10 years may invariably be framed anew as per the format at *Annexure-II* by superseding the existing service rules.
- 3) Service rules which are in existence for less than 10 years may invariably be amended as per the format at *Annexure-III* if and only if minor changes affecting two or three provisions in the existing rules are to be done.
- 4) The procedure for framing and amendment of service rules after undertaking a comprehensive review shall follow the procedure as prescribed at paragraph 3 of this O.M.

11. RELAXATIONS OF SERVICE RULES:

- 1) All service rules should contain a “Power to relax” clause in the Notification itself. Rules without the power to relax cannot be considered for relaxation.
- 2) Relaxation of rules is to be resorted to on rare occasions. There must be genuine and compelling circumstances for relaxation of service rules. Such a relaxation should not be a regular feature.
- 3) Relaxation of service rules is to be resorted to in respect of a class or category of persons. Relaxation should not be resorted to in respect of an individual except in cases where an individual can be treated as a class or category of persons.

- 4) Before resorting to relaxation of service rules, the concerned Departments should explore the feasibility of filling up posts by other methods of recruitment provided in the rules. In the case of 'deputation', the vacancies should have been circulated properly before consideration of relaxation.
- 5) The quota prescribed for different methods of recruitment in the service rules should not be considered for relaxation by invoking the "power to relax" clause since the same amounts to an amendment of the service rules and it disturbs proper maintenance of roster resulting in long term undesirable effect. In other words, the quota prescribed for direct recruitment should not be converted to promotion or vice versa by invoking the power to relax the service rules.
- 6) Relaxation proposals should be sent to this Department as per the format in *Annexure-V* after obtaining the approval of the Secretary of the Department concerned. Proper justification should invariably be given for relaxation of service rules.
- 7) Appointment in accordance with the service rules is a precondition for recruitment and thus, conditions of recruitment should not normally be relaxed. Conditions of service may, however, be considered for relaxation when the State Government is of the opinion that it is necessary or expedient so to do for a class or category of persons.
- 8) The following broad guidelines may be kept in mind by the authority competent to relax the service rules while considering cases for relaxation:
 - a) The discretion must be exercised bonafide;
 - b) Such an exercise should satisfy an objective test; and
 - c) It would satisfy any responsible man in place of the authority competent to relax.

12. MODEL SERVICE RULES:

Model service rules is enclosed at *Annexure - VI* which may be used by Departments as a guide/reference for framing of service rules.


Sd/- LALNUNMAWIA CHUAUNGO
Chief Secretary to the Govt. of Mizoram

Memo. No.A-12011/1/2020-P&AR(GSW)

Aizawl, the 3rd August, 2020

Copy to:

1. Secretary to Governor
2. Addl. Chief Secretary to Chief Minister
3. P.S. to Deputy Chief Minister
4. P.S. to Speaker/Ministers/Deputy Speaker/Ministers of State
5. Sr. P.P.S. to Chief Secretary
6. All Administrative Departments
7. PS to all Principal Secretaries/Commissioners/Secretaries/Special Secretaries
8. Secretary, MPSC/MIC/SEC/AMC
9. All Heads of Departments
10. All Deputy Commissioners
11. All wings of DP&AR
12. Website Manager, DP&AR for uploading in the official website
13. Guard File


(PAUL L. KHUMA)

MP Deputy Secretary to the Govt. of Mizoram
Deptt. of Personnel & Administrative Reforms

(Standard format for framing of service rules for which there are no existing service rules to be superseded)

**GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)**

∴∴∴

NOTIFICATION³²

No. _____ Aizawl, the _____ :

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor of Mizoram hereby makes the following rules regulating the method of recruitment and the conditions of service of the _____³³ Service, namely :-

1. Short title and commencement.-

- 1) These rules may be called the Mizoram _____³⁴ Service Rules, _____³⁵
- 2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

- a) 'Appointing authority' means the authorities as defined under rule 2(a) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- b) 'Authorised strength' means the strength of duty posts in the _____³⁶ Service cadre against which regular appointments are made;
- c) 'Commission' means the Mizoram Public Service Commission;
- d) 'Constitution' means the Constitution of India;
- e) 'Departmental Promotion Committee' in relation to any grade, means the Committee constituted by the Government from time to time as indicated in Schedule-IV of these rules;
- f) 'Duty post' means any post, whether permanent or temporary, as specified in the Schedule-I of these rules;
- g) 'Gazette' means the official Gazette of the State of Mizoram;

³² This format is meant for framing of new service rules for services for which there are no existing rules to be superseded

³³ The name of the Service should be indicated here

³⁴ The name of the Service should be indicated here.

³⁵ The calendar year of notification of the service rules should be indicated here

³⁶ Name of the Service may be indicated here

- h) 'Government' means Government of Mizoram;
- i) 'Governor' means the Governor of Mizoram;
- j) 'Grade' means any of the grades of the Service as specified in Schedule-I of these rules;
- k) 'Regular service' in relation to any grade means the period or periods of service in that grade rendered after selection and appointment thereto under the rules according to the prescribed procedure for regular appointment to that grade and includes any period or periods:-

(1) taken into account for the purpose of seniority in case of those already in service at the time of notification of these rules;

(2) during which an officer would have held a duty post in that grade but for being on leave or otherwise not being available for holding such post;

- l) 'Schedule' means the Schedule appended to these rules;
- m) 'Service' means the _____³⁷ Service constituted under rule ____³⁸ of these rules;

3. Constitution of the Service.-

- 1) There shall be constituted a service known as the _____³⁹ Service
- 2) All posts included in the Service shall be classified as Group ____⁴⁰ posts OR The posts included in the _____⁴¹ grade of the Service shall be classified as Group ____⁴² posts while posts included in _____⁴³ grade of the Service shall be classified as Group ____⁴⁴ posts

4. Grades, authorised strength and review.-

- 1) The authorized strength of various grades of the Service on the date of commencement of these rules, the number of posts in each grade, their designation and the level in the pay matrix/scale of pay attached thereto shall be as specified in Schedule-I.
- 2) After the commencement of these rules, the authorized strength of various grades of the Service shall be as may be determined by the Government from time to time.

³⁷ _____
Name of the Service may be indicated here

³⁸ The rule number pertaining to the clause on "Constitution of the Service" may be inserted here

³⁹ Name of the Service may be indicated here

⁴⁰ The group classification of the posts in the relevant grade as per the classification given by the Government from time to time may be indicated here

⁴¹ Name of the appropriate grade may be indicated here

⁴² Same as the foot note in Sl. No. 40

⁴³ Same as the foot note in Sl. No. 41

⁴⁴ Same as the foot note in Sl. No. 40

- 3) The Government may make temporary additions to, or reduction in the strength of the duty posts in the various grades as it may deem necessary from time to time.
- 4) The Government may, in consultation with the Commission⁴⁵, include in the Service such posts as may be equivalent to the posts included in the Service in status, grade, scale of pay and professional content other than those included in Schedule-I or exclude from the Service a post included in the said Schedule.
- 5) The Government may, in consultation with the appropriate Departmental Promotion Committee, appoint an officer whose post is included in the Service under sub-rule (4), to the appropriate grade of the Service in a temporary capacity or in a substantive capacity, as may be deemed fit, and fix his seniority in such grade in accordance with the general orders and instructions issued by the Government from time to time.

5. Members of the Service.-

- 1) The following persons shall be the members of the Service, namely:
 - a) A person deemed to have been appointed under rule ____⁴⁶; and
 - b) A person appointed to any grades of the Service under rule ____⁴⁷.
- 2) A person appointed under clause (a) of sub-rule (1) shall be deemed to be a member of the Service in the appropriate grade applicable to him⁴⁸.
- 3) A person appointed under clause (b) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him from the date of such appointment.

6. Initial constitution of the Service.-

- 1) The officers holding the post of ____⁴⁹ on regular basis on the date of commencement of these rules shall be deemed to have been appointed to the appropriate grade of the Service.
- 2) The regular continuous services of officers referred to in sub-rule (1) before the commencement of these rules shall count for the purpose of probation, confirmation, seniority, eligibility for promotion to the next higher grade and pension in the service

⁴⁵The words "in consultation with the Commission" may be included only if the posts in question comes within the purview of the Commission as per the MPSC (Limitation of Functions) Regulations, 1994 as amended from time to time

⁴⁶ The rule number indicating the clause on "Initial constitution of the Service" be indicated here

⁴⁷ The rule number indicating the clause on "Future Maintenance of the Service" be indicated here

⁴⁸ Clause (a) of sub-rule (1) and sub-rule (2) need not be inserted when the "Initial constitution of the Service" clause is not present in the service rules

⁴⁹ The post held by the officers before the service rules came into force and which is to be included in the cadre on a regular/long term basis should be indicated here

7. Future maintenance of the Service.-

- 1) After the commencement of these rules, the vacancies in any of the grades referred to in Schedule-I shall be filled in the manner as hereinafter provided under these rules.
- 2) The methods of recruitment, the field of selection and the eligibility criteria, as the case may be, for appointment to the grades included in the Service shall be as specified in Schedule-II.
- 3) The educational and other qualifications including the age limits for direct recruitment to the appropriate grades of the Service shall be as specified in Schedule-III.
- 4) The composition of the Departmental Promotion Committee and the circumstances for consultation with the Mizoram Public Service Commission for various methods of recruitment shall be as specified in Schedule-IV.
- 5) The procedure for conduct of direct recruitment including any other methods of recruitment shall be as per the rules or regulations or guidelines or instructions issued by the Government from time to time.

8. Filling of duty posts by deputation.-

- 1) In the event of non-availability of eligible candidates and notwithstanding anything contained in rule ___⁵⁰, where the Government is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, fill-up duty post in any grade by deputation of suitable officers holding analogous posts under the Central/State Government.
- 2) The period of deputation shall be for a period not exceeding three years, which may, in special circumstances, be extended in any case not beyond five years, as the Government may think fit.

9. Seniority.-

- 1) The relative seniority of the members of the Service on commencement of these rules shall be the relative seniority in their respective grades as determined before the commencement of these rules:

Provided that if the seniority of any member of the Service has not been determined before the commencement of these rules, it shall be determined by the Government in accordance with the general guidelines governing fixation of seniority issued by the Government from time to time.

- 2) The seniority of persons recruited to the Service, after the commencement of these rules, shall be determined in accordance with the general guidelines issued by the Government in this behalf from time to time.

- 3) In cases not covered under sub-rule (1) and (2) of these rules, seniority shall be determined by the Government in consultation with the Commission.

10. Probation.-

- 1) Every officer on appointment to the Service by direct recruitment shall be on probation for a period of two years;

Provided that the period of probation for officers appointed to the Service through methods of recruitment other than direct recruitment shall be governed by the orders or instructions issued in this behalf by the Government from time to time;

Provided further that the appointing authority may extend the period of probation in accordance with the instructions issued by the Government in this behalf from time to time;

Provided also that any decision for extension of probation period shall be taken within six to eight weeks after the expiry of initial period of probation and communicated in writing to the concerned officer, together with reasons for so doing within the said period.

- 2) On completion of the period of probation or any extension thereof, an officer shall, if considered fit for permanent appointment, be considered for confirmation in terms of the orders of the Government issued from time to time.
- 3) If, during the period of probation or any extension thereof, as the case may be the Government is of the opinion that an officer is not fit for permanent appointment, it may discharge the officer or revert him to the post held by him prior to his appointment in the service, as the case may be.
- 4) During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of mandatory foundation/induction training or to pass such examinations or tests as the Government may deem fit, as condition for satisfactory completion of probation.
- 5) Once a member of the Service has been confirmed in the lower grade, he/she shall not be required to be confirmed again in each grade or post.
- 6) As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Government in this behalf from time to time.

11. Appointment to the Service.- All appointments to the Service shall be made by the appointing authority to the appropriate grades of the Service and not against specific posts.

12. Posting of Members of the Service.-

- 1) Every member of the Service shall, unless he is on leave or otherwise not available for holding a duty post, be posted against a duty post of the appropriate grade in the Service.
- 2) Notwithstanding anything contained in sub-rule (1), the State Government, in public interest, shall have the right and power to transfer any member of the Service to any other post or position which is equivalent in rank or grade

13. Training and Departmental Examination.- Every member of the Service shall undergo such training or pass such Departmental Examination as may be prescribed by the Government from time to time.

14. Disqualification.-

No person –

- a) who has entered into or contracted a marriage with a person having a spouse living; or
 - b) who, having a spouse living, has entered into or contracted a marriage with any person,
- shall be eligible for appointment to the Service;

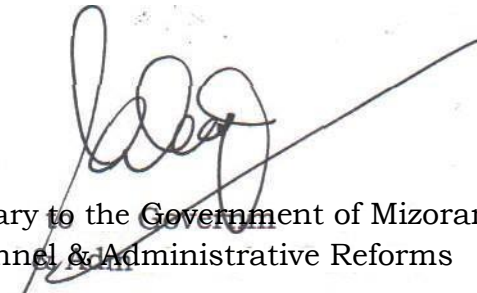
Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other valid grounds for doing so, exempt any such person from the operation of this rule.

15. Other conditions of service.- The conditions of service of the members of the Service in respect of matters not expressly provided for in these rules, shall, mutatis mutandis and subject to any special orders issued by the Government in respect of the Service, be governed by the general rules framed or orders issued by the Government from time to time.

16. Power to relax.- Where the State Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, in consultation with the Mizoram Public Service Commission⁵¹ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons.

⁵¹ The words “in consultation with the Mizoram Public Service Commission” has to be inserted **only** in the service rules for post(s) which falls under the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended

- 17. Saving.-** Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, the Ex-servicemen and other special categories of persons in accordance with the order issued by the Government of Mizoram from time to time in this regard.
- 18. Interpretation.-** If any question arises relating to the interpretation of these rules, it shall be decided by the Government.



Joint/Additional Secretary to the Government of Mizoram
Deptt. of Personnel & Administrative Reforms

SCHEDULE - I
[see rule _____⁵²]

(Name of post/grade, scale of pay and number of posts)

A. _____⁵³ **Grade in level** _____⁵⁴ **of the pay matrix** (_____ - _____⁵⁵)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)

B. _____⁵⁶ **Grade in level** _____⁵⁷ **of the pay matrix** (_____ - _____⁵⁸)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)

SCHEDULE - II
[see rule _____⁵⁹]

(Methods of recruitment, field of selection and eligibility criteria)

Sl. No.	Name of grade	Methods of recruitment and percentage of the vacancies to be filled by various methods	Whether selection or non-selection posts?	Field of selection and eligibility criteria
(1)	(2)	(3)	(4)	(5)

⁵² _____
The rule number pertaining to the clause on "Grades, authorized strength and review" may be inserted here

⁵³ The name of the appropriate grade of the Service may be indicated here

⁵⁴ The level of the pay matrix or the scale of pay may be indicated here

⁵⁵ The figures corresponding to the level in the pay matrix may be indicated within the brackets, starting with the cell corresponding to index 1 and ending with the cell in the last index

⁵⁶ Same as foot note Sl. No. 53

⁵⁷ Same as foot note Sl. No. 54

⁵⁸ Same as foot note Sl. No. 58

⁵⁹ The rule number pertaining to the clause on "Future Maintenance of the Service" may be inserted here

SCHEDULE – III

[see rule ____⁶⁰]

[Educational and other qualifications including age limit for direct recruitment]

Sl. No.	Name of grade	Educational and other qualifications	Age limit for direct recruitment
(1)	(2)	(3)	(4)

Note 1: Candidates whose final examination for a degree of recognized University has been held and the results are yet to be declared in due course may be allowed to appear in the written examination. All candidates who are declared qualified in the written examination will be required to produce proof of passing the requisite examination on or before the date of personal interview.

Note 2: In exceptional cases, the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department⁶¹ conducting the examination may treat a candidate who does not have any of the foregoing qualification as a qualified candidate provided that he/she has passed examination conducted by other institution the standard of which in the opinion of the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department justifies his/her admission to the examination.

Note 3: Candidates possessing professional and technical qualifications which are recognized by Government as equivalent to professional and technical degree would also be eligible for admission to the examination.

SCHEDULE – IV

[see rule ____⁶²]

[Composition of the Departmental Promotion Committee and circumstances for consultation with the Mizoram Public Service Commission]

Sl. No.	Name of grade	Composition of Departmental Promotion Committee for various methods of recruitment	Circumstances for consultation with the Mizoram Public Service Commission
(1)	(2)	(3)	(4)

⁶⁰_____

The rule number pertaining to the clause on "Future Maintenance of the Service" may be indicated here

⁶¹ The name of the appropriate agency may be indicated here

⁶² The rule number pertaining to the clause on "Future Maintenance of the Service" may be inserted here

(Standard format for framing of service rules for which existing service rules have to be superseded)

GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

∴∴∴

NOTIFICATION⁶³

No. _____ Aizawl, the _____ : In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the _____⁶⁴ notified in the Mizoram Gazette extraordinary issue number _____⁶⁵ dated _____⁶⁶, except as respects things done or omitted to be done before such supersession, the Governor of Mizoram hereby makes the following rules regulating the method of recruitment and the conditions of service of the _____⁶⁷ Service, namely :-

1. Short title and commencement.-

- 1) These rules may be called the Mizoram _____⁶⁸ Service Rules, _____⁶⁹
- 2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

- a) 'Appointing authority' means the authorities as defined under rule 2(a) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- b) 'Authorised strength' means the strength of duty posts in the _____⁷⁰ Service cadre against which regular appointments are made;
- c) 'Commission' means the Mizoram Public Service Commission;
- d) 'Constitution' means the Constitution of India;

⁶³ This format is meant for framing of service rules for services in which the existing rules have to be superseded

⁶⁴ Short title of the service rules to be superseded should be indicated

⁶⁵ The issue number of the Gazette notification wherein the service rules to be superseded was notified should be indicated here

⁶⁶ The date of issue of the Gazette notification wherein the service rules to be superseded was notified should be indicated here

⁶⁷ The name of the Service should be indicated here

⁶⁸ The name of the Service should be indicated here.

⁶⁹ The calendar year of notification of the service rules should be indicated here

⁷⁰ Name of the Service may be indicated here

- e) 'Departmental Promotion Committee' in relation to any grade, means the Committee constituted by the Government from time to time as indicated in Schedule-IV of these rules;
- f) 'Duty post' means any post, whether permanent or temporary, as specified in the Schedule-I of these rules;
- g) 'Gazette' means the official Gazette of the State of Mizoram;
- h) 'Government' means Government of Mizoram;
- i) 'Governor' means the Governor of Mizoram;
- j) 'Grade' means any of the grades of the Service as specified in Schedule-I of these rules;
- k) 'Regular service' in relation to any grade means the period or periods of service in that grade rendered after selection and appointment thereto under the rules according to the prescribed procedure for regular appointment to that grade and includes any period or periods:-

(1) taken into account for the purpose of seniority in case of those already in service at the time of notification of these rules;

(2) during which an officer would have held a duty post in that grade but for being on leave or otherwise not being available for holding such post;

- l) 'Schedule' means the Schedule appended to these rules;
- m) 'Service' means the _____⁷¹ Service constituted under rule ____⁷² of these rules;

3. Constitution of the Service.-

- 1) There shall be constituted a service known as the _____⁷³ Service
- 2) All posts included in the Service shall be classified as Group ____⁷⁴ posts OR The posts included in the _____⁷⁵ grade of the Service shall be classified as Group ____⁷⁶ posts while posts included in ____⁷⁷ grade of the Service shall be classified as Group ____⁷⁸ posts

4. Grades, authorised strength and review.-

- 1) The authorized strength of various grades of the Service on the date of commencement of these rules, the number of posts in each grade, their

⁷¹ _____
Name of the Service may be indicated here

⁷² The rule number pertaining to the clause on "Constitution of the Service" may be inserted here

⁷³ Name of the Service may be indicated here

⁷⁴ The group classification of the posts in the relevant grade as per the classification given by the Government from time to time may be indicated here

⁷⁵ Name of the appropriate grade may be indicated here

⁷⁶ Same as the foot note in Sl. No. 74

⁷⁷ Same as the foot note in Sl. No. 75

⁷⁸ Same as the foot note in Sl. No. 74

designation and the level in the pay matrix/scale of pay attached thereto shall be as specified in Schedule-I.

- 2) After the commencement of these rules, the authorized strength of various grades of the Service shall be as may be determined by the Government from time to time.
- 3) The Government may make temporary additions to, or reduction in the strength of the duty posts in the various grades as it may deem necessary from time to time.
- 4) The Government may, in consultation with the Commission⁷⁹, include in the Service such posts as may be equivalent to the posts included in the Service in status, grade, scale of pay and professional content other than those included in Schedule-I or exclude from the Service a post included in the said Schedule.
- 5) The Government may, in consultation with the appropriate Departmental Promotion Committee, appoint an officer whose post is included in the Service under sub-rule (4), to the appropriate grade of the Service in a temporary capacity or in a substantive capacity, as may be deemed fit, and fix his seniority in such grade in accordance with the general orders and instructions issued by the Government from time to time.

5. Members of the Service.-

- 1) The following persons shall be the members of the Service, namely:
 - a) The officers of the _____⁸⁰ Service holding duty posts in various grades of that Service on regular basis or holding lien on such posts on the date of commencement of these rules, and
 - b) A person appointed to any grades of the Service under rule ____⁸¹.
- 2) A person appointed under clause (a) of sub-rule (1) shall be deemed to be a member of the Service in the appropriate grade applicable to him⁸².
- 3) A person appointed under clause (b) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him from the date of such appointment.

6. Future maintenance of the Service.-

⁷⁹The words "in consultation with the Commission" may be included only if the posts in question comes within the purview of the Commission as per the MPSC (Limitation of Functions) Regulations, 1994 as amended from time to time

⁸⁰ The name of the Service for which the rules are being framed may be indicated here

⁸¹ The rule number indicating the clause on "Future Maintenance of the Service" be indicated here

⁸² Clause (a) of sub-rule (1) and sub-rule (2) need not be inserted when the "Initial constitution of the Service" clause is not present in the service rules

- 1) After the commencement of these rules, the vacancies in any of the grades referred to in Schedule-I shall be filled in the manner as hereinafter provided under these rules.
- 2) The methods of recruitment, the field of selection and the eligibility criteria, as the case may be, for appointment to the grades included in the Service shall be as specified in Schedule-II.
- 3) The educational and other qualifications including the age limits for direct recruitment to the appropriate grades of the Service shall be as specified in Schedule-III.
- 4) The composition of the Departmental Promotion Committee and the circumstances for consultation with the Mizoram Public Service Commission for various methods of recruitment shall be as specified in Schedule-IV.
- 5) The procedure for conduct of direct recruitment including any other methods of recruitment shall be as per the rules or regulations or guidelines or instructions issued by the Government from time to time.

7. Filling of duty posts by deputation.-

- 1) In the event of non-availability of eligible candidates and notwithstanding anything contained in rule ___⁸³, where the Government is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, fill-up duty post in any grade by deputation of suitable officers holding analogous posts under the Central/State Government.
- 2) The period of deputation shall be for a period not exceeding three years, which may, in special circumstances, be extended in any case not beyond five years, as the Government may think fit.

8. Seniority.-

- 1) The relative seniority of the members of the Service on commencement of these rules shall be the relative seniority in their respective grades as determined before the commencement of these rules:

Provided that if the seniority of any member of the Service has not been determined before the commencement of these rules, it shall be determined by the Government in accordance with the general guidelines governing fixation of seniority issued by the Government from time to time.

- 2) The seniority of persons recruited to the Service, after the commencement of these rules, shall be determined in accordance with the general guidelines issued by the Government in this behalf from time to time.

83

The rule number pertaining to the clause on "Future Maintenance of the Service" may be inserted here

- 3) In cases not covered under sub-rule (1) and (2) of these rules, seniority shall be determined by the Government in consultation with the Commission.

9. Probation.-

- 1) Every officer on appointment to the Service by direct recruitment shall be on probation for a period of two years;

Provided that the period of probation for officers appointed to the Service through methods of recruitment other than direct recruitment shall be governed by the orders or instructions issued in this behalf by the Government from time to time;

Provided further that the appointing authority may extend the period of probation in accordance with the instructions issued by the Government in this behalf from time to time;

Provided also that any decision for extension of probation period shall be taken within six to eight weeks after the expiry of initial period of probation and communicated in writing to the concerned officer, together with reasons for so doing within the said period.

- 2) On completion of the period of probation or any extension thereof, an officer shall, if considered fit for permanent appointment, be considered for confirmation in terms of the orders of the Government issued from time to time.
- 3) If, during the period of probation or any extension thereof, as the case may be the Government is of the opinion that an officer is not fit for permanent appointment, it may discharge the officer or revert him to the post held by him prior to his appointment in the service, as the case may be.
- 4) During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of mandatory foundation/induction training or to pass such examinations or tests as the Government may deem fit, as condition for satisfactory completion of probation.
- 5) Once a member of the Service has been confirmed in the lower grade, he/she shall not be required to be confirmed again in each grade or post.
- 6) As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Government in this behalf from time to time.

- 10. Appointment to the Service.-** All appointments to the Service shall be made by the appointing authority to the appropriate grades of the Service and not against specific posts.

11. Posting of Members of the Service.-

- 1) Every member of the Service shall, unless he is on leave or otherwise not available for holding a duty post, be posted against a duty post of the appropriate grade in the Service.
- 2) Notwithstanding anything contained in sub-rule (1), the State Government, in public interest, shall have the right and power to transfer any member of the Service to any other post or position which is equivalent in rank or grade

12. Training and Departmental Examination.- Every member of the Service shall undergo such training or pass such Departmental Examination as may be prescribed by the Government from time to time.

13. Disqualification.-

No person –

- c) who has entered into or contracted a marriage with a person having a spouse living; or
 - d) who, having a spouse living, has entered into or contracted a marriage with any person,
- shall be eligible for appointment to the Service;

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other valid grounds for doing so, exempt any such person from the operation of this rule.

14. Other conditions of service.- The conditions of service of the members of the Service in respect of matters not expressly provided for in these rules, shall, mutatis mutandis and subject to any special orders issued by the Government in respect of the Service, be governed by the general rules framed or orders issued by the Government from time to time.

15. Power to relax.- Where the State Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, in consultation with the Mizoram Public Service Commission⁸⁴ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons.

16. Saving.- Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, the Ex-servicemen and other special

⁸⁴ The words “in consultation with the Mizoram Public Service Commission” has to be inserted **only** in the service rules for post(s) which falls under the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended

categories of persons in accordance with the order issued by the Government of Mizoram from time to time in this regard.

- 17. Interpretation.-** If any question arises relating to the interpretation of these rules, it shall be decided by the Government.

Joint/Additional Secretary to the Government of Mizoram
Deptt. of Personnel & Administrative Reforms

SCHEDULE - I
[see rule _____⁸⁵]

(Name of post/grade, scale of pay and number of posts)

A. _____⁸⁶ **Grade in level** _____⁸⁷ **of the pay matrix** (_____ - _____⁸⁸)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)

B. _____⁸⁹ **Grade in level** _____⁹⁰ **of the pay matrix** (_____ - _____⁹¹)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)

⁸⁵ _____
The rule number pertaining to the clause on “Grades, authorized strength and review” may be inserted here

⁸⁶ The name of the appropriate grade of the Service may be indicated here

⁸⁷ The level of the pay matrix or the scale of pay may be indicated here

⁸⁸ The figures corresponding to the level in the pay matrix may be indicated within the brackets, starting with the cell corresponding to index 1 and ending with the cell in the last index

⁸⁹ Same as foot note Sl. No. 86

⁹⁰ Same as foot note Sl. No. 87

⁹¹ Same as foot note Sl. No. 88

SCHEDULE – II
[see rule ____⁹²]

(Methods of recruitment, field of selection and eligibility criteria)

Sl. No.	Name of grade	Methods of recruitment and percentage of the vacancies to be filled by various methods	Whether selection or non-selection posts?	Field of selection and eligibility criteria
(1)	(2)	(3)	(4)	(5)

SCHEDULE – III
[see rule ____⁹³]

[Educational and other qualifications including age limit for direct recruitment]

Sl. No.	Name of grade	Educational and other qualifications	Age limit for direct recruitment
(1)	(2)	(3)	(4)

Note 1: Candidates whose final examination for a degree of recognized University has been held and the results are yet to be declared in due course may be allowed to appear in the written examination. All candidates who are declared qualified in the written examination will be required to produce proof of passing the requisite examination on or before the date of personal interview.

Note 2: In exceptional cases, the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department⁹⁴ conducting the examination may treat a candidate who does not have any of the foregoing qualification as a qualified candidate provided that he/she has passed examination conducted by other institution the standard of which in the opinion of the Mizoram Public Service Commission or the Mizoram Subordinate Services Selection Board or the department justifies his/her admission to the examination.

Note 3: Candidates possessing professional and technical qualifications which are recognized by Government as equivalent to professional and technical degree would also be eligible for admission to the examination.

⁹² _____
The rule number pertaining to the clause on “Future Maintenance of the Service” may be inserted here

⁹³ The rule number pertaining to the clause on “Future Maintenance of the Service” may be indicated here

⁹⁴ The name of the appropriate agency may be indicated here

SCHEDULE - IV

[see rule _____⁹⁵]

[Composition of the Departmental Promotion Committee and circumstances for consultation with the Mizoram Public Service Commission]

Sl. No.	Name of grade	Composition of Departmental Promotion Committee for various methods of recruitment	Circumstances for consultation with the Mizoram Public Service Commission
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>

⁹⁵_____

The rule number pertaining to the clause on "Future Maintenance of the Service" may be inserted here

GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

NOTIFICATION⁹⁶

No. _____ Aizawl, the _____ :

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor of Mizoram hereby makes the following rules to amend the _____⁹⁷ (hereinafter referred to as the principal rules) namely :-

- 1. Short title and commencement.- (1) These rules may be called the Mizoram _____⁹⁸ Department (Group '____⁹⁹' post) Recruitment (100Amendment) Rules, _____¹⁰¹ (2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule _____¹⁰².- In the principal rules, for rule ____¹⁰³, the following rule shall be substituted, namely:- "....."

3. Amendment of the Schedule ____¹⁰⁴.- In the principal rules, in the Schedule____¹⁰⁵, against serial number ____¹⁰⁶ relating to the grade of ____¹⁰⁷, in Column ____¹⁰⁸, the following entries shall be substituted, namely:-

96 This format is meant for amendment of existing service rules which are in existence for less than 10 years.

97 Short title of the service rules to be amended should be written here

98 The name of the department as reflected in the short title of the service rules to be amended should be indicated here

99 The group classification of the post(s) as reflected in the short title of the service rules to be amended should be indicated here

100 The number of amendment (i.e. First or Second) need not be indicated here unless more than one amendment to the rules is/are made in the same calendar year

101 The calendar year of notification of the amendment to the service rules should be indicated here.

102 In case a particular rule is to be amended, the rule number may be indicated here

103 The rule to be amended should be indicated here

104 The number assigned to the Schedule to be amended may be indicated here

105 The number assigned to the Schedule to be amended may be indicated here

106 In case there are more than one posts mentioned in the Schedule to be amended, the name of the serial number pertaining to that post should be mentioned

107 The name of the grade to be amended should be indicated here

108 The Column number pertaining to the entries to be amended should be indicated here

“.....”

Joint/Additional Secretary to the Government of Mizoram
Deptt. of Personnel & Administrative Reforms

Note: The principal rules were notified vide No. _____¹⁰⁹ dated _____¹¹⁰ and published in the Mizoram Gazette extraordinary issue number _____¹¹¹ dated _____¹¹² and amended vide:-

1. Notification No. _____¹¹³ dated _____¹¹⁴ and published in the Mizoram Gazette extraordinary issue number _____¹¹⁵ dated _____¹¹⁶;
2. If there are more than one amendment to the service rules, the same should be reflected here as per the format at Sl No. (1) above.

¹⁰⁹ The file number in which the notification for the principal rules were issued should be indicated here

¹¹⁰ The date of issue of the notification of the principal rules should be indicated here

¹¹¹ The Gazette issue number of the notification of the principal rules should be indicated here

¹¹² The date of issue of the Gazette notifying the principal rules should be indicated here

¹¹³ The file number in which the notification for the amended service rules were issued should be indicated here

¹¹⁴ The date of issue of the notification of the amended service rules should be indicated here

¹¹⁵ The Gazette issue number of the notification of the amended service rules should be indicated here

¹¹⁶ The date of issue of the Gazette notifying the amended service rules should be indicated here

ANNEXURE IV

FORMAT TO BE SUBMITTED TO DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS FOR AMENDMENT OF SERVICE RULES

1	a) Name of the Service	
	b) Name of the Department controlling the members of the Service	
2	Enclose a copy of the original rules proposed to be amended	
3	Enclose a copy of the subsequent amendment to the original rules, if any	
4	Name, address and telephone number of the Department's representatives with whom whose proposals may be discussed, if necessary, for clarification/early decision.	

Rule number in the Notification	Column No. of the Schedule (Schedule No. may be specified while making entries)	Provisions in the approved/existing service rules	Revised provisions proposed	Reasons for the proposed revision

Date:

Name, designation and signature of the Officer sending the proposal

**FORMAT TO BE SUBMITTED TO DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS FOR RELAXATION OF SERVICE RULES**

1	a) Name of the grade for which relaxation is sought	
	b) Name of the Service	
	c) Level in the pay matrix/scale of pay of the said grade	
	d) Group classification of the said grade	
	e) Is the promotion to be made on selection or non-selection method?	
2	Enclose Gazette copy of the relevant service rules with amendments, if any	
3	a) In case of proposal for relaxation of the eligibility conditions for promotion, have the alternative methods of recruitment, if any, been tried by the Department. If so, indicate the results	
	b) Length of regular service rendered in the feeder grade as on the crucial date of the relevant vacancy year _____.	
	c) Length of deficiency in rendering the prescribed eligibility conditions as on the crucial date of the relevant vacancy year _____.	
4	Enclose updated seniority list of officers who are to be considered for relaxation	
5	In the case of proposal for relaxation pertaining to direct recruitment, is it necessary to revise the qualifications if the method of recruitment has failed	

	more than once?	
6	In case probation period is prescribed for the officers under consideration, please indicate whether the officers have satisfactorily completed the probation period	
7	The number of years of ad hoc service (in the feeder grade) put in by the officers whose case is being considered for relaxation, with details	
8	The reasons for making ad hoc appointments referred to in item 7 above, may be indicated: (a) Delay in convening of DPC meeting (b) Pending Court cases (c) Finalization of service rules (d) Any other reasons.	
9	It may be indicated whether the proposal for relaxation is a result of cadre review/restructuring of the Department	
10	Has the proposal been approved in-principle at least by the Secretary of the concerned Department	
11	Reason(s) for relaxation of the service rules (<i>There must be genuine and compelling reasons for relaxation of rules</i>)	
12	Name, address and telephone number of the Department's representatives with whom whose proposals may be discussed, if necessary, for clarification/early decision	
13	Any other remark	

Date:

Name, designation and signature of the Officer sending the proposal

(Model service rules for an imaginary Mizoram Administrative Service for which service rules are framed for the first time and officers already holding posts in different categories on regular basis are included in the Service)

**GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)**

∴∴∴

NOTIFICATION

No. _____ Aizawl, the _____ :

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor of Mizoram hereby makes the following rules regulating the method of recruitment and the conditions of service of the Mizoram Administrative Service, namely :-

1. Short title and commencement.-

- 1) These rules may be called the Mizoram Administrative Service Rules, 2020.
- 2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

- a) 'Appointing authority' means the authorities as defined under rule 2(a) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- b) 'Authorised strength' means the strength of duty posts in the Mizoram Administrative Service cadre against which regular appointments are made;
- c) 'Commission' means the Mizoram Public Service Commission;
- d) 'Constitution' means the Constitution of India;
- e) 'Departmental Promotion Committee' in relation to any grade, means the Committee constituted by the Government from time to time as indicated in Schedule-IV of these rules;
- f) 'Duty post' means any post, whether permanent or temporary, as specified in the Schedule-I of these rules;
- g) 'Gazette' means the official Gazette of the State of Mizoram;
- h) 'Government' means Government of Mizoram;
- i) 'Governor' means the Governor of Mizoram;
- j) 'Grade' means any of the grades of the Service as specified in Schedule-I of these rules;

k) 'Regular service' in relation to any grade means the period or periods of service in that grade rendered after selection and appointment thereto under the rules according to the prescribed procedure for regular appointment to that grade and includes any period or periods:-

(1) taken into account for the purpose of seniority in case of those already in service at the time of notification of these rules;

(2) during which an officer would have held a duty post in that grade but for being on leave or otherwise not being available for holding such post;

l) 'Schedule' means the Schedule appended to these rules;

m) 'Service' means the Mizoram Administrative Service constituted under rule 3 of these rules;

3. Constitution of the Service.-

- 1) There shall be constituted a service known as the Mizoram Administrative Service
- 2) All posts included in the Service shall be classified as Group 'A' posts

4. Grades, authorised strength and review.-

- 1) The authorized strength of various grades of the Service on the date of commencement of these rules, the number of posts in each grade, their designation and the level in the pay matrix/scale of pay attached thereto shall be as specified in Schedule-I.
- 2) After the commencement of these rules, the authorized strength of various grades of the Service shall be as may be determined by the Government from time to time.
- 3) The Government may make temporary additions to, or reduction in the strength of the duty posts in the various grades as it may deem necessary from time to time.
- 4) The Government may, in consultation with the Commission¹¹⁷, include in the Service such posts as may be equivalent to the posts included in the Service in status, grade, scale of pay and professional content other than those included in Schedule-I or exclude from the Service a post included in the said Schedule.

¹¹⁷ The words "in consultation with the Commission" may be included only if the posts in question comes within the purview of the Commission as per the MPSC (Limitation of Functions) Regulations, 1994 as amended from time to time

- 5) The Government may, in consultation with the Commission, appoint an officer whose post is included in the Service under sub-rule (4), to the appropriate grade of the Service in a temporary capacity or in a substantive capacity, as may be deemed fit, and fix his seniority in such grade in accordance with the general orders and instructions issued by the Government from time to time.

5. Members of the Service.-

- 1) The following persons shall be the members of the Service, namely:
 - a) A person deemed to have been appointed under rule 6; and
 - b) A person appointed to any grades of the Service under rule 7.
- 2) A person appointed under clause (a) of sub-rule (1) shall be deemed to be a member of the Service in the appropriate grade applicable to him.
- 3) A person appointed under clause (b) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him from the date of such appointment.

6. Initial constitution of the Service.-

- 1) The officers holding the post of Administrative Officers, Revenue Officers, Deputy Magistrates and Assistant Director, Disaster Management ¹¹⁸ on regular basis on the date of commencement of these rules shall be deemed to have been appointed to the appropriate grade of the Service.
- 2) The regular continuous services of officers referred to in sub-rule (1) before the commencement of these rules shall count for the purpose of probation, confirmation, seniority, eligibility for promotion to the next higher grade and pension in the service

7. Future maintenance of the Service.-

- 1) After the commencement of these rules, the vacancies in any of the grades referred to in Schedule-I shall be filled in the manner as hereinafter provided under these rules.
- 2) The methods of recruitment, the field of selection and the eligibility criteria, as the case may be, for appointment to the grades included in the Service shall be as specified in Schedule-II.
- 3) The educational and other qualifications including the age limits for direct recruitment to the appropriate grades of the Service shall be as specified in Schedule-III.

¹¹⁸ The post held by the officers before the service rules came into force and which is to be included in the cadre on a regular/long term basis should be indicated here

- 4) The composition of the Departmental Promotion Committee and the circumstances for consultation with the Mizoram Public Service Commission for various methods of recruitment shall be as specified in Schedule-IV.
- 5) The procedure for conduct of direct recruitment including any other methods of recruitment shall be as per the rules or regulations or guidelines or instructions issued by the Government from time to time.

8. Filling of duty posts by deputation.-

- 1) In the event of non-availability of eligible candidates and notwithstanding anything contained in rule 7, where the Government is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, fill-up duty post in any grade by deputation of suitable officers holding analogous posts under the Central/State Government.
- 2) The period of deputation shall be for a period not exceeding three years, which may, in special circumstances, be extended in any case not beyond five years, as the Government may think fit.

9. Seniority.-

- 1) The relative seniority of the members of the Service on commencement of these rules shall be the relative seniority in their respective grades as determined before the commencement of these rules:

Provided that if the seniority of any member of the Service has not been determined before the commencement of these rules, it shall be determined by the Government in accordance with the general guidelines governing fixation of seniority issued by the Government from time to time.

- 2) The seniority of persons recruited to the Service, after the commencement of these rules, shall be determined in accordance with the general guidelines issued by the Government in this behalf from time to time.
- 3) In cases not covered under sub-rule (1) and (2) of these rules, seniority shall be determined by the Government in consultation with the Commission.

10. Probation.-

- 1) Every officer on appointment to the Service by direct recruitment shall be on probation for a period of two years;

Provided that the period of probation for officers appointed to the Service through methods of recruitment other than direct recruitment shall be governed by the orders or instructions issued in this behalf by the Government from time to time;

Provided further that the appointing authority may extend the period of probation in accordance with the instructions issued by the Government in this behalf from time to time;

Provided also that any decision for extension of probation period shall be taken within six to eight weeks after the expiry of initial period of probation and communicated in writing to the concerned officer, together with reasons for so doing within the said period.

- 2) On completion of the period of probation or any extension thereof, an officer shall, if considered fit for permanent appointment, be considered for confirmation in terms of the orders of the Government issued from time to time.
 - 3) If, during the period of probation or any extension thereof, as the case may be the Government is of the opinion that an officer is not fit for permanent appointment, it may discharge the officer or revert him to the post held by him prior to his appointment in the service, as the case may be.
 - 4) During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of mandatory foundation/induction training or to pass such examinations or tests as the Government may deem fit, as condition for satisfactory completion of probation.
 - 5) Once a member of the Service has been confirmed in the lower grade, he/she shall not be required to be confirmed again in each grade or post.
 - 6) As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Government in this behalf from time to time.
- 11. Appointment to the Service.-** All appointments to the Service shall be made by the appointing authority to the appropriate grades of the Service and not against specific posts.
- 12. Posting of Members of the Service.-**
- 1) Every member of the Service shall, unless he is on leave or otherwise not available for holding a duty post, be posted against a duty post of the appropriate grade in the Service.
 - 2) Notwithstanding anything contained in sub-rule (1), the State Government, in public interest, shall have the right and power to transfer any member of the Service to any other post or position which is equivalent in rank or grade

13. Training and Departmental Examination.- Every member of the Service shall undergo such training or pass such Departmental Examination as may be prescribed by the Government from time to time.

14. Disqualification.-

No person –

- a) who has entered into or contracted a marriage with a person having a spouse living; or
 - b) who, having a spouse living, has entered into or contracted a marriage with any person,
- shall be eligible for appointment to the Service;

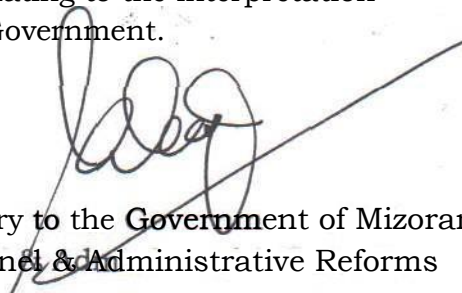
Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other valid grounds for doing so, exempt any such person from the operation of this rule.

15. Other conditions of service.- The conditions of service of the members of the Service in respect of matters not expressly provided for in these rules, shall, mutatis mutandis and subject to any special orders issued by the Government in respect of the Service, be governed by the general rules framed or orders issued by the Government from time to time.

16. Power to relax.- Where the State Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, in consultation with the Mizoram Public Service Commission¹¹⁹ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons.

17. Saving.- Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, the Ex-servicemen and other special categories of persons in accordance with the order issued by the Government of Mizoram from time to time in this regard.

18. Interpretation.- If any question arises relating to the interpretation of these rules, it shall be decided by the Government.


Joint/Additional Secretary to the Government of Mizoram
Deptt. of Personnel & Administrative Reforms

¹¹⁹ The words "in consultation with the Mizoram Public Service Commission" has to be inserted **only** in the service rules for post(s) which falls under the purview of the Commission as per the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended

SCHEDULE - I**[see rule 4]**

(Name of post/grade, scale of pay and number of posts)

A. Selection Grade in level 13 of the pay matrix (`123,100 – `215,900)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)
1.	Joint Secretary to the Government	4
2.	Deputy Commissioner of Districts	4
3.	Director, Tribal Welfare	1
4.	Secretary, Appellate Tribunal	1
	Total	10

B. Junior Administrative Grade in level 12 of the pay matrix (`78,800 – `175,200)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)
1.	Deputy Secretary to the Government	10
2.	Additional Deputy Commissioner	8
3.	Joint Director, Revenue	2
4.	Joint Director, Disaster Management	2
5.	Special Land Acquisition Officer	3
	Total	25

C. Senior Grade in level 11 of the pay matrix (`67,700 – `150,800)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)
1.	Under Secretary to the Government	15
2.	Sub Divisional Officer	15
3.	Deputy Director, Revenue	2
4.	Deputy Director, Tribal Welfare	2
5.	Assistant Commissioner (Revenue)	10
	Total	42

D. Junior Grade in level 10 of the pay matrix (`56,100 – `124,500)

Sl. No.	Name of post(s)	Number of post(s)
(1)	(2)	(3)
1.	Assistant Secretary to the Government	10
2.	Deputy Magistrates	20

3.	Assistant Director, Disaster Management	2
4.	Revenue Officers	18
5.	Administrative Officers	20
	Total	70

SCHEDULE - II
[see rule 7]

(Methods of recruitment, field of selection and eligibility criteria)

Sl. No.	Name of grade	Methods of recruitment and percentage of the vacancies to be filled by various methods	Whether selection or non-selection posts?	Field of selection and eligibility criteria
(1)	(2)	(3)	(4)	(5)
1.	Selection Grade	Promotion	Selection	Promotion: From officers in Junior Administrative Grade of the Service with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis OR from officers in Junior Administrative Grade of the Service with 2 years' of regular service in the grade rendered after appointment thereto on a regular basis and 15 years' of regular service after appointment to the Junior Grade of the Service on regular basis
2.	Junior Administrative Grade	Promotion	Selection	Promotion: From officers in Senior Grade of the Service with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis OR from officers in Senior Grade of the Service with 2 years' of regular service in the grade rendered after appointment thereto on a regular basis and 10 years' of regular service after appointment to the Junior Grade of the Service on regular basis
3.	Senior Grade	75% by promotion and 25% by limited departmental examination	Selection in case of promotion	Promotion: From officers in Junior Grade of the Service with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis and having

				successfully completed the foundation training. Limited departmental examination: From officers in Junior Grade of the Service with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis and having successfully completed the foundation training.
4.	Junior Grade	66 2/3% by direct recruitment and 33 1/3% by promotion	Selection in case of promotion	Promotion: From officers holding the posts of Deputy Administrative Officers with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis

Note: Where juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than three months, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service

SCHEDULE – III
[see rule 7]

[Educational and other qualifications including age limit for direct recruitment]

Sl. No.	Name of grade	Educational and other qualifications	Age limit for direct recruitment
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
1.	Junior Grade	1. Degree from a recognised University 2. Basic knowledge of computer application equivalent to Course on Computer Concepts (CCC) of National Institute of Electronics and Information Technology (NIELIT) or Diploma in Computer Application/Certificate in Computer Application from institutions recognised by Mizoram State Council of Technical Education or such other courses of the level as determined by the Government from time to time. 3. Working knowledge of Mizo language of at least Middle School standard.	Between 18 years and 35 years Note: The crucial date for determining the age limit of candidates shall be the closing date of receipt of applications from candidates

Note 1: Candidates whose final examination for a degree of recognized University has been held and the results are yet to be declared in due course may be allowed to appear in the written examination. All candidates who are declared qualified in the written examination will be required to produce proof of passing the requisite examination on or before the date of personal interview.

Note 2: In exceptional cases, the Mizoram Public Service Commission¹²⁰ conducting the examination may treat a candidate who does not have any of the foregoing qualification as a qualified candidate provided that he/she has passed examination conducted by other institution the standard of which in the opinion of the Mizoram Public Service Commission justifies his/her admission to the examination.

Note 3: Candidates possessing professional and technical qualifications which are recognized by Government as equivalent to professional and technical degree would also be eligible for admission to the examination.

SCHEDULE – IV
[see rule 7]

[Composition of the Departmental Promotion Committee and circumstances for consultation with the Mizoram Public Service Commission]

Sl. No.	Name of grade	Composition of Departmental Promotion Committee for various methods of recruitment	Circumstances for consultation with the Mizoram Public Service Commission
(1)	(2)	(3)	(4)
1.	Selection Grade	Mizoram Public Service Commission	As per the Mizoram Public Service Commission (Limitation of Functions)
2.	Junior Administrative Grade	Mizoram Public Service Commission	
3.	Senior Grade	Mizoram Public Service Commission	Regulations, 1994 as amended from time to time
4.	Junior Grade	Mizoram Public Service Commission	

¹²⁰ The name of the appropriate agency may be indicated here