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## NOTIFICATIONS

No. 154/MIZ/81 the sub-section (1) of section 13A of the Representation of the People Act, 1950 (43) the powers conferred by the Election

Secretary, Mizoram as the Mizoram with effect from the date vice Sri A.J. Kundan, I.A.S.

By order  
K. Ganesan  
Secretary.

No. FE. 60/78/128—134, the September, 1981. In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Govt. of India, Ministry of Home Affairs Notification No. 14/21/71—HMT—(ii) dated the 21st January, 1972 and all other powers enabling him in this behalf the Administrator of Mizoram is pleased to make the following rules relating to the recruitment to the posts of Assistant Director of Accounts & Treasuries, Finance & Accounts Officer, Treasury Officer, and Assistant Examiner of Local Accounts and Auditor, Government of Mizoram, namely:

1. Short title and Commencement :

1) These Rules may be called the Mizoram Finance & Accounts Service (Group B posts) Recruitment Rules, 1981.

2) They shall come into force on the date of their publication in the Official Gazette.

2. Application :

These Rules shall apply to the posts specified in Column 1 of the Scheduled hereto annexed.

3. Number of posts classification and scale of pay :

The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the Scheduled aforesaid.

4. Method of rectt. age limit and other qualification :

The age limit, qualifications and other matters relating to the said posts shall be as specified in Columns 5 to 13 of the said Scheduled.

Provided that the upper age limit prescribed for direct rec'tt. may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Govt or Govt. of Mizoram from time to time.

**5. 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 marriage with any person, shall be eligible for appointment, to the said post.

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

**6. Training and Departmental Examination :**

Every Govt. servant shall undergo such training or pass such departmental examination as may be prescribed from time to time.

**7. Power to relax :**

Where the Administrator 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, relax any of the provisions of these rules with respect to any class or category of persons.

**8. Reservation other concessions :**

Nothing in these rules shall affect reservation and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes and other categories of persons in accordance with the orders issued by the Central Govt. or Govt. of Mizoram from time to time in this regard.

**9. Repeal and Saving :**

All Rules pertaining to these posts, framed by the Governor of Assam or by the Govt. of Assam and were in force in the erstwhile Mizo District and continued to be in existence in pursuance of Govt. of India, Ministry of Home Affairs Notification No. 14/21/71—HMT (ii) dt. 21. 1. 1972 are hereby repealed.

Provided that any order made or anything done or any action taken under the rules so repealed or under any general orders ancillary thereto, shall be deemed to have been made, done or taken under the corresponding provisions of these rules.

By Order etc.

Chief Secretary to the Govt. of Mizoram

## SCHEDULE

RECRUITMENT RULES FOR  
DEPIT. GOVT. OF MIZORAM

Name of Post.	No. of posts	Classification	Scale of pay
1	2	3	4
Dy. Director of Accounts & Treasuries	Subject to variation depending on work load	General Central Service Group 'A' post (Gazetted)	Rs. 900-40 -1100- EB-60-1400/-
Whether selection post or non-selection post.	Age for direct recruitment	Educational and other qualification required for direct recruits.	
5	6	7	
Selection post	Does not arise	Does not arise	

Whether age & Educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation if any.	Method of rectt. whether by direct rectt. or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods.
8	9	10
Not applicable	Two years (in case of direct rectt.)	By Promotion failing which by transfer on deputation.
In case of rectt. by promotion or deputation/transfer grade from which promotion/deputation/transfer to be.	If a D.P.C. exist, what is its composition?	Circumstances in which UPSC is to be consulted in making recruitment.
11	12	13
<p><b>PROMOTION:</b> Assistant Director of Accounts, Finance &amp; Accounts Officer, Treasury Officers and Asstt. Examiners of Local Accounts having not less than 5 yrs. regular service in the grade.</p> <p>Transfer on deputation : Officers from Central or U.T. Administration holding analogous posts with sufficient experience of working in the Govt. audit and accounts depts.</p>	<p>Selection Board/DPC comprising the following:</p> <ol style="list-style-type: none"> <li>1. Addl. Secy (UT)MHA</li> <li>2. Chief Secy, Govt. of Mizoram.</li> <li>3. An officer not below the rank of Dy. Secy. in the Ministry of Home Affairs.</li> <li>4. Head of Deptt. concerned of the Govt. of Mizoram.</li> <li>5. A senior officer of the U.T. Admn. belonging to the Schedule Tribes not below the rank of Secy. to the U.T. Admn.</li> </ol>	<p>The post in Mizoram are exempted from consultation with the U.P.S.C.</p>

No. FE. 60/78/124-127, the 17th. September, 1981. powers conferred by the proviso to Article 309 of the Constitution read with the Govt. of India, Ministry of Home Affairs Notification No. 14/21/71-HMT-(ii) dated the 21st January, 1972 and all other powers enabling him in this behalf the Administrator of Mizoram is pleased to make the following rules relating to the recruitment to the posts of Deputy Director of Accounts & Treasuries, Government of Mizoram, namely :—

1. Short title and Commencement :
  - 1) These Rules may be called the Mizoram Finance & Accounts Services (Group A posts) Recruitment Rules, 1981.
  - 2) They shall come into force on the date of their publication in the Official Gazette.
2. Application : These Rules shall apply to the posts specified in Column 1 of the Scheduled hereto annexed.
3. Number of posts classification and scale of pay : The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the Scheduled aforesaid.
4. Method of rectt. age limit and other qualification :
 

The age limit, qualifications and other matters relating to the said posts shall be as specified in Columns 5 to 13 of the said Scheduled.

Provided that the upper age limit prescribed for direct rectt. may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Govt or Govt. of Mizoram from time to time.
5. 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 marriage with any person, shall be eligible for appointment, to the said post.

Provided that the Administrator may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.
6. Training and Departmental Examination : Every Govt. servant shall undergo such training or pass such departmental examination as may be prescribed from time to time.
7. Power to relax : Where the Administrator 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, relax any of the provisions of these rules with respect to any class or category of persons.

**8. Reservation other concessions :**

Nothing in these rules shall affect reservation and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes and other categories of persons in accordance with the orders issued by the Central Govt. or Govt. of Mizoram from time to time in this regard.

**9. Repeal and Saving :**

All Rules pertaining to these posts, framed by the Governor of Assam or by the Govt. of Assam and were in force in the erstwhile Mizo District and continued to be in existence in pursuance of Govt. of India, Ministry of Home Affairs Notification No. 14/21/71—HMT (ii) dt. 21. 1. 1972 are hereby repealed.

Provided that any order made or anything done or any action taken under the rules so repealed or under any general orders ancillary thereto, shall be deemed to have been made, done or taken under the corresponding provisions of these rules.

By Order etc.

Chief Secretary to the Govt. of Mizoram

Name of post	No. of posts	Classification	Scale of pay
1	2	3	4
1. Asstt. Director of Acct.	3	General Central Service, (Group B Gazetted).	Rs. 650-30-740-35-810-EB-35-880-40-1000-40-1200/-
2. Finance & Accounts Officer.	12		
3. Treasuries Officer.	7		
4. Asstt. Examiner of Local Account.	1		

Subject to variation depending on work load.

Whether selection post or Non-Selection post	Age for direct recruitment	Educational and other qualifications required for directrecruits
5	6	7
Selection post.	Not below 18 years and not exceeding 28 years.	Candidate should be a graduate of a recognised University. Preference will be given to those who have successfully completed Account Training in A.G., Shillong Office or cash and AC course conducted by the Ministry of Home Affairs with five years experience in Accounts.

Foot Note :— The crucial date of determining the age limit mentioned in Col. 6 of the Recruitment Rules will, in each case, be the closing date for receipt of applications from candidates in India (other than Andaman & Nicobar Islands and Lakshadweep).

In respect of posts, the appointment to which are made through the Employment Exchanges, the crucial date for determining the age limit will, in each case be the last date upto which the Employment Exchanges are asked to submit the names.

Whether age & Educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation if any.	Method of rectt. Whether by direct rectt. or by promotion or by deputation/ transfer & percentage of the vacancies to be filled by various methods.
8	9	10
1. Not applicable 2. -do- 3. -do- 4. -do-	Two yrs. Two yrs. Two yrs. Two yrs.	75% will be filled by promotion and 25% by direct recruitments. In case of direct recruitment competitive examination to be held in accordance with syllabus given in appendix I. Only these shall be eligible to appear in the examination who possess the qualification mentioned in col. 7.
In cases of rectt. by promotion/ or deputation/transfer grade from which promotion/deputation/transfer to be.	If a D.P.C. exist, what is its composition ?	Circumstances in which UPSC is to be consulted in making recruitment.
11	12	13
Promotion : (1) Auditors, Divisional Accountant (PWD) Treasury Acctt. after qualifying the promotional Test in accordance with syllabus in Appendix II.  (2) Asstt. Auditor, Asstt. Divisional Accountant, Addl. Treasury Acctt. Sub-Treasury Acctt. with not less than 10 yrs. service in the grade after qualifying the promotional Test in accordance with syllabus at Appendix II	1. Chief Secy. Govt. of Mizoram.  2. An Officer not below the rank of Dy. Secy in the M.H.A.  3. An Officer not below the rank of Dy. Secy. in the M.H.A.  4. Head of the Deptt. concerned in Mizoram.  5. A senior officer of the U.T. Admn. belonging to be Scheduled Tribes not below the rank of Secretary to the Admn, Co-opted Member.	As required under the U.T. (Exemption from Consultation) Regulation, 1950.



Name of post,	No. of post.	Classification	Scale of pay
1	2	3	4
5. Auditor	2 (two) Subject and variation depending on work load.	General Central Service Group 'B'	Rs. 500-20-700-EB-25-900/- p.m.
Whether selection post of non-selection post.	Age for direct recruitment	Educational and other qualification required for direct recruits.	
5	6	7	
Selection post.	Not applicable.	Not applicable.	

Whether age & educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation if any.	Method of rectt. whether by direct recrtt. or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods.
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8

9

10

5. Not applicable.

2 (two) yrs.

100% will be filled by promotion.

In case of rectt. by promotion or deputation/transfer grade from which promotion/deputation/transfer to be.	If a D.P.C. exist, what is its composition?	Circumstances in which UPSC is to be consult in making recruitment.
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11

12

13

Promotion from Asstt. Auditor with not less than 5 yrs experience in the grade.

Selection Board/DPC comprising the following:-

The post under the Govt. of Mizoram are exempted from consultation with the U.P.S.C.

- 1) Chief Secy. Govt. of Mizoram, Chairman
- 2) An Officer not below the rank of Dy. Secy in M.H.A.
- 3) An Officer not below the rank of Dy. Secy in the M.H.A.
- 4) Head of the Deptt. concerned in Mizoram.
- 5) A senior officer of the U.T Admn. belonging to the Schedule Tribe not below the rank of Secy to the U.T Admn. (Co-opted Member).

**APPENDIX-I**

Subject for direct recruitment for the post of Mizoram Finance and Accounts Service Class II

Subject	Tim	Full Marks	Minimum P.C. for passing
1. English & General Knowledge	3 hrs.	150	50%
2. Drafting and precis writing	3 hrs.	150	50%
3. Simple Arithmetic (HSLC Standard)	3 hrs.	150	50%
4. Viva Voce in respect of candidates who qualified in the written test.		50	

**APPENDIX-II**

Syllabus for promotional test for the post of Mizoram Finance and Accounts Service Class II.

1. Drafting and precis writing	3 hrs.	150	50%
2. Accounts paper consisting of PR/SR, GR, CTR, Accounts Code Vol. I Public Works Accounts, Pension theory.	3 hrs	150	50%
3. Do practical	2.30 hrs	100	50%

**S.S. DUTTA,**  
Deputy Secretary to the Govt of Mizoram  
Finance Department.

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Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya  
Department of Personnel and Administrative Reforms  
(Karmik Aur Prashasnik Sudhar Vibhag)  
New Delhi, the 6th August, 1981.

**NOTIFICATION**

S.O ..... In exercise of the powers conferred by the proviso to Article 309 read with Clause (5) of Article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965 namely:-

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) THIRD Amendment Rules, 1981.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. In the Central Civil Services (Classification, Control and Appeal) Rules 1965.
- (i) for heading "Part VIII. Review", the following heading shall be substituted namely :-  
 "Part VIII - Revision and Review"
  - (ii) in sub-rule (1) of rule, 29,
    - (a) for the word 'review' the words 'revise' shall be substituted;
    - (b) in the first proviso, for the words 'reviewing' authority', the words 'revising authority' shall be substituted;
    - (c) in the second proviso, for the words "power of review" the words 'revision' shall be substituted;
  - (iii) in sub-rule 2 of rule 29, for the word 'review' the word 'revision' shall be substituted;
  - (iv) in sub-rule 3, of rule 29, for the word 'review' the word 'revision' shall be substituted;
  - (v) after rule 29, the following rule shall be inserted namely :-  
 "29-A Review - The President may, at any time, either on his own motion or otherwise, review any order passed under these rules, when any material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice.

Provided that no order imposing or enhancing any penalty shall be made by the President unless the Government servant concerned has been given a reasonable opportunity of making an representation against the penalty proposed or where it is proposed to imposed any of the major penalties specified in rule 11 or to enhance the minor penalty imposed by the order enquiry under rule 14 has not already been held in the case, no such penalty shall be imposed except after inquiring in the manner laid down in rule 14, subject to the provisions of rule 19, and except after consultation with the Commission where such consultation is necessary.

Sd/- B.S. NIM  
 DEPUTY SECRETARY TO THE GOVT. OF INDIA.

No. 11012/1/80-Ests (A)  
 Government of India/Bharat Sarkar  
 Ministry of Home Affairs/Grih Mantralaya  
 Department of Personnel and Administrative Reforms  
 (Karmik Aur Prashasnik Sudhar Vibhag)  
 New Delhi, the 3rd September, 1981.

### O F F I C E M E M O R A N D U M

Subject: Rules 29 of the CCS (CCA) Rules, 1965-President's power review under Rule 29-Judgement of Delhi High Court in the case of Shri R.K. Gupta Development Of

The undersigned is directed to invite the attention of the Ministry of Finance etc. to is Department Notification of even number dt the 6th August, 1981 amending Rule 29 of the CCS (CCA) Rules, 1965 and introducing Rule 29-

A therein and to say that the amendment has been necessitated by the judgement of the Delhi High Court in the case of Shri R.K. Gupta Vs. Union of India and another (Civil writ Petition No. 196 of 1978 and 322 of 1979) in which the High Court has held that Rule 29 of the CCS (CCA) Rules, 1965-

- (1) The President has power to review any order under the CCS (CCA) Rules, 1965 including an order of exoneration, and
- (2) The aforesaid power of review is in the nature of revisionary power and not in the nature of reviewing one's own order.

The matter has been examined in consultation with the Ministry of Law who have Observed that the judgement of the Delhi High Court would indicate that the President cannot exercise his revisionary powers in a case in which the power had already been exercise after full consideration of the facts and circumstances of the case. There is, however, no objection to passed by him earlier in revision if some new fact or material having the nature of changing the entire complexion of the case comes to his notice later. Accordingly, Rule 29 of the CCS (CCA) Rules, 1965 has been amended to make it clear that the power available under the rule is the power of revision and a new rule, Rule 29-A, has been introduce specifying the powers of the President to make a review of any order passed earlier, including an order passed in revision under Rule 29, when any new fact or material which has the effect of changing the nature of the case comes to his notice, It may also be noted while the President and other authorities enumerated in Rule 29 of the CCS (CCA) Rules, 1965, exercise the power of revision under that rule, the power of review under Rule 29-A is vested in the president only and not in any other authority. With the amendment of Rule 29 and the introduction of Rules 29-A, the heading of Part VIII of the CCS (CCA) Rules, 1965 has also been appropriately changed as "Revision and Review".

2. Ministry of Finance etc. are requested to bring the above points to the notice of all the authorities concerned for their information and guidance.

B.S. Nim  
Deputy Secretary to the Govt. of India.