



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLIX Aizawl, Tuesday 29.09.2020 Asvina 7, S.E. 1942, Issue No. 593

NOTIFICATION

No. A.12034/55/2020-P&AR (GSW), the 28th September, 2020: In the interest of public service and in supersession of the Government of Mizoram Regularization of Muster Roll Employees Scheme, 2018 notified in the Mizoram Gazette Extra Ordinary issue no. 145 dt. 13.03.2018 except as respect things done or omitted to be done before such supersession, the State Government hereby make the following scheme for regularization/regular appointment of Provisional Employees to regular posts under the Government of Mizoram, namely:-

- 1. Short title and commencement.-**
 - 1) This scheme may be called the Government of Mizoram Regularization of Provisional Employees Scheme, 2020
 - 2) They shall come into force from the date of their publication in the Official Gazette.

- 2. Application.-**
 - 1) This scheme shall apply to all Provisional Employees under the Government of Mizoram who fulfilled all the following conditions:
 - a) Provisional Employees engaged by the appointing authorities against Group 'C' and 'D' posts by issuing an Engagement Card; and
 - b) Provisional Employees engaged with prior approval of the Department of Personnel & Administrative Reforms and Finance Department for engagement under the Revenue Expenditure heads of account of the State Government; and
 - c) Provisional Employees engaged with recommendation of the duly constituted Departmental Promotion Committee in respect of employees engaged on or after 19.02.2014 (i.e. on or after issue of DP&AR OM No.A.32012/1/2013-P&AR(GSW)/Pt dated 19.02.2014) for their initial engagement.
 - 2) This scheme shall not apply to the following class of Provisional Employees under the Government of Mizoram:
 - a) Provisional Employees engaged on co-terminus basis; or
 - b) Provisional Employees engaged under Centrally Sponsored Schemes; or
 - c) Provisional Employees engaged against any Scheme-borne posts.

3. Reservation of vacancies for regularization.-

- 1) Thirty five per cent of the vacancies in any Group 'C' or Group 'D' post falling within the direct recruitment quota as per the recruitment rules can be reserved for regularisation/regular appointment of Provisional Employees in a vacancy year.

Note 1: For the purpose of calculation of the quota that can be reserved for regularisation under sub-paragraph (1) above, it is clarified that the reserved quota shall be calculated from the total available vacancies in a particular vacancy year within the direct recruitment quota for that particular category of post/grade as per the relevant recruitment rules in a department.

Note 2: For the purpose of calculation of vacancies reserved for regularization, fraction of a vacancy either half or exceeding half but less than one may be taken as one vacancy.

Note 3: Vacancies for the purpose of regularization have to be calculated vacancy year wise as per vacancy based roster. Vacancy year, in this context, refers to the period from 1st April of a calendar year to 31st March of the next calendar year.

Note 4: The number of Provisional employees regularized in any Group 'C' or Group 'D' posts falling within the direct recruitment quota on the basis of application of post based roster before 01.04.2020 need not be considered while calculating the vacancies reserved for regularization under this scheme.

- 2) Grouping of posts in departments having comparatively less number of posts for the purpose of calculation of vacancies for regularisation under sub-paragraph (1) is also permissible. In case of Group 'C' post in a department in which there are less than 3 direct recruitment vacancies in a vacancy year, all vacancies in Group 'C' posts in a department may be grouped together and out of the total number of vacancies, 35% reserved quota may be calculated subject to the condition that regularization in any such post should not be more than two. Similarly, in case of Group 'D' post in a department in which there are less than 3 direct recruitment vacancies in a vacancy year, all vacancies in Group 'D' posts in a department may be grouped together and out of the total number of vacancies, 35% reserved quota may be calculated subject to the condition that regularization in any such post should not be more than two.

Note 5: In case of grouping of Group 'C' or Group 'D' posts for the purpose of regularisation as permissible under sub-paragraph (2), regularisation shall be considered for the post in which the Provisional Employees with the longest length of approved service is/are serving in that department provided that there must be vacant post falling within the direct recruitment quota for the post against which candidate(s) is/are to be regularized.

- 4. Eligibility conditions for regularization.-** A Provisional Employee shall be eligible to be considered for regularization to regular post under this scheme if he fulfills all of the following eligibility conditions:
- a) He/She must be continuously engaged as Provisional Employee for not less than 7 (seven) years in the same post for which he seeks regular appointment/regularization; and
Provided that there is no break between the services rendered as Muster Roll and Provisional-employee in the same sanctioned post, the services rendered as Muster Roll shall be counted as service in Provisional-employee for the purpose of regularization.
 - b) He/She must possess the educational and other qualifications for direct recruitment prescribed by the relevant recruitment rules for the corresponding post; and
 - c) The performance reports of the Provisional Employee for the last preceding 5 (five) years shall not be below the benchmark prescribed by the Government from time to time.
- Note:** Relevant recruitment rules to be applied, in this context, is the rules in force at the time of occurrence of vacancy of a post against which the Provisional Employee is to be regularized.
- 5. Procedure for regularization.-** The procedure to be followed by the Departmental Promotion Committee for consideration of cases for regularization under this scheme shall be as per the instructions/guidelines on the subject matter issued by the Government from time to time.
- 6. Overage condonation.-** The age of a Provisional Employee, while considering for regular appointment/regularisation, may be condoned by the Government in the respective department if the employee at the time of initial engagement was not overaged as per the age limit prescribed by the Government at the time of initial engagement but overaged as on the date of the meeting of the Departmental Promotion Committee which considered the case for regularization.
- 7. Pension & other retirement benefits.-** The pension and other retirement benefits of any Provisional Employee regularized under this scheme shall be governed by the relevant Pension Scheme/Rules in force at the time of such regularization.
- 8. Counting of past service.-** Counting of past service rendered as Provisional Employee in terms of leave, qualifying service for promotion, deputation, pay, pensionary benefits, seniority, etc. shall be governed by the provisions of the rules on counting of past service framed by the State Government from time to time.
- 9. No right to regularization.-** Notwithstanding anything contained in this scheme, regularization of any Provisional Employee under this scheme cannot be claimed as a matter of right.

Lalrinsanga,

Additional Secretary to the Government of Mizoram