

No.A-12018/1/2019-P&AR(GSW)
GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

Mizoram Secretariat
Aizawl, the 30th October, 2019

OFFICE MEMORANDUM

Subject: Guidelines for framing, amendment and relaxation of recruitment 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 recruitment rules. 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 recruitment rules for Group 'A', 'B', 'C' and 'D' posts 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 RECRUITMENT 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) Recruitment rules are basically subordinate legislations and thus, they are statutory in nature.
- 4) As soon as new post(s) is/are created, or when an existing post(s) is/are upgraded, or when re-structuring of any cadre 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 recruitment rules in exercise of the power conferred by the proviso to article 309 of the Constitution, unless the posts are already covered by an existing recruitment rules.

- 5) Recruitment rules should be framed for all posts created under the State Government which are likely to last for one year or more. Posts which are created for a lesser duration may be filled on deputation by drawing officers from other offices of the Central/State Government, holding posts of appropriate level (analogous posts or where necessary, the next below post with at least five years of regular service in the grade) and possessing necessary qualifications required for the performance of duties attached to the post.
- 6) Posts in Commissions or Committees set up for a limited duration, may also be filled to the maximum extent possible by means of deputation and where, however, direct recruitment is made, it should be on a clear understanding that their appointment will be co-terminus with the life of the Commission/Committee and that they will not have any claim for regular absorption in Government.
- 7) Recruitment rules need not be framed for posts created under Centrally Sponsored Schemes or Central Sector Schemes or such posts which are co-terminus with any Central/State Government sponsored schemes. Recruitment guidelines indicating the method of recruitment, the level in the pay matrix/scale of pay of the post, age limit for direct recruitment, the educational and other qualifications for direct recruitment, composition of the Selection Committee for recruitment, etc. may instead be framed for such posts without invoking the powers under the proviso to article 309 of the Constitution. Existing recruitment rules notified for such posts may be reviewed by the concerned Department and gradually replaced with suitable recruitment guidelines.

3. PROCEDURE FOR FRAMING/AMENDMENT OF RECRUITMENT RULES

- 1) The first step in the framing of recruitment rules is the formulation of draft recruitment 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 recruitment rules for post(s) in which there are no existing recruitment rules to be superseded. Standard format rules as prescribed at *Annexure-II* may be adhered to by the respective Administrative Department/Head of Department while framing draft recruitment rules for post(s) in which the existing recruitment 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 recruitment rules as required under this Department's instruction vide No.A.12018/1/80-APT(B) dated 11.05.1981. The concerned Service Association shall invariably submit their comments/views on the draft recruitment rules within one month from the date of receipt of the draft. Final decision on framing/amendment of

recruitment rules, however, solely lies with the Government irrespective of the views/comments of the Service Association in consonance with this Department's instruction vide No.A.12018/1/80-APT(B) dated 16.07.1981

- 3) The third step pertains to obtaining the in-principle approval of the Hon'ble Minister of the concerned Department which framed the draft recruitment rules.
- 4) The fourth step is submission of the draft recruitment 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 recruitment 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 recruitment 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 recruitment 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 recruitment 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 recruitment rules.
- 8) Eighth, the duly vetted draft recruitment 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 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, the draft recruitment rules as approved/recommended by the Mizoram Public Service Commission, without any modifications/changes,

shall be sent by the Department of Personnel & Administrative Reforms, after obtaining the approval of the Secretary in charge of DP&AR, to the Controller, Printing and Stationery for publication in the Mizoram Gazette extra ordinary issue. However, in case the Commission recommended modifications/changes of substantial character in the recruitment rules, the following procedure shall be followed:

- a) the draft recruitment 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 recruitment rules as recommended by the Mizoram Public Service Commission, with the modifications/changes, 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; or
 - b) the draft recruitment 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 recruitment rules as recommended by the Mizoram Public Service Commission 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. If, however, the Commission did not agree to the views of the Government in DP&AR, then, the draft recruitment rules with the modifications/changes as recommended by the Commission and the views of the Government shall be referred to the Council of Ministers for final decision. The draft recruitment 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.
- 10) The procedure as indicated above will also apply to amendments proposed to be made to existing recruitment rules. However, proposals for amendment of existing recruitment rules should be submitted as per the format at *Annexure-V*.
- 11) The recruitment rules or amendment(s) thereto as finally approved by the Competent Authority are required to be notified as early as possible and not later than 3 weeks from the date of receipt of the recommendation of the Mizoram Public Service Commission. This time limit should be strictly adhered to.

- 12) Although the recruitment 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 RECRUITMENT 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 recruitment rules shall invariably consist of the following:

- a) Draft recruitment rules as per the standard format in *Annexure-I* while framing new recruitment rules for post(s) in which there are no existing recruitment rules to be superseded OR draft recruitment rules as per the standard format in *Annexure-II* while framing rules for post(s) in which the existing recruitment rules have to be superseded OR draft recruitment rules as per the standard format in *Annexure-III* for amendment of existing recruitment rules.
- b) Supporting particulars as per the pro forma in *Annexure-IV* either for framing of new recruitment rules in which there are no existing recruitment rules to be superseded or framing of recruitment rules by superseding an existing recruitment rules OR the supporting particulars as per the pro forma in *Annexure-V* for amendment of existing recruitment 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 recruitment rules.
- e) Self contained note on the draft recruitment 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 recruitment rules for the feeder post and the next higher/promotional post, if any.
- g) Post creation order(s) for the posts for which recruitment rules are being framed or amended.

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

1) Short title and commencement:

- a) Recruitment 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/ orders should also bear short rules and be given serial numbers in the short titles. Short title invariably indicates the name of the Administrative Department, the group classification of the post(s) for which the rules are framed and the year of notification of the recruitment rules. In case there are more than one subordinate offices at the level of Directorate under the Department and it is considered essential to differentiate the different Directorates under the same Department, then, the name of the Directorate should be written within brackets eg. Home (Prisons) Department. The format for writing the short title may be as follows:

*“These rules may be called the Mizoram
_____ ¹ Department (Group '____' ² post)
Recruitment Rules, _____ ³”*

- b) A clause on the date of commencement of the recruitment rules should also be included in the recruitment 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 recruitment rules is the date of publication of the rules in the Official Gazette. In other words, recruitment 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

¹ The name of the Administrative Department under which the post(s) are in existence should be indicated here.

² The group classification of the post(s) for which the recruitment rules are framed should be indicated here

³ The calendar year of notification of the recruitment rules should be indicated here

prejudicially affected by reason of the retrospective operation of the rule. The explanatory memorandum may be inserted at the bottom of the Notification as follows:

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

2) Application:

A clause on “application” may be inserted in the Notification specifying the name(s) of the post(s) for which the recruitment rules will be applicable and keeping the details in the Schedule annexed to the rules. The format may be as follows:

“These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules”

3) Number of posts, classification and level in pay matrix/pay scale:

A clause indicating the number of sanctioned post(s) to be covered under the recruitment rules, the group classification for such post(s) and the level in the pay matrix/pay scale corresponding to the post(s) may be inserted in the Notification as follows by keeping the details in the Schedule annexed to the rules:

“The number of the said posts, classification and level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule”

4) Method of recruitment, age limit and other qualifications:

a) A clause indicating the method of recruitment for the post(s) included in the recruitment rules, the age limit for recruitment corresponding to such post(s) and the educational and other qualifications for various methods of recruitment should be indicated in the Notification as follows by keeping the details in the Schedule annexed to the rules:

“The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to 13 of the said Schedule”

b) A proviso on the following lines has very often been inserted in most of the existing recruitment rules with a view to relax the upper age limit for special categories of persons. However, the saving clause in the

recruitment rules pertaining to relaxation of age limit, reservation, etc. for special categories of persons gave the Government enough powers to issue orders on the subject which cannot be overridden by the provisions of the recruitment rules. Thus, the proviso mentioned below need not be inserted in future recruitment rules.

“Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government or Government of Mizoram from time to time”

5) **Initial constitution**

In case where a new cadre is formed and the recruitment rules are framed for the first time and that there are officers already holding the posts proposed to be included in the cadre on a regular/long term basis, a suitable ‘Initial constitution’ clause may be inserted in the Notification on the following lines so as to count the regular service rendered by such officers before the date of notification of the recruitment rules.

“The incumbents holding the post of _____⁴ on regular basis on the date of commencement of these rules shall be deemed to have been appointed under these rules to the said post and the services rendered by them in the said post before the commencement of these rules shall be taken into account for deciding their period of probation, seniority and eligibility for promotion to the next higher post”

6) **Disqualification:**

A standard clause on disqualification for prohibition of bigamous marriage may be inserted in the Notification for recruitment 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 said post;

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”

⁴ The post held by the incumbent before the recruitment rules came into force and which is to be included in the cadre on a regular/long term basis should be indicated here

7) 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 recruitment rules or to make it mandatory to pass suitable Departmental Examination may be inserted in the Notification on the following lines:

“Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time”

8) Power to transfer:

A clause which conferred upon the State Government the power to transfer an official so recruited under these rules to any equivalent post may be suitably inserted in the Notification as follows:

“Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade”

9) Power to relax:

The power to relax the recruitment rules is an inherent part of the recruitment rules to consider relaxation of the provisions of the recruitment 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 recruitment 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 Commission⁵ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons”

10) Saving clause:

A clause in most of the extant recruitment rules which is named as “Reservation and other concessions” may be suitably changed as “Saving” as given below in all future recruitment rules. This clause will save the actions

⁵ The words “in consultation with the Mizoram Public Service Commission” has to be inserted **only** in the recruitment 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

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.

“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”.

11) Repeal and saving clause:

The clause on “repeal and saving” in existence in certain extant recruitment rules need not be inserted in future recruitment rules framed under these guidelines on account of the following reasons: **a)** recruitment rules issued under Notification should be “superseded” by another Notification instead of being “repealed”. The words “in supersession of the _____ (name of the recruitment rules to be superseded) notified in the Mizoram Gazette extraordinary issue number _____ dated ____ in so far as it relates to the post of _____” 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 recruitment 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 recruitment rules.

6. GUIDELINES ON PREPARATION OF THE SCHEDULE ANNEXED TO THE RECRUITMENT RULES:

1) Name of post(s):

In Column 1 of the Schedule annexed to the recruitment rules, name of the post (with sub-title, if any) may be clearly specified.

2) Number of post(s):

In Column 2 of the Schedule annexed to the recruitment rules, the exact number of posts (with the relevant year of creation of posts in brackets) 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. While indicating the exact number of posts, it should also be indicated using an asterisk in the foot note below that the number of posts may vary as determined by the Government from time to time. Thus, Column 2 may be written as follows “___ * (___) post(s) *or as determined by the Government from time to time”

3) **Classification:**

In Column 3 of the Schedule annexed to the recruitment rules, classification of the post may be shown in the sequential order indicated below:

- a) A post under the State Government, other than those included in the Service Rules, may be classified as “*General State Service, Group A, B, C or D*”. All posts under the State Government, 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, are classified into different groups vide Finance Department’s Notification No.G-12011/2/2017-FIN(PRU)/C dt. 05.09.2018 as follows:-

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 is Gazetted or Non-Gazetted may 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 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.
- c) Whether the post is Ministerial or Non-Ministerial may be indicated as per the definition in FR 9 (17). No other classification such as technical or non-technical need be inserted here.
- d) For instance, the classification for the post of Junior Engineer in Level 07 of the Pay Matrix which is a Group ‘B’, Non-Gazetted and Non-Ministerial post may be written in line with the above format as “*General State Service, Group B, Non-Gazetted, Non-Ministerial*”. Similarly, the

classification for the post of Deputy Director in Level 11 of the Pay Matrix which is a Group 'A', Gazetted and Non-Ministerial post may be written in line with the above format as "*General State Service, Group 'A', Gazetted, Non-Ministerial*".

4) Level in the pay matrix/pay scale:

In Column 4 of the Schedule annexed to the recruitment 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 post of Staff Nurse in level 07 of the pay matrix may be written as "*Level 07 in the pay matrix (₹39,100- ₹86,800)*"

5) Selection or Non-selection:

- a) In Column 5 of the Schedule annexed to the recruitment 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/posts.
- c) In the case of direct recruitment or deputation or absorption or re-employment, the entry should be "*Not Applicable*". In the case of composite method of recruitment (i.e. promotion/deputation), the words "*Not Applicable*" may also be used.

6) Age limit for direct recruitment:

- a) In Column 6 of the Schedule annexed to the recruitment 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. For instance, the age limit for direct recruitment to the post of Teacher, Government Primary School may be written as *“Between 18 years and 35 years”*
- c) Without prejudice to the provisions mentioned in paragraph 6(6)(b) above, upper age limit for a post(s) also depends upon the nature of duties, educational qualifications and experience requirements as prescribed in the recruitment rules. Broadly, the following criteria may be followed:

Sl. No.	Posts	Upper age limit
1.	Direct recruitment to posts in level 12 of the Pay Matrix and above	50 years
2.	Direct recruitment to posts in level 11 of the Pay Matrix	40 years
3.	Direct recruitment to posts 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 recruitment rules provided the saving clause which specifically stated that nothing in the recruitment 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 this Column 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”

7) Educational and other qualifications required for direct recruitment:

- a) In Column 7 of the Schedule annexed to the recruitment rules, the educational qualifications required for the posts, the level of experience

required and Skills Test/Physical Tests etc. for direct recruitment may be indicated as precisely as possible, if necessary, these may be divided into two parts, viz., “Essential” and “Desirable”. These requirements vary from post to post 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 recruitment rules for similar posts and higher and lower posts in the same hierarchy.

- 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 post.
- 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. 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 recruitment 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 recruitment rules for Group 'A', 'B', 'C' and 'D' posts under the "essential" qualifications:

"Working knowledge of Mizo language at least Middle School standard"

8) Age/educational qualification in case of promotion:

- a) In Column 8 of the Schedule annexed to the recruitment rules, it should precisely be stated whether age and educational qualifications prescribed for direct recruitment should also apply in the case of promotion. The entry under this Column can be either "Yes" or "No" or "Not Applicable".
- b) Unless there are any specific grounds, the age limit prescribed for direct recruitment should not be insisted upon in the case of promotion.
- c) The entry under this Column will be "Not Applicable" wherein direct recruitment/promotion is not prescribed as a method of recruitment. The entry will be "No" in case of recruitment rules for all non-technical posts.
- d) Regarding educational qualifications, these are generally not insisted upon in the case of promotion to posts of non-technical nature but for scientific and technical posts, these should invariably be insisted upon, in the interest of administrative efficiency, at least in the case of senior Group 'A' posts in level 11 of the pay matrix and above and the entry written as *"Educational qualification: Yes"*.
- e) Sometimes the qualifications for junior Group 'A' posts and Group 'B' posts may not be insisted upon in full but only the basic qualification in the discipline may be insisted upon. For instance, if a degree in Civil Engineering is the educational qualification prescribed for direct recruitment to the post of Assistant Engineer, the promotees may be required to possess at least a Diploma in Civil Engineering. In such cases, the entry under this column may be entered as *"Educational Qualifications: No, but must possess at least Diploma in Civil Engineering from Government recognised Institution"*.

9) Probation:

- a) In Column 9 of the Schedule annexed to the recruitment rules, the period of probation may be prescribed on the basis of the method of recruitment for the post(s) in tune with the instructions contained in OM No-A.31011/1/2019-P&AR(GSW) dt. 14.06.2019

Sl. No.	Method of recruitment	Period of Probation
1.	Direct recruitment to all Group 'A', 'B', 'C' and 'D' posts	2 years
2.	Absorption to all Group 'A', 'B', 'C' and 'D' posts from statutory bodies/government societies /autonomous bodies, etc.	2 years
3.	Officials re-employed before the age of superannuation	2 years
4.	Regularisation of Contract, Work-charged, Muster Roll, ad hoc or officiating employees to all Group 'A', 'B', 'C' and 'D' posts	1 year
5.	Appointment on deputation, contract basis, Muster Roll basis, tenure basis, honorary basis, re-employment after superannuation	No probation

- b) For instance, the period of probation for direct recruitment to the post of Lecturer, Government Higher Secondary Schools may be prescribed as *"Two years"*. Similarly, the period of probation for absorption to the post of Scientific Officer may also be prescribed as *"Two years"*. On the other hand, the period of probation for deputation to the post of Protocol Officer may be written as *"Not applicable"*. In case the post can be filled up by two methods of recruitment viz. direct recruitment and deputation, the period of probation may be written as *"Two years in case of direct recruitment and no probation in case of deputation"*.
- c) There are no separate probation periods in promotion from one grade/post to another grade/post. Thus, the period of probation for promotion to the post of Joint Director may be written as *"Not applicable"*.

10) **Methods of recruitment:**

- a) In Column 10 of the Schedule annexed to the recruitment rules, the following methods of recruitment may be considered depending upon the nature of duties, qualifications and experience required for the post:
- Promotion
 - Direct recruitment
 - Deputation including short term contract
 - Composite method (Promotion/Deputation)
 - Absorption
 - Re-employment
 - Limited departmental examination

b) When different methods of recruitment are proposed, the percentage of vacancies to be filled by each method that may be prescribed for a particular post depend 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 6(10)(a) above.

c) **Promotion:**

Promotion is a method of recruitment from feeder grade/post(s) to higher grade/post(s) in the hierarchy as per the provisions of the recruitment 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 post 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 11. In cases where there are two or more feeder grades, a separate percentage for promotion may be prescribed to each of the feeder grade.

d) **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 recruitment 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 recruitment 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 Column 7*

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”

e) Deputation including short term contract:

Deputation is a method of recruitment which basically covers only those appointments that are made by transfer for a limited period from officers of Central/State Government through proper advertisement for filling up of a vacant post provided the transfer is outside the normal field of deployment and is in public interest based on the willingness of the concerned official. Deputation may be kept as a method of recruitment when it is possible to get the services of suitable officers having the requisite qualifications and experience from the Central/State Government. “Short-term contract” is also a form of deputation and this applies to officers from non- Government bodies, e.g. Universities, recognized Research Institutions, Public Sector Undertakings, etc. for teaching, research, scientific and technical posts. This method may be included in the rules if it is considered desirable that the above noted non- Government bodies are also tapped. In the case of isolated posts, it will be desirable to keep the method of recruitment of deputation/short-term contract, as, otherwise, the incumbents of such posts, if directly recruited, will not have any avenue of promotion. In fact, it may be worthwhile to bring such posts into an organized cadre/service rather than fill them by deputation from outside for limited periods from time to time. Care should always be taken to ensure that the officers holding posts, other than in an Organized Service, have enough prospects for advancement in their own line. For this purpose, the administrative

Department should bring together all such isolated posts requiring similar educational qualifications, experience involving similar functions etc. into different groups to provide enough channels of promotion. If deputation is proposed as the method of recruitment, appointment on deputation to vacant post shall generally be made from officials holding analogous post on regular basis or from officers in the immediate lower grade who has rendered not less than 5(five) years regular service in the grade.

f) **Composite method of recruitment:**

In cases where the method of promotion is by 'selection' and the field of promotion or feeder grade consists of only one post, the method of recruitment by "Composite method (promotion/deputation)" is prescribed so that the departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation for the prescribed period of deputation at the end of which the departmental officer will again be afforded an opportunity to be considered for appointment to the post. The method of recruitment in such case may be written in Column 10 as follows:

"Composite method (promotion/deputation)"

g) **Absorption:**

Absorption may be kept as a method of recruitment when it is possible to get the services of suitable officers having the requisite qualifications and experience within the State Government. "Absorption" and "deputation" are not synonymous and there is a substantial difference between "absorption" and "deputation". Under the provision of "absorption", the officer who will come, may be permanently absorbed in the post/grade. Such an "absorption" can be effected only in the "case of officers from the Central/State Government. Under "deputation including short-term contract", an officer from outside can come for a limited period only and by the end of which will have to revert to his parent cadre.

h) **Re-employment:**

Re-employment can also be proposed as a method of recruitment when it is possible to get the services of suitable retired officers having the requisite qualifications and experience from the Central/State Government. The method of re-employment may be suitable especially in the case of ex-servicemen when military experience either in general or in specific fields or posts would be of distinct advantage for certain posts and in such case, the method of recruitment may be written as *"For ex-servicemen re-employment"*

i) **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.

11) **Fields of selection:**

a) In Column 11 of the Schedule annexed to the recruitment rules, the field of selection within the methods of recruitment prescribed in Column 10 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, deputation, deputation including short term contract, composite method (promotion/deputation), absorption, re-employment, 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/post and should not normally include the grade just below the immediate feeder grade/post since the same can result in level jumping in the hierarchy within the Department. Further, provision of double channel of promotion from one feeder post is not desirable and should, as far as possible, be avoided. For instance, provision for promotion from the post of Group 'D' to the next promotional post i.e. LDC as also another promotional post i.e. Store Keeper is not desirable.
- 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 holding the post of _____ 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 post to the next higher grade/post, 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 holding the post of _____ 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 posts)”.

- iv) The qualifying service for promotion from one grade/post 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
2	3	3 years
2	4	8 years
3	4	5 years
4	5	5 years
4	6	10 years
5	6	6 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 20 years of regular service after appointment to posts in level 7/8 of the Pay Matrix on regular basis
11	13	10 years
12	13	5 years or 25 years of regular service after appointment to posts in level 7/8 of the Pay Matrix on regular basis
12	13A	6 years
13	13A	2 years
13	14	3 years
13A	14	2 years

- v) In some cases, different periods of qualifying services in the respective grade/post on account of different scales of pay among the feeder posts/grade are prescribed for promotion in the recruitment rules. For instance, for promotion to a post of State Librarian in Level 10 of the Pay Matrix from two different feeder posts viz. District Librarian in Level 7 in the Pay Matrix and Assistant Librarian in Level 8 in the Pay Matrix, the field of selection may be written in Column 11 as follows:

“Promotion: From officers holding the post of Assistant Librarian with 3 years’ of regular service in the grade rendered after appointment thereto on a regular basis or from officers holding the post of District Librarian with 5 years’ of regular service in the grade rendered after appointment thereto on a regular basis”

- vi) In order to facilitate preparation of an eligibility list for promotion from the feeder grade/post having different scales of pay/level in pay matrix and in cases where no separate quota for each different grade/post have been prescribed, a “Note” as under may be added:

“Note: The eligibility list for promotion shall be prepared with reference to the date of completion by the officers of the prescribed qualifying service in the respective grade/post”

- vii) 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 in the recruitment rules/ column in the schedule to the Recruitment 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.”

- viii) 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 the same for persons holding the feeder posts/grade on regular basis on the date of notification of the revised recruitment rules”

c) Deputation/deputation including short-term contract/absorption:

- i) The field of selection for “deputation/short-term contract/absorption” should, as far as possible, consist of officers holding analogous posts on regular basis and it may be widened to include officers working in the next lower grade also with the qualifying service on regular basis normally prescribed for promotion.
- ii) When deputation or deputation/absorption has been prescribed as the method of recruitment in Column 10, the field of selection in Column 11 may be entered as follows:

“Deputation or deputation/absorption: From officers of the Central/State Government:

- 1. (i) holding analogous post on a regular basis in the parent cadre or department; or*

(ii) ⁶with _____ years of service rendered after appointment to the post on a regular basis in level ____ of the pay matrix or equivalent in the parent cadre or department; and

2. ⁷possessing the educational and other qualifications as prescribed for direct recruitment under Column 7 (if direct recruitment is prescribed as a method of recruitment)”

iii) When deputation including short term contract or deputation including short term contract/absorption has been prescribed as the method of recruitment in Column 10, the field of selection in Column 11 may be entered as follows:

“Deputation including short term contract or deputation including short term contract/absorption: From officers of the Central/State Government, autonomous or statutory organisations, public sector undertakings, University or recognised Research Institutions:

(a) (i) holding analogous post on a regular basis in the parent cadre or department; or

(ii) ⁸with _____ years of service rendered after appointment to the post on a regular basis in level ____ of the pay matrix or equivalent in the parent cadre or department; and

(b) ⁹possessing the educational and other qualifications as prescribed for direct recruitment under Column 7 (if direct recruitment is prescribed as a method of recruitment)

Note: Central/State Government officers shall only be considered for absorption (where absorption is also prescribed)”

iv) In cases where “deputation/short-term contract” has been prescribed as a method of recruitment, the period of deputation may be prescribed by inserting the following as a “Note” in line with the extant policy of the Government on deputation:

“Note 1: The period of deputation shall ordinarily not exceed 3 years which may be extended up to 5 years in special cases”.

⁶ Where it is necessary to extend the field of selection for deputation to posts below the analogous posts

⁷ Where direct recruitment is not a method of recruitment in the concerned recruitment rules, appropriate educational and other qualifications are to be prescribed

⁸ Where it is necessary to extend the field of selection for deputation to posts below the analogous posts

⁹ Where direct recruitment is not a method of recruitment in the concerned recruitment rules, appropriate educational and other qualifications are to be prescribed

- v) In the case of deputation/deputation including short term contract, the age limit for appointment may also be specified clearly in the recruitment rules by inserting the following provisions as a “Note”:

“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”

- vi) With a view to remove any ambiguity regarding determination of eligibility for absorption/deputation, the following guidelines may be followed: -

- (i) In the case of a vacancy already existing at the time of issue of the communication inviting nominations, the eligibility may be determined with reference to the last date prescribed for receipt of nominations in the Department/Organization responsible for making appointment to the post.
- (ii) In the case where a vacancy is anticipated, the crucial date for determining eligibility should be the date on which the vacancy is expected to arise.

d) Composite method (promotion/deputation):

- i) When the method of recruitment in Column 10 is by composite method of recruitment (promotion/deputation), the field of selection should be clearly indicated in Column 11 of the recruitment rules as follows:

“Composite method (promotion/deputation):

1) From officers of the Central/State Government:

a) (i) holding analogous post on a regular basis in the parent cadre or department; or

(ii) ¹⁰with _____ years of service rendered after appointment to the post on a regular basis in level ____ of the pay matrix or equivalent in the parent cadre or department; and

b) possessing appropriate educational and other qualifications

2) The departmental _____ (designation of the officer) in level _____ of the pay matrix with _____ years of regular service in the grade and possessing the educational and other qualifications prescribed for considering appointment on deputation basis is also considered along with outsiders. If the

¹⁰ Where it is necessary to extend the field of selection for deputation to posts below the analogous posts

departmental candidate is selected for appointment, it shall be treated as having been filled by promotion

Note 1: *The period of deputation shall ordinarily not exceed 3 years which may be extended up to 5 years in special cases*

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”*

- ii) When the method of recruitment in Column 10 is by composite method of recruitment (promotion/deputation including short term contract), the field of selection should be clearly indicated in Column 11 of the recruitment rules as follows:

“Composite method (promotion/deputation including short term contract):

1. *From officers of the Central/State Government, autonomous or statutory organisations, public sector undertakings, University or recognised Research Institutions:*

- a) *(i) holding analogous post on a regular basis in the parent cadre or department; or*

(ii) ¹¹with _____ years of service rendered after appointment to the post on a regular basis in level ____ of the pay matrix or equivalent in the parent cadre or department; and

- b) *possessing appropriate educational and other qualifications*

2. *The departmental _____ (designation of the officer) in level ____ of the pay matrix with _____ years of regular service in the grade and possessing the educational and other qualifications prescribed for considering appointment on deputation basis is also considered along with outsiders. If the departmental candidate is selected for appointment, it shall be treated as having been filled by promotion*

Note 1: *The period of deputation shall ordinarily not exceed 3 years which may be extended up to 5 years in special cases*

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”*

e) **Limited departmental examination:**

The field of selection for limited departmental examination should normally be in line with the feeder grade/posts prescribed for promotion

¹¹ Where it is necessary to extend the field of selection for deputation to posts below the analogous posts

with similar qualifying service. There may be cases wherein the qualifying service prescribed for promotion and limited departmental examination are different in existing recruitment rules but the same should not be cited as precedent and all future recruitment rules may follow the same qualifying service since limited departmental examination is another method of promotion from one grade/post to the next higher grade/post. The field of selection for limited departmental examination should invariably consists of the immediate feeder grade/post and should not normally include the grade just below the immediate feeder grade/post 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 10, then the field of selection in Column 11 may be entered as follows:

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

f) Re-employment:

- i) The field of selection for appointment through re-employment should be clearly indicated in Column 11. It should invariably specify the requirement in terms of the upper age limit, experience under the Government, educational qualifications, as and when required, in tune with the nature of duties of the post to be filled up by re-employment. For instance, the field of selection for re-employment to a post of Commissioner of Inquiry may be prescribed as follows:

“Re-employment: From retired officers under the Central/State Government:

- a) who retired from posts not below level 13A in the pay matrix;*
- b) possessed degree from a recognised University with at least 20 years of experience in dealing with administrative, service, establishment, vigilance and financial matters;*
- c) below 65 years of age as on the closing date of receipt of applications.*

- ii) **Lateral induction for Armed Forces Personnel:** In respect of Group ‘A’ & Group ‘B’ posts which are required to be filled by ‘deputation’ only of Government servants belonging to more than one service, a provision may be made in the recruitment rules whereby the Armed Forces Personnel due to retire or to be transferred to reserve within a period of one year and having requisite experience and qualifications can also be considered for appointment to such posts. Departments may examine and identify the posts in which military experience either in general or in specific fields or posts would be of distinct advantage and thereafter, incorporate necessary provisions in the

recruitment rules for lateral induction of Armed Forces Personnel. The necessary provisions for lateral induction of the Armed Forces Personnel will be incorporated in the recruitment rules as given below in Column 11:

“For Ex-Servicemen deputation/re-employment: The Armed Forces Personnel due to retire or who are to be transferred to reserve within a period of one year and having the requisite experience and qualifications prescribed shall also be considered. Such persons would be given deputation terms up to the date on which they are due for release from the Armed Forces; thereafter, they may be continued on re-employment.”

12) Departmental Promotion Committee:

- a) In Column 12 of the Schedule annexed to the recruitment 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 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 11, 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 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 11, 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 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 which falls outside the purview of the Mizoram Public Service Commission and the Mizoram Subordinate Services Selection Board, the composition invariably consists of the following:

Chairman	:	Secretary to the Govt. of the concerned Department
Members	:	1. Secretary, DP&AR or his representative 2. Head of the concerned Department

- f) In some cases, in accordance with provisions of the recruitment 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 11 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.

13) Circumstances for consultation with Mizoram Public Service Commission:

- a) In Column 13 of the Schedule annexed to the recruitment 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 recruitment 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 13 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 13 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 recruitment rules, Departments are advised to make a reference to the Mizoram Public Service Commission for determination of the method of recruitment as a onetime measure for filling up of a post on regular basis.

14) Benefit of added years of service under CCS (Pension) Rules, 1972:

In the Column 6 of the Schedule/Annexure-I of existing recruitment rules, a provision has been made whether or not the benefit of added years of service is to be counted as qualifying service under rule 30 of CCS (Pension) Rules, 1972. This Column will no longer be included in all future recruitment rules framed under these guidelines in view of instructions issued by Department of Pensions and Pensioners Welfare vide OM No. 7/7/2008-P&PW (F) dated 13.2.2009 in which the benefit of adding years of qualifying service is withdrawn for the purpose of computing pension as well as other related benefits such as gratuity.

7. REVIEW OF RECRUITMENT RULES:

- 1) Every cadre controlling authority shall initiate steps to undertake a comprehensive review of the provisions of every recruitment 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, 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, deputation, etc. in tune with the changing requirements of the Department concerned.
- 2) Recruitment 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 recruitment rules.
- 3) Recruitment 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 recruitment rules after undertaking a comprehensive review shall follow the procedure as prescribed at paragraph 3 of this O.M.

8. RELAXATIONS OF RECRUITMENT RULES:

- 1) All recruitment 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 recruitment rules. Such a relaxation should not be a regular feature.
- 3) Relaxation of recruitment 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 recruitment 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 recruitment rules should not be considered for relaxation by invoking the “power to relax” clause since the same amounts to an amendment of the recruitment 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 recruitment rules.
- 6) Relaxation proposals should be sent to this Department as per the format in *Annexure-VI* after obtaining the approval of the Secretary of the Department concerned. Proper justification should invariably be given for relaxation of recruitment rules.
- 7) Appointment to a post in accordance with the recruitment 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 recruitment 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.

9. MODEL RECRUITMENT RULES:

Model recruitment rules for three different posts with varying methods of recruitment are enclosed at *Annexure - VII* which may be used by Departments as a guide/reference for framing of recruitment rules.

Sd/- LALNUNMAWIA CHUAUNGO

Chief Secretary to the Govt. of Mizoram

Memo. No.A-12018/1/2019-P&AR(GSW)

Aizawl, the 30th October, 2019

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


(LALROHLUA)

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

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

:::

NOTIFICATION¹²

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 to the post(s) of _____¹³ under _____¹⁴

Department, Government of Mizoram namely :-

- | | |
|---|---|
| 1. Short title and commencement.- | <p>(1) These rules may be called the Mizoram _____¹⁵ Department (Group '____'¹⁶ post) Recruitment Rules, _____¹⁷</p> <p>(2) They shall come into force from the date of their publication in the Official Gazette.</p> |
| 2. Application.- | These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules. |
| 3. Number of posts, classification and level in the pay matrix or pay scale.- | The number of the said posts, classification and level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule. |
| 4. Method of recruitment, age limit and other | The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to |

¹² This format is meant for framing of new recruitment rules for posts for which there are no existing rules to be superseded

¹³ The name of the post(s) for which the recruitment rules are being framed should be indicated here

¹⁴ The name of the Administrative Department under which the post(s) are in existence should be indicated here. In case there are more than one subordinate office at the level of Directorate and it is considered essential to distinguish between the different subordinate office under the Department to which the post(s) belongs, then, the name of the Directorate may be written within brackets eg. Home (Prisons) Department

¹⁵ Ibid.

¹⁶ The group classification of the post(s) for which the recruitment rules are framed should be indicated here

¹⁷ The calendar year of notification of the recruitment rules should be indicated here.

- qualifications.- 13 of the said Schedule.
5. Initial Constitution¹⁸.- The incumbents holding the post of _____¹⁹ on regular basis on the date of commencement of these rules shall be deemed to have been appointed under these rules to the said post and the services rendered by them in the said post before the commencement of these rules shall be taken into account for deciding their period of probation, seniority and eligibility for promotion to the next higher post.
6. 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 said post;
- 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.
7. Training and Departmental Examination.- Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time.
8. Power to transfer.- Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to

¹⁸ This clause will only be inserted in case where a new cadre is formed and the recruitment rules are framed for the first time and that there are officers already holding the posts proposed to be included in the cadre on a regular/long term basis. This will enable counting of the regular service rendered by such officers before the date of notification of the recruitment rules.

¹⁹ The post held by the incumbent before the recruitment rules came into force and which is to be included in the cadre on a regular/long term basis should be indicated here

transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade.

9. 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 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.

10. 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.

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

²⁰ The words "*in consultation with the Mizoram Public Service Commission*" has to be inserted **only** in the recruitment 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
(See rule 2, 3 & 4)

RECRUITMENT RULES FOR GROUP ‘ _____²¹’ POSTS IN THE DEPARTMENT OF _____²²

Name of Post	Number of Post	Classification	Level in the Pay Matrix/ Pay Scale	Whether Selection or Non-Selection posts?	Age limit for direct recruitment
1	2	3	4	5	6

Educational qualification and other qualification required for direct recruitment	Whether the age and educational qualifications prescribed for direct recruitments will apply in the case of promotion?	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods
7	8	9	10

In case of recruitment by promotion/ deputation/absorption, grade from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists, what is its composition?	Circumstances in which Mizoram Public Service Commission is to be consulted in making recruitment
11	12	13

²¹ The Group classification of the post(s) for which recruitment rules are being framed should be indicated here i.e. either Group ‘A’/‘B’/‘C’/‘D’

²² The name of the Administrative Department under which the post(s) are in existence should be indicated here

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

:::

NOTIFICATION²³

No. _____ **Aizawl, the** _____ : In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the _____²⁴ notified in the Mizoram Gazette extraordinary issue number _____²⁵ dated _____²⁶, in so far as they relate to the post of _____²⁷, except as respect things done or omitted to be done before such supersession, the Governor of Mizoram hereby makes the following rules regulating the method of recruitment to the post(s) of _____²⁸ under _____²⁹

Department, Government of Mizoram namely :-

1. Short title and commencement.-
 - (1) These rules may be called the Mizoram _____³⁰ Department (Group '____'³¹ post) Recruitment Rules, _____³²
 - (2) They shall come into force from the date of their publication in the Official Gazette.
2. Application.-

These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules.
3. Number of posts,

The number of the said posts, classification and

²³ This format is meant for framing of recruitment rules for posts in which the existing rules have to be superseded

²⁴ Short title of the recruitment rules to be superseded should be indicated

²⁵ The issue number of the Gazette notification wherein the recruitment rules to be superseded was notified should be indicated here

²⁶ The date of issue of the Gazette notification wherein the recruitment rules to be superseded was notified should be indicated here

²⁷ The words "*in so far as they relate to the post of _____*" may be written **only** in case there are more than one posts in the recruitment rules to be superseded and rules still hold good for other post(s) mentioned in the existing recruitment rules.

²⁸ The name of the post(s) for which the recruitment rules are being framed should be indicated here

²⁹ The name of the Administrative Department under which the post(s) are in existence should be indicated here. In case there are more than one subordinate office at the level of Directorate and it is considered essential to distinguish between the different subordinate office under the Department to which the post(s) belongs, then, the name of the Directorate may be written within brackets eg. Home (Prisons) Department

³⁰ Ibid.

³¹ The group classification of the post(s) for which the recruitment rules are framed should be indicated here

³² The calendar year of notification of the recruitment rules should be indicated here.

- | | |
|--|--|
| classification and level in the pay matrix or pay scale.- | level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule. |
| 4. Method of recruitment, age limit and other qualifications.- | The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to 13 of the said Schedule. |
| 5. Disqualification.- | <p>No person –</p> <p style="margin-left: 40px;">(a) who has entered into or contracted a marriage with a person having a spouse living; or</p> <p style="margin-left: 40px;">(b) who, having a spouse living, has entered into or contracted a marriage with any person,</p> <p>shall be eligible for appointment to the said post;</p> <p style="margin-left: 40px;">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.</p> |
| 6. Training and Departmental Examination.- | Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time. |
| 7. Power to transfer.- | Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade. |
| 8. 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 Commission³³ through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons.

9. 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.

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

³³ The words "*in consultation with the Mizoram Public Service Commission*" has to be inserted **only** in the recruitment 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
(See rule 2, 3 & 4)

RECRUITMENT RULES FOR GROUP ‘³⁴’ POSTS IN THE DEPARTMENT OF
³⁵

Name of Post	Number of Post	Classification	Level in the Pay Matrix/ Pay Scale	Whether Selection or Non-Selection posts?	Age limit for direct recruitment
1	2	3	4	5	6

Educational qualification and other qualification required for direct recruitment	Whether the age and educational qualifications prescribed for direct recruitments will apply in the case of promotion?	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods
7	8	9	10

In case of recruitment by promotion/ deputation/absorption, grade from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists, what is its composition?	Circumstances in which Mizoram Public Service Commission is to be consulted in making recruitment
11	12	13

³⁴ The Group classification of the post(s) for which recruitment rules are being framed should be indicated here i.e. either Group ‘A’/‘B’/‘C’/‘D’

³⁵ The name of the Administrative Department under which the post(s) are in existence should be indicated here

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

:::

NOTIFICATION³⁶

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 _____³⁷ (hereinafter referred to as the principal rules) namely :-

- | | |
|---|---|
| 1. Short title and commencement.- | <p>(1) These rules may be called the Mizoram _____³⁸ Department (Group '_____³⁹' post) Recruitment (⁴⁰Amendment) Rules, _____⁴¹</p> <p>(2) They shall come into force from the date of their publication in the Official Gazette.</p> |
| 2. Amendment of rule _____ ⁴² .- | <p>In the principal rules, for rule ____⁴³, the following rule shall be substituted, namely:-</p> <p>“.....”</p> |
| 3. Amendment of the Schedule.- | <p>In the principal rules, in the Schedule, against serial number ____⁴⁴ relating to the post of _____⁴⁵, in Column _____⁴⁶, the following entries shall be substituted, namely:-</p> <p>“.....”</p> |

³⁶ This format is meant for amendment of existing recruitment rules which are in existence for less than 10 years.

³⁷ Short title of the recruitment rules to be amended should be written here

³⁸ The name of the department as reflected in the short title of the recruitment rules to be amended should be indicated here

³⁹ The group classification of the post(s) as reflected in the short title of the recruitment rules to be amended should be indicated here

⁴⁰ 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

⁴¹ The calendar year of notification of the amendment to the recruitment rules should be indicated here.

⁴² In case a particular rule is to be amended, the rule number may be indicated here

⁴³ The rule to be amended should be indicated here

⁴⁴ 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

⁴⁵ The name of the post to be amended should be indicated here

⁴⁶ 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. _____⁴⁷ dated _____⁴⁸ and published in the Mizoram Gazette extraordinary issue number ____⁴⁹ dated _____⁵⁰ and amended vide:-

1. Notification No. _____⁵¹ dated _____⁵² and published in the Mizoram Gazette extraordinary issue number ____⁵³ dated _____⁵⁴;
2. If there are more than one amendment to the recruitment rules, the same should be reflected here as per the format at Sl No. (1) above.

⁴⁷ The file number in which the notification for the principal recruitment rules were issued should be indicated here

⁴⁸ The date of issue of the notification of the principal recruitment rules should be indicated here

⁴⁹ The Gazette issue number of the notification of the principal recruitment rules should be indicated here

⁵⁰ The date of issue of the Gazette notifying the principal recruitment rules should be indicated here

⁵¹ The file number in which the notification for the amended recruitment rules were issued should be indicated here

⁵² The date of issue of the notification of the amended recruitment rules should be indicated here

⁵³ The Gazette issue number of the notification of the amended recruitment rules should be indicated here

⁵⁴ The date of issue of the Gazette notifying the amended recruitment rules should be indicated here

FORMAT TO BE SUBMITTED TO DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS FOR FRAMING OF RECRUITMENT RULES

1	(a) Name of the post(s)	
	(b) Name of the Department	
	(c) Number of post(s)	
	(d) Level in the pay matrix/scale of pay	
	(e) Group classification of the post(s)	
	(f) Ministerial or non-Ministerial {See FR 9(17)}	
2	Appointing authority	
3	Brief outline of duties of the post(s)	
4	Describe briefly the method(s) adopted for filling the posts hitherto	
5	Methods of recruitment proposed	
6	If promotion is proposed as a method of recruitment-	
	a) Designation and number of the posts proposed to be included in the field of promotion	
	b) Number of years of qualifying service proposed to be fixed before persons in the field become eligible for promotion (<i>As per the instructions in para 6(11)(b)(iv) of these guidelines</i>)	
	c) Percentage of vacancies in the grade proposed to be filled by promotion	
	d) Have recruitment rules been framed for the post proposed in the field of promotion i.e. feeder post? If so, a copy of the rules may be attached along with the proposal	
	e) If recruitment rules were not framed for the posts in the field of promotion i.e. feeder post;	

	i) Please indicate briefly the method of recruitment actually adopted for filling the posts. Please also state the percentage of vacancies filled by each of the methods.	
	ii) Please state briefly the educational qualifications possessed by the persons in the field of promotion i.e. feeder post	
	iii) In case the feeder posts are filled by promotion, the recruitment rules for the still lower posts including the lowest post to which direct recruitment is one of the methods of recruitment may be furnished	
	f) Is the promotion to be made on selection or non-selection basis? Reasons for selection of selection or non-selection method (<i>This is with reference to the “Selection method” or “Non-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</i>)	
	g) If a DPC exists, what is it's composition	
	h) Indicate if the feeder posts are having promotion channels other than the one under consideration i.e. double channel of promotion	
7	If promotion is not proposed as a method, please state why it is not considered desirable/possible/necessary	
8	If direct recruitment is proposed as a method of recruitment, please state	
	a) The percentage of vacancies proposed to be filled by direct recruitment	
	b) Indicate if there are any promotional avenues for the direct recruits	
	c) Age limit for direct recruitment	

	d) Educational and other qualifications required for direct recruitment. Qualifications may be classified as “Essential” and “Desirable”, if necessary	
	e) Whether essential qualifications to be prescribed are in accordance with any Act(s), if any? If so, please quote the relevant Act(s) under which it is necessary and also supply relevant extracts from the Act(s)	
9	If direct recruitment is not proposed as a method of recruitment, please state why it is not considered desirable/possible /necessary	
10	a) If promotion and direct recruitment are both proposed as methods of recruitment, will the educational qualifications proposed for direct recruitment apply in case of promotion?	
	b) If not, to what extent are the educational qualifications proposed to be relaxed in case of promotions?	
11	a) Is deputation/absorption proposed as a method of recruitment? If so, please state the reasons for the proposal. Please state clearly whether deputation or absorption or both are proposed	
	b) The percentage of vacancies proposed to be filled by this method	
	c) The period to which deputation will be limited	
	d) The names of the posts of grades or services etc. from which deputation/ absorption is proposed	
12	a) If any of the methods of recruitment proposed fails, by what methods are such vacancies proposed to be filled	
	b) Whether the recruitment rules relate to a post which has been upgraded from Group ‘D’ to Group ‘C’ or Group ‘C’ to Group ‘B’ or Group ‘B’ to Group ‘A’ or within the same group? If	

	so, whether the necessary provisions for initial constitution has been proposed.	
	c) Whether the recruitment rules are framed for the first time and that there are officers already holding the posts proposed to be included in the cadre on a regular/long term basis? If so, whether the necessary provisions for initial constitution has been proposed.	
	d) Whether the recruitment rules relate to a post which is proposed to be downgraded? If so, whether necessary safeguards have been suggested in respect of the existing incumbents of that post?	
13	Special circumstances, if any, other than those covered by the rules, in which the Commission may be required to be consulted.	
14	Name, address and telephone number of the Department's representatives with whom whose proposals may be discussed, if necessary, for clarification/early decision.	

Date:

Name, designation and signature of the Officer sending the proposal

ANNEXURE V**FORMAT TO BE SUBMITTED TO DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS FOR AMENDMENT OF RECRUITMENT RULES**

1	a) Name of the post	
	b) Name of the Department	
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.	

Column No. of the Schedule	Provisions in the approved/existing recruitment rules	Revised provisions proposed	Reasons for the proposed revision

Date:

Name, designation and signature of the Officer sending the proposal

ANNEXURE VI**FORMAT TO BE SUBMITTED TO DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS FOR RELAXATION OF RECRUITMENT RULES**

1	a) Name of the post for which relaxation is sought	
	b) Name of the Department	
	c) Level in the pay matrix/scale of pay of the said post	
	d) Group classification of the said post	
	e) Is the promotion to be made on selection or non-selection method?	
2	Enclose Gazette copy of the relevant recruitment 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 recruitment 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 recruitment 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 recruitment rules for a post of Assistant Engineer (Civil) under an imaginary department named Water Supply Department for which recruitment rules are framed for the first time and there are officers already holding the post on regular basis)

**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 to the post(s) of **Assistant Engineer (Civil)** under Water Supply Department, Government of Mizoram namely :-

- | | |
|---|--|
| 1. Short title and commencement.- | (1) These rules may be called the Mizoram Water Supply Department (Group 'A' post) Recruitment Rules, 2019
(2) They shall come into force from the date of their publication in the Official Gazette. |
| 2. Application.- | These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules. |
| 3. Number of posts, classification and level in the pay matrix or pay scale.- | The number of the said posts, classification and level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule. |
| 4. Method of recruitment, age limit and other qualifications.- | The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to 13 of the said Schedule. |
| 5. Initial Constitution.- | The incumbents holding the post of Assistant Engineer (Civil) on regular basis on the date of commencement of these rules shall be deemed to have been appointed under these rules to the |

said post and the services rendered by them in the said post before the commencement of these rules shall be taken into account for deciding their period of probation, seniority and eligibility for promotion to the next higher post.

6. 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 said post;

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.

7. Training and Departmental Examination.-

Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time.

8. Power to transfer.-

Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade.

9. 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 Commission through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons.

10. 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.

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

SCHEDULE
(See rule 2, 3 & 4)

**RECRUITMENT RULES FOR GROUP 'A' POSTS IN THE DEPARTMENT OF
WATER SUPPLY**

Name of Post	Number of Post	Classification	Level in the Pay Matrix/ Pay Scale	Whether Selection or Non-Selection posts?	Age limit for direct recruitment
1	2	3	4	5	6
Assistant Engineer (Civil)	15* (2015) 20* (2018) *or as determined by the Govt. from time to time	General State Service, Group 'A', Gazetted, Non-ministerial	Level 10 in the pay matrix (₹56100 – ₹124500)	Selection	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

Educational qualification and other qualification required for direct recruitment	Whether the age and educational qualifications prescribed for direct recruitments will apply in the case of promotion?	Period of probation , if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods
7	8	9	10
Essential: 1) Degree in Civil Engineering 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	Educational qualifications: No, but must possess at least Diploma in Civil Engineering from Government recognised Institution	2 years	75% by direct recruitment and 25% by promotion failing which by deputation

<p>courses of the level as determined by the Government from time to time</p> <p>3) Working knowledge of Mizo language at least Middle School standard</p> <p>Desirable: At least 3 years' work experience in construction and/or maintenance of water supply projects</p>			
---	--	--	--

In case of recruitment by promotion/ deputation/absorption, grade from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists, what is its composition?	Circumstances in which Mizoram Public Service Commission is to be consulted in making recruitment
11	12	13
<p>Promotion: From officers holding the post of Junior Engineer (Civil) in the Department with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis.</p> <p>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</p> <p>Deputation: From officers of the Central/State Government:</p> <ol style="list-style-type: none"> (i) holding analogous post on a regular basis in the parent cadre or department; or (ii) with 5 years' of service rendered after appointment to the post on a regular basis in level 7 of the pay matrix or equivalent in the parent cadre or department; and possessing the educational and other qualifications as prescribed for direct recruitment under Column 7 <p>Note 1: The period of deputation shall ordinarily not exceed 3 years which may be extended up to 5 years in special cases</p> <p>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</p>	Mizoram Public Service Commission	As per Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time

(Model recruitment rules for a post of Registrar under an imaginary organisation named Mizoram Appellate Tribunal in which there is only one post in the feeder grade)

**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 to the post(s) of **Registrar** under Mizoram Appellate Tribunal, namely :-

- | | |
|---|--|
| 1. Short title and commencement.- | (1) These rules may be called the Mizoram Appellate Tribunal (Group 'A' post) Recruitment Rules, 2019

(2) They shall come into force from the date of their publication in the Official Gazette. |
| 2. Application.- | These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules. |
| 3. Number of posts, classification and level in the pay matrix or pay scale.- | The number of the said posts, classification and level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule. |
| 4. Method of recruitment, age limit and other qualifications.- | The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to 13 of the said Schedule. |
| 5. 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 said post;

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.

- | | |
|--|--|
| 6. Training and Departmental Examination.- | Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time. |
| 7. Power to transfer.- | Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade. |
| 8. 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 Commission through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons. |
| 9. 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. |

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

SCHEDULE
(See rule 2, 3 & 4)

**RECRUITMENT RULES FOR GROUP 'A' POSTS IN MIZORAM APPELLATE
TRIBUNAL**

Name of Post	Number of Post	Classification	Level in the Pay Matrix/ Pay Scale	Whether Selection or Non-Selection posts?	Age limit for direct recruitment
1	2	3	4	5	6
Registrar	1* (2019) *or as determined by the Govt. from time to time	General State Service, Group 'A', Gazetted, Non-ministerial	Level 13 in the pay matrix (₹123100 – ₹215900)	Not applicable	Not applicable

Educational qualification and other qualification required for direct recruitment	Whether the age and educational qualifications prescribed for direct recruitments will apply in the case of promotion?	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods
7	8	9	10
Not applicable	Not applicable	Not applicable	Composite method (promotion/deputation)

In case of recruitment by promotion/ deputation/absorption, grade from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists, what is its composition?	Circumstances in which Mizoram Public Service Commission is to be consulted in making recruitment
11	12	13
Composite method (promotion/deputation): 1) From officers of the Central/State Government: a) (i) holding analogous post on a regular basis in the parent cadre or department; or (ii) with 5 years of service rendered after appointment to the post on a regular basis in level 12 of the pay matrix or equivalent in the parent cadre or department; and	Mizoram Public Service Commission	As per Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994 as amended from time to time

<p>b) possessing degree from a recognised University with at least 15 years of experience in dealing with administrative, service, establishment, vigilance and financial matters.</p> <p>2) The departmental Joint Registrar in level 12 of the pay matrix with 5 years of regular service in the grade and possessing the educational and other qualifications prescribed for considering appointment on deputation basis is also considered along with outsiders. If the departmental candidate is selected for appointment, it shall be treated as having been filled by promotion</p> <p>Note 1: The period of deputation shall ordinarily not exceed 3 years which may be extended up to 5 years in special cases</p> <p>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</p>		
--	--	--

(Model recruitment rules for a post of Assistant in an imaginary department named Energy Department wherein an existing recruitment rules have to be superseded)

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

:::

NOTIFICATION⁵⁵

No. _____ **Aizawl, the** _____: In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Mizoram Energy Department (Group 'B' post) Recruitment Rules, 2000 notified in the Mizoram Gazette extraordinary issue number 125 dated 20.06.2000, in so far as they relate to the post of Assistant, except as respect things done or omitted to be done before such supersession, the Governor of Mizoram hereby makes the following rules regulating the method of recruitment to the post(s) of **Assistant** under Energy Department, Government of Mizoram namely :-

- | | |
|---|---|
| 1. Short title and commencement.- | (1) These rules may be called the Mizoram Energy Department (Group 'B' post) Recruitment Rules, 2019.

(2) They shall come into force from the date of their publication in the Official Gazette. |
| 2. Application.- | These rules shall apply to the post(s) specified in Column 1 of the Schedule annexed to these rules. |
| 3. Number of posts, classification and level in the pay matrix or pay scale.- | The number of the said posts, classification and level in the pay matrix or pay scale attached thereto shall be as specified in Column 2 to 4 of the said Schedule. |
| 4. Method of recruitment, age limit and other qualifications.- | The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Column 5 to 13 of the said Schedule. |
| 5. Disqualification.- | No person –

(a) who has entered into or contracted a marriage with a person having a spouse |

⁵⁵ This format is meant for framing of recruitment rules for posts in which the existing rules have to be superseded

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 said post;

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.

- | | |
|--|---|
| 6. Training and Departmental Examination.- | Every officials recruited under these rules shall undergo such training or pass such Departmental Examination as may be prescribed from time to time. |
| 7. Power to transfer.- | Notwithstanding anything contained in these rules, the State Government, in public interest, shall have the right and power to transfer any officials, so recruited under these rules to any other post or position which is equivalent in rank or grade. |
| 8. 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, through the Department of Personnel & Administrative Reforms, relax any of the provisions of these rules with respect to any class or category of persons. |
| 9. 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. |

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

SCHEDULE
(See rule 2, 3 & 4)

RECRUITMENT RULES FOR GROUP 'B' POSTS IN THE DEPARTMENT OF ENERGY

Name of Post	Number of Post	Classification	Level in the Pay Matrix/ Pay Scale	Whether Selection or Non-Selection posts?	Age limit for direct recruitment
1	2	3	4	5	6
Assistant	10* (1995) 20* (2018) *or as determined by the Govt. from time to time	General State Service, Group 'B', Non-Gazetted, Ministerial	Level 07 in the pay matrix (₹39100 – ₹86800)	Selection	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

Educational qualification and other qualification required for direct recruitment	Whether the age and educational qualifications prescribed for direct recruitments will apply in the case of promotion?	Period of probation , if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods
7	8	9	10
Essential: 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	Not applicable	2 years	50% by direct recruitment; 25% by promotion and 25% by limited departmental examination

the Government from time to time			
3) Working knowledge of Mizo language at least Middle School standard			
Desirable: Diploma in Modern Office Practice from Government recognised Institutions			

In case of recruitment by promotion/ deputation/absorption, grade from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists, what is its composition?	Circumstances in which Mizoram Public Service Commission is to be consulted in making recruitment
11	12	13
<p>Promotion: From officers holding the post of Upper Division Clerk in the Department with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis.</p> <p>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</p> <p>Limited departmental examination: From officers holding the post of Upper Division Clerk in the Department with 5 years' of regular service in the grade rendered after appointment thereto on a regular basis.</p>	Mizoram Subordinate Services Selection Board	Exempted from consultation with the Mizoram Public Service Commission