



# The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol. XXIV Aizawl, Friday, 19. 5. 1995, Vaisakha 29, S.E. 1917, Issue No. 113

## NOTIFICATION

No.A.22017/1/95-P&AR (GSW), the 10th May, 1995. In exercise of the powers conferred by the Proviso to Article 309 of the Constitution, the Governor of Mizoram is pleased to make the following rules, namely :—

1. Title : These rules shall be called "The Transfer rules for Engineering Officers 1995."
2. Commencement : They shall be deemed to have come into force from the date of publication of notification in the official Gazette.
3. Scope and applicability :
  1. These rules shall be applicable to different categories of engineers from the level of Superintending Engineer or equivalent posts down to the level of Junior Engineer/Overseer Grade-II or equivalent posts in—
    - 1) The Public Works Department.
    - 2) The Public Health Engineering Department.
    - 3) The Power & Electricity Department.
    - 4) Any other Department or Board or Corporation which the government may consider appropriate from time to time.

## PART II : GENERAL GUIDING PRINCIPLES

4. There shall be job-wise and station-wise rotational transfer of Officers.
5. Officers serving in Aizawl on promotion shall, as far as practicable, be posted either outside Aizawl or in the Planning Technical Administrative office.

6. The officers shall be considered for suitable posting during 2 years before retirement.
7. The officers who, are due to retire on superannuation within two years shall not ordinarily be disturbed from their existing stations of posting unless there is a specific reason or they themselves want a change near their home town or village.
8. Transfer shall, on normal occasions, be effected in such a manner that the academic session of the children/wards of the transferred employees is not wasted.
9. The seniority of an officer in the grade may be taken into account while considering transfer and posting.

### PART III : TRANSFER OF SUPERINTENDING ENGINEERS AND EXECUTIVE ENGINEERS

10. The tenure of posting of a Superintending Engineer and an Executive Engineer shall ordinarily be 3 years in the same post.
11. No officer shall be posted in the same station continuously for more than two tenures.
12. There shall be station-wise rotation of officers at the level of Executive Engineers such as State Capital to District Head Quarters or Sub-Divisional Head-Quarters or any other station etc. and vice-versa.
13. Each Executive Engineer shall be required to acquire experience at least for 2 (two) years or one term in Planning/Design/Technical/Administrative office. As far as practicable, this experience may be acquired within the first 7 years of service in the grade. There shall be rotational posting in project/construction and maintenance as well as buildings and roads apart from Planning etc.

### PART IV : TRANSFER OF ASSISTANT ENGINEERS/SUB DIVISIONAL OFFICERS

14. The transfer and posting of Assistant Engineers/Sub-Divisional Officers shall normally be made after completion of 3 years in the same post.
15. Directly recruited Assistant Engineers shall be posted initially in the Planning/Design/Technical Branch of the concerned Department or identical works at least for 2-3 years so as to make themselves acquainted with office procedures, rules and regulations etc.
16. The newly promoted Assistant Engineers/Sub-Divisional Officers shall also be posted in the office for 2-3 years.
17. There shall be station-wise rotation of transfer such as State Capital to District Headquarters or Sub-Divisional Headquarters or any other Station etc. and vice-versa.

18. Each Ass  
at least for or  
There shall ak  
tenance Divisi

19. No Assist  
same station f

20. The tran  
dered by Chic  
specified term  
Similarly, the  
neers/Oversee

21. As far a  
fered to dista

22. The nori  
but the contin  
not exceed 10

23. For acqu  
that Junior E  
tion, maintene

24. The newl  
be posted in  
first 2 - :

25. The trans  
nures may  
extreme e:

a) In the

b) In cas  
live with

c) Seriou

d) Where

26. Not-with  
period of

a) If, in the  
stances.

18. Each Assistant Engineer/Sub-Divisional Officer shall have to acquire experience at least for one tenure in Planning/Design/Technical Branch or identical works. There shall also be rotation of nature of work-wise posting like Construction/Maintenance Divisions or Roads/Buildings apart from office postings.

19. No Assistant Engineer/Sub-Divisional Officer shall ordinarily remain in the same station for more than two consecutive terms.

#### PART V : TRANSFER OF JUNIOR ENGINEERS/ OVERSEER GRADE-II

20. The transfer of Junior Engineers/Overseer Grade-II shall, as a rule be ordered by Chief Engineer concerned. Transfer within the circle, on the lines of specified terms, can be ordered by the Superintending Engineer concerned. Similarly, the Executive Engineer may order transfer and posting of Junior Engineers/Overseer Grade-II within his jurisdiction.

21. As far as practicable, Junior Engineers/Overseer Grade-II shall not be transferred to distant places unless they themselves want such distant transfer.

22. The normal period of continuous posting in one Division shall be 4 years; but the continuous stay in Aizawl or Lunglei or Saiha as the case may be, shall not exceed 10 years.

23. For acquiring experience in different fields, the authority concerned shall see that Junior Engineers/Overseer Grade-II are posted to various jobs like Construction, maintenance, Road Works, Building works and Technical Branches.

24. The newly recruited/appointed or promoted Junior Engineers shall generally be posted in Chief Engineer/Superintending Engineer/Division office for the first 2 - 3 years.

#### PART VI : RELAXATION

25. The transfer and posting of engineering officers after normal specified tenures may be deferred for a maximum period of one year in case of extreme exigencies on the following grounds :—

- a) In the interest of public and government works.
- b) In case of the ensuing examinations of the wards of officers where they live with their parents.
- c) Serious illness of any member of the family of the government servants.
- d) Where the government servant would retire within a few months.

26. Notwithstanding above, an officer may be transferred earlier than the fixed period of normal tenure under the following circumstances :—

- a) If, in the opinion of the Government, there is a genuine compelling circumstances.

b) In the interest of Government works where the service of the incumbent is really needed in another post of station.

c) In the event of the government servant found unsuitable for the post due to one or more reasons which may adversely affect the functioning of office or progress of work.

27. The Government shall reserve the right to relax any clause of these rules according to the exigencies of public service and administrative reasons.

#### PART VII : MISCELLANEOUS

28. While deciding the transfers, several factors namely, specified period of posting, remote area posting, area requirements, deputation policy of the department/government, Judicious balance between the needs of the department and personal difficulties (like health condition etc.) of individual officers, history of earlier posting before commencement of these rules shall be taken into account.

29. No officer shall be posted in remote stations for more than one tenure, unless the person concerned wants to continue in that station which may be communicated in writing by the incumbent officer.

30. The period spent on deputation in any particular station shall be treated as period of stay at that station.

31. The period spent on foreign assignment or outside state assignment shall be treated as stay at the station from where he/she proceeded on such assignment.

32. Under any circumstances where transfer order is made before or after completion of normal period of posting, the reason for doing so shall be recorded in writing.

33. INTERPRETATION : If any question arises relating to the interpretation of these Rules, it shall be referred to the Governor of Mizoram whose decision thereon shall be final.

34. REPEAL & SAVING : The norms or unwritten practices corresponding to these rules which were in force immediately before the commencement of these rules are hereby repealed.

Provided that all orders made or action taken under the said norms or practice so repealed shall be deemed to have been made or action taken validly under the corresponding provisions of these rules.

Sd/-  
Secretary to Govt. of Mizoram.

No. A. 12018  
conferred by  
Governor of  
recruitment to

1. Short title  
and commencement

2. Application

3. Number of posts, classification and scale of

4. Method of recruitment, limit and qualification

5. Disqualification.