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MIZORAM POLICE SERVICE (AMENDMENT) RULES, 1989

In exercise of the powers conferred under the proviso to Article 309 of the Constitution of India, the Governor of Mizoram is pleased to make the following rules to amend the Mizoram Police Service Rules, 1986 as notified vide Government of Mizoram Gazette Notification No. A. 12018/9/80-APT(B), dated 25.7.1986.

1. SHORT TITLE AND COMMENCEMENT.

- (1) These rules may be called the Mizoram Police Service (Amendment) Rules, 1989.
- (2) They shall come into force from the date to be determined by the Government of Mizoram for all or any purpose(s).

2. SUBSTITUTION OF RULE 2.

For rule 2 of part-I of the Mizoram Police Service Rules, 1986 (hereinafter referred to as the Principal rules), the following rules shall be substituted, namely:-

"2. DEFINITIONS.

In this rules, unless the context otherwise requires,

- (a) "Board" means the Selection Board mentioned in rule 6;
- (b) "Commission" means the Mizoram Public Service Commission;
- (c) "Constitution" means the Constitution of India;

- (d) "duty post" means any post specified in Schedule-I and includes a temporary post carrying the same designation as any of the posts specified in the Schedule and the scale of pay which is identical to that attached to any Grade of the Service and any other temporary post declared as duty post by the Governor;
- (e) "Gazette" means the Mizoram Gazette;
- (f) "Government" means the Government of Mizoram;
- (g) "Governor" means the Governor of Mizoram;
- (h) "Member of the Service" means a person appointed in a substantive capacity to any grade of the Mizoram Police Service and includes a person on probation to the Mizoram Police Service in accordance with these rules;
- (i) "Schedule" means the Schedule appended to these rules;
- (j) "Scheduled Castes" means such castes as are specified by the President of India under Article 342 (1) of the Constitution of India as modified by law made by Parliament from time to time in so far as the specification pertains to the State of Mizoram;
- (k) "Scheduled Tribe" it means such tribes as are specified by the President of India under Article 342 (1) of the Constitution of India as modified by law made by Parliament from time to time in so far as the specification pertains to the State of Mizoram;
- (l) "Service" means the Mizoram Police Service;
- (m) "State" means the State of Mizoram; and
- (n) "Year" means the Calendar year"

3. SUBSTITUTION OF RULE 3.

For rule 3 of the Principal rules, the following rule shall be substituted, namely:-

"3. CONSTITUTION OF SERVICE AND ITS CLASSIFICATIONS.

- (1) There shall be a service to be known as the Mizoram Police Service
- (2) The Service shall consist of the following persons, namely :-
 - (a) Members of the Assam Police Service who are allocated to the Union Territory of Mizoram in accordance with the provisions of sub-section (2) of section 64 of the North Eastern Areas (Re-organisation) Act, 1971;
 - (b) Persons promoted or recruited to the rank of Gazetted Police Officer before the existence of the Mizoram Police Service Rules;

- (c) Persons recruited as the Gazetted Police Officer as per Mizoram Government' Advertisement No. HMP. 72/73/17 dated 1.5.1974;
- (d) Persons recruited or promoted to the Service in accordance with the provisions of the Mizoram Police Service Rules, 1982 and the Mizoram Police Service Rules, 1986;
- (e) Persons recruited or promoted to the Service in accordance with the provisions of these Rules.

(3) CLASSIFICATION OF SERVICE.

(a) The Service shall have four Grades, namely :-

- (i) Selection Grade (Non-functional);
- (ii) Junior Administrative Grade;
- (iii) Senior Grade; and
- (iv) Junior Grade

(b) The number of posts in the Selection Grade shall be five percent of the authorised permanent strength of the Service."

4. SUBSTITUTION OF RULE 4.

For rule 4 in Part II of the principal rules, the following rules shall be substituted, namely :-

"4. COMPOSITION AND STRENGTH OF SERVICE.

- (1) The composition and strength of service and nature of posts therein shall be as determined by the Governor from time to time.
- (2) At the commencement of these rules, the composition and strength of the service and the nature of post therein shall be as shown in Schedule-I."

5. SUBSTITUTION OF RULE 5.

For rule 5 of the Principal rules, the following rule shall be substituted, namely :-

"5. METHOD OF RECRUITMENT.

Recruitment to the Service after the commencement of these rules shall be by following methods, namely :-

- (1) By a competitive examination to the extent of 50% of the authorised permanent strength of the service in the junior grade which may occur from time to time.
- (2) By selection to the extent of 50% of the permanent strength of the service in the junior grade in the manner specified in Part V of the rules provided the vacancies exist."

6. SUBSTITUTION OF RULE 6.

For rule 6 of the Principal rules, the following rule shall be substituted, namely :—

“6. CONSTITUTION OF SELECTION BOARD.

Until Mizoram Public Service Commission is constituted, there shall be a Selection Board consisting of the following, namely :—

- | | | |
|---|---|--------------------|
| 1) Chief Secretary | — | Chairman |
| 2) Principal Secretary | — | Member |
| 3) Commisioner/Secretary
Home Department | | Member |
| 4) Secretary, Deptt. of
Personel & Administrative
Reforms | — | Member - Secretary |
| 5) Inspector General of Police | — | Member |
- The Selection Board shall make recommendations for all appointments to the Service.”

7. SUBSTITUTION OF RULE 7.

For rule 7 of the Principal rules, the following rule shall be substituted, namly :—

“7. COMPETITIVE EXAMINATION.

(1) (i) Save as provided in rule 13, appointment to the service against all the substantive vacancies which occur from time to time in authorised permanent strength of the service shall be only through competitive Examination in the manner specified in these rules.

(ii) A competitive Examination for direct recruitment to the service shall be held at such intervals and in accordance with such regulations as the Governor may, in consultation with the Commission/Board, determine from time to time. The date on which and the places at which the examination shall be held shall be fixed by Commission/Board.

(2) CONDITIONS FOR ELIGIBILITY FOR APPEARING AT THE COMPETITIVE EXAMINATIONS.

A candidate for recruitment to the posts in the service must satisfy the following conditions, namely :—

- (a) Nationality — He must be a citizen of India
- (b) Age — He must have attained the age of 21 years but not exceed the age of 27 years on the first day of the year of advertisement :

Provided that the upper age limit may be relaxable by 5 years in the case of candidate belonging to Scheduled Castes and Scheduled Tribes and in respect of candidates belonging to Special categories in accordance with any general or special order issued by the Government from time to time.

- (c) Educational Qualification — He must hold a degree of any recognised University listed in Schedule-II.
- (d) Payment of Examination Fee — He must pay the fees prescribed by the Government/Commission.
- (e) PHYSICAL FITNESS :—
 - (i) A candidate must be of sound health, both mental and physical and must be free from organic disease, bodily infirmity likely to interfere with the efficient performance of his duty.
 - (ii) A candidate shall have to qualify in the physical test which is conducted by the Commission/Board;
 - (iii) A candidate shall be required to undergo a medical examination under a medical board approved by the Government before final approval for appointment to the service."

8. AMENDMENT TO RULE 8, RULE 9 AND RULE 11.

In rules 8, 9 and 11 of the Principal rules, for the word "Administrator" wherever they appear, the word "Governor" shall be substituted.

9. SUBSTITUTION OF RULE 10 (Part III).

For rule 10 of the Principal rules, the following new rule 10 shall be inserted, namely :—

- "10. A person shall join within 45 days of the date of receipt of the order of appointment, failing which, unless the Governor has otherwise consented to extend the period, the appointment shall be cancelled."

10. SUBSTITUTION OF SUB-RULE (1) OF RULE 13.

For sub-rule (1) of rule 13 of the principal rules, the following shall be substituted namely :—

"13(1)-CONDITION OF ELIGIBILITY AND PROCEDURE FOR SELECTION— The Commission/Board shall consider from time to time cases of officers eligible under sub-rule (2) of rule 5, who have served in the cadre of Inspector of Police for not less than five years and prepare a list of officers recommended taking into account the actual vacancies at the time of selection and those likely to occur during a year. The selection for inclusion in the list shall be based on merit with due regard to seniority."

11. AMENDMENT OF SUB-RULE (3) OF RULE 13.

In sub rule (3) of rule 13 of the Principal rules, for the word "Administrator", the word "Governor" shall be substituted.

SUBSTITUTION OF RULE 15

For rule 15 of the principal rules, the following rule shall be substituted namely :-

"15. INITIAL APPOINTMENT TO THE SERVICE.

Irrespective of rules previously in force, person who had been appointed/recruited in accordance with the following manners will be deemed to have been appointed to the service with effect from the date of joining as a Gazetted Police Officer:-

- (a) Member of the Assam Police Service who are allocated to the Union Territory of Mizoram in accordance with provisions of sub-section (2) of section 64 of the North Eastern Areas (Re-organisation) Act, 1971;
- (b) Persons promoted and recruited as Gazetted Police Officer before the existence of the Mizoram Police Service Rules;
- (c) Persons recruited as the Gazetted Police Officer as per Mizoram Government's Advertisement No. HMP. 72/73/17 dated 1.5.1974;
- (d) Persons recruited and promoted to the service in accordance with the provisions of the Mizoram Police Service Rules 1982 and the Mizoram Police Service Rules, 1986."

13. SUBSTITUTION OF RULE 16.

For rule 16 of the principal rules, the following rules shall be substituted, namely:-

"16. APPOINTMENTS-

All appointments to the service shall be made to appropriate grades of the service and not against any specific posts included in the service."

14. AMENDMENT OF RULE 17. In rule 17 of the principal rules, the words "the Central Government" appearing in the proviso, the words "the State Government" shall be substituted.

15. SUBSTITUTION OF RULE 18.

For rule 18 of the principal rules, the following rules shall be substituted, namely:-

"18. PERIOD OF PROBATION.

Every person recruited to the service shall be appointed to the service on probation for a period of two years :

Provided that for persons recruited to the service in accordance with sub-rule (2) of rule 5 and rule 13, the period of probation shall be one year;

Provided further that the period of probation may, for good and sufficient reasons in writing, be extended by the Governor in the individual cases."

16. **AMENDMENT OF RULE 19.** In the proviso to rule 19 of the principal rules, for the words and figures "clause (b) of sub-rule (1) of rule 15," the words and figures "sub-rule (1) of rule 13" shall be substituted.
17. **AMENDMENT TO RULE 20.** After rule 20 of the principal rules, the following proviso shall be inserted, namely :—

"Provided that once a member of the service has been confirmed in his entry grade, he shall not be required to be confirmed in each grade or post of the service."

18. **SUBSTITUTION OF RULE 25.** For rule 25 in the principal rules, the following rule shall be substituted, namely :—

"25. **SENIORITY.** The Government shall prepare a list of members of the service arranged in order of seniority as determined in the manner specified below :

(1) (a) Persons recruited on the result of competitive examination in any year shall be ranked inter-se in the order of merit which shall be determined in accordance with the aggregate marks obtained —

(i) at the competitive examination; and

(ii) in respect of his record in the training college.

(b) The relative seniority INTER-SE of persons promoted shall be determined on the basis of the order in which their names are arranged in the list prepared under sub-rule (1) of rule 13, persons promoted on the basis of an earlier selection being ranked senior to those recruited on the basis of later selection.

(2) The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion under rule 5 provided the appointment orders for which recruitment and selection are made and issued within a period of three months".

19. **SUBSTITUTION OF RULE 26.**

For rule 26 of the principal rules, the following rule shall be substituted, namely :—

"26. **TIME SCALE OF PAY.**

(1) The scale of pay attached to the grades of the service shall be as follows :—

(a) Selection grade	—	Rs. 4500-150-5700/-
(b) Junior Administrative Grade	—	Rs. 3700-125-4700- 150-5000/-
(c) Senior Grade	—	Rs. 3000-100-3500 125-4500/-
(d) Junior Grade	—	Rs. 2200-75-2800-EB- 100-4000/-

(2) A person recruited on the results of competitive examination shall, on appointment to the service, draw pay at the minimum of the time scale.

(3) Dearness and other allowances shall be paid to persons holding duty posts at such rates as may be determined by the Government from time to time."

20. SUBSTITUTION OF RULE 27.

For rule 27 in the principal rules, the following rules shall be substituted, namely :—

"27. PROMOTION TO HIGHER GRADES.

(1) Appointments of members of the service to the senior grade, junior administrative grade and selection grade shall be made in consultation with the Commission/Board on the basis of merit with due regard to seniority.

(2) A member of the service confirmed in the Junior Grade with a minimum period of five years of service in a Gazetted Police post or as a member of Mizoram Police Service shall be eligible for promotion to the senior grade.

(3) A member of the service in the senior grade with a minimum of ten years of service in a Gazetted Police post or as a member of the Mizoram Police Service shall be eligible for promotion to the Junior Administrative Grade.

(4) A member of the service in the Junior Administrative Grade with a minimum period of twenty years of service in a Gazetted Police post or as a member of Mizoram Police Service shall be eligible for promotion to the Selection Grade."

21. AMENDMENT OF RULE 29.

For rule 29 of the principal rules, the following rules shall be substituted :—

"29. OTHER PROVISIONS RELATING TO CONDITIONS OF SERVICE.

Except as provided in these rules, all matters relating to pay, allowance, leave, pension, discipline and other conditions of service, shall be regulated by the general rules framed or adopted by the Government from time to time."

22. INSERTION OF NEW RULE 29 (A).

After the substituted new rule 29, there shall be inserted the following new rules, namely -

"29 (A). INCREMENT.

- (1) The first increment admissible to a member of the service in the Junior Grade shall accrue on the expiry of successful completion of the period of one year from the date of his joining the service.
- (2) The pay of member of the service on confirmation shall be fixed at such a stage in the Junior Grade as if he has been allowed his usual increments due but for withholding of due increments for the period prior to the date of his confirmation.
- (3) The Governor may withhold, for such time as he may direct an increments due to a substantive member of the service who has failed to pass the Departmental examinations within such time as the Governor may, by general or special order, prescribe but withholding of such increments shall have no cumulative effect."

23. AMENDMENT OF RULE 30.

In rule 30 of the principal rules for the words "Central Government" the words "Government of Mizoram" shall be substituted.

24. DELETION OF SUB-RULE (2) OF RULE 31.

Sub-rule (2) of rule 31 of the principal rules shall be deleted.

25. AMENDMENT OF RULE 32.

For rule 32 of the principal rules, the following rule shall be substituted, namely :-

"32. POWER OF THE GOVERNOR TO DISPENSE WITH OR RELAX :-

- (1) The Governor shall have the powers to amend the rules from time to time as and when he considers it necessary.
- (2) Where the Governor is satisfied that the operation of any of these rules caused undue hardship, in any particular case, he may dispense with or

relax that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided by any of these rules."

26. ADMENDMENT OF RULE 33.

In rule 33 of the principal rules, for the words "Central Government," the words "the Government of Mizoram" shall be substituted.

27. AMENDMENT OF THE SCHEDULES.

For Schedule-I to the principal rules, the following Schedule-I and Schedule-II shall be substituted, namely : -

SCHEDULE -- I (See rule 4 (1))

AUTHORISED PERMANENT STRENGTH OF MIZORAM POLICE SERVICE

1. SELECTION GRADE (Non-functional) :	5 % of the authorised permanent strength of the service.	
2. JUNIOR ADMINISTRATIVE GRADE :		
1. Assistant Inspector General I		— 1 No.
2. Assistant Inspector General II		— 1 No.
3. Assistant Inspector General III		— 1 No.
4. Principal, Police Training Centre		— 1 No.
5. Superintendent of Police (Crime).		— 1 No.
6. Commandant Ist Mizoram Armed Police		— 1 No.
7. Commandant 2nd Mizoram Armed Police		— 1 No.
8. Superintendent, Special Branch and Criminal Investigation Department		— 1 No.
9. Superintendent of Police, Anti-Corruption Branch		— 1 No.
		9 Nos

3. SENIOR GRADE :

1) Additional Superintendent of Police, Aizawl District	— 2 Nos.
2) Additional Superintendent of Police, Lunglei District	— 1 No.
3) Additional Superintendent of Police, Saiha District	— 1 No.
4) Additional Superintendent of Police, Prosecution (Crime)	— 1 No.
5) Additional Superintendent of Police, Fire Service	— 1 No.
6) Deputy Commandant, 1st Mizoram Armed Police	— 2 Nos.
7) Deputy Commandant, 2nd Mizoram Armed Police	— 2 Nos.
	10 Nos.

4. JUNIOR GRADE :

1) Staff Officer to Director General of Police (M)	— 1 No.
2) Staff Officer to Inspector General of Police (M)	— 1 No.
3) Staff Officer to Deputy Inspector General (Range)	— 1 No.
4) Staff Officer to Deputy Inspector General (Criminal Investigation Department)	— 1 No.
5) Staff Officer to Deputy Inspector General of Police (Training)	— 1 No.
6) Deputy Superintendent of Police (Headquarter)	— 1 No.
7) Deputy Superintendent of Police (Fire Service)	— 1 No.
8) Deputy Superintendent of Police (Provisioning)	— 1 No.
9) Deputy Superintendent of Police (Central Police Workshop)	— 1 No.
10) Deputy Superintendent of Police (Headquarter) Aizawl District.	— 1 No.
11) Deputy Superintendent of Police (District Special Branch) Aizawl District	— 1 No.
12) Deputy Superintendent of Police (Traffic) Aizawl District	— 1 No.
13) Deputy Superintendent of Police (Prosecution) Aizawl District	— 1 No.
14) Sub-Divisional Police Officer, Aizawl	— 1 No.
15) Sub-Divisional Police Officer, Kolasib.	— 1 No.

16)	Sub-Divisional Police Officer Champhai	— 1 No.
17)	Sub-Divisional Police Officer, Serchhip	— 1 No.
18)	Sub-Divisional Police Officer, Mamit	— 1 No.
19)	Deputy Superintendent of Police (Headquarter) Lunglei District	— 1 No.
20)	Sub-Divisional Police Officer, Lunglei	— 1 No.
21)	Sub-Divisional Police Officer Tlabung	— 1 No.
22)	Deputy Superintendent of Police (Headquarter) Chhintuipui District	— 1 No.
23)	Sub-Divisional Police Officer, Lawngtlai	— 1 No.
24)	Deputy Superintendent of Police, (Administration) Criminal Investigation Department (Special Branch)	— 1 No.
25)	Deputy Superintendent of Police, (Field) Criminal Investigation Department (Special Branch)	— 2 Nos.
26)	Deputy Superintendent of Police (Verification) Criminal Investigation Department (Special Branch)	— 1 No.
27)	Deputy Superintendent of Police (Security) (Crime)	— 1 No.
28)	Deputy Superintendent of Police, Crime (Criminal Investigation Department)	— 1 No.
29)	Deputy Superintendent of Police, Narcotic (Criminal Investigation Department) (Crime)	— 1 No.
30)	Deputy Superintendent of Police Anti-Corruption Branch	— 2 Nos.
31)	Deputy Superintendent of Police, Police Training Centre	— 1 No.
32)	Assistant Commandant 1st Mizoram Armed Police Battalion	— 7 Nos.
33)	Assistant Commandant, 2nd Battalion Mizoram Armed Police	— 7 Nos.
		47 Nos
5.	1) Deputation Reserve 200 of 47	= 9.4
	2) Leave Reserve 7% of 47	= 3.29
	3) Training Reserve 13% of 47	= 6.11
		19 Nos.
	TOTAL AUTHORISED STRENGTH	= 85 Posts.

SCHEDULE II

(See Rule 7 (2)(c))

LIST OF UNIVERSITIES APPROVED BY THE GOVERNMENT OF MIZORAM

INDIAN UNIVERSITIES : Any University incorporated by an Act of the Central or State Legislatures in India.

UNIVERSITIES IN BURMA : 1 University of Rangoon
2 English and Welsh Universities

UNIVERSITIES IN ENGLAND : 1 University of Birmingham
2 University of Bristol
3 University of Cambridge
4 University of Durham
5 University of Leeds
6 University of Liverpool
7 University of London
8 University of Manchester
9 University of Oxford
10 University of Reading
11 University of Sheffield
12 University of Wales

SCOTISH UNIVERSITIES : 1 The University of Aberdeen
2 The University of Edinburgh
3 The University of Glasgow
4 The University of Andrews

IRISH UNIVERSITIES : 1 The University of Dublin (Trinity College,
2 The National University of Dublin
3 The Queen's University, Belfast

UNIVERSITIES IN PAKISTAN : 1 The University of Punjab
2 The University of Sind

UNIVERSITY IN BANGLADESH : The Dacca University

UNIVERSITIES OF AMERICA : 1 The University of Harvard
2 The University of Yale
3 The University of Columbia
4 The University of Michigan"