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NOTIFICATION

No.A. 12034/1/2000-P&AR(ARW), the 22th August, 2008. In pursuance of the decision taken by the Council of Ministers in its meeting held on 30.5.2008, the Govt. of Mizoram hereby adopts the CPWD Manual Vol-III, 2002 Edition with certain modifications as annexed here under to be used in the Departments of Public Works, Power & Electricity and Public Health Engineering with effect from 1.6.2008.

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'Administrative Reforms Wing'.

**MODIFIED CPWD MANUAL VOLUME - III, 2002 - EDITION AS ADOPTED BY THE
GOVERNMENT OF MIZORAM**

(A) DEFINITION, CATEGORIES, CREATION OF POSTS, ETC.

1.01. Definition of 'Work-charged' Establishment

Broadly speaking, work-charged establishment means that establishment whose pay, allowances, etc., are directly chargeable to "Works". Work-charged Staff is employed on the actual execution of a specific work, sub-works of a specific work, etc. The cost of work-charged establishment should invariably be shown as a separate sub-head of the estimate for a work. In other respects, the work-charged staff is comparable to the regular categories.

1.02. Categories of posts in Work-charged Establishment

At present there are 88 categories of posts in the three Work-charged Establishments under the Govt. of Mizoram. A list of the categories & the scales of pay prescribed for each category in group wise are given in the table at Appendix-I.

1.03. Creation of Posts

There shall be only Group 'C' and Group 'D' posts in work-charged establishment.

No posts can be created by any office without the approval of the Cabinet henceforth.

Consequently the posts in Work-charged Establishments carrying the scale of pay of Rs. 5500-175-9000 and above shall become withering posts and no recruitment or promotion shall henceforth be made, as such posts had become Group 'B' posts in terms of classification of posts issued by Finance Department vide No. A. 11011/11/95-FIN(PRU) dt. 4.3.2008.

1.04. Classification, Character and Status of Work-charged Posts.

Notwithstanding anything contained in para 1.03 above, the posts in Work-charged Establishment of the Govt. of Mizoram have been classified into Group 'C' or Group 'D' vide Appendix-I.

The F.R.s and S.R.s are also applicable to the Work-charged Staff. Work-charged employees under the Govt. of Mizoram are Civil Servants in terms of Article 311 of the Constitution.

(B) RECRUITMENT

2.01. Recruitment Rules

Recruitment Rules in respect of Group 'C' & 'D' posts categories in the Work-charged Establishments shall be framed immediately by the Government. All posts in the Work-charged Establishments are to be filled in accordance with the provisions in the recruitment rules for the respective categories henceforth. Age relaxation as prescribed by Government from time to time will apply in case of posts in Work-charged establishment also. Further in the matter of re-employment of a retrenched Work-charged employee in the same category of post in which he was employed previously, the age limit and requirements of educational/technical qualifications or experience of any, prescribed in the relevant recruitment rules, need not be insisted upon.

2.02. Recruitment Committees and Appointments

Recruitment Committees shall be consulted with the following members :-

(a) For Group 'C' Post(s) :-

- (1) Secretary of the Department concerned.
- (2) Engineer-in-Chief of the Department concerned.
- (3) Chief Engineer(s) of the Department concerned.
- (4) Representative of DP & AR.

(b) For Group 'D' Post(s) :-

- (1) Engineer-in-Chief of the Department concerned.
- (2) Chief Engineer(s) of the Department concerned.
- (3) Representative of DP & AR.

2.03. Registration of Departmental Candidates with Employment Exchange.

No objection certificate for registration with the Employment Exchange :-

Such of the members of work-charged establishment as are educationally qualified for equivalent Group 'C' posts may be issued a 'No Objection Certificate' to enable them to register themselves with the Employment Exchange as outsiders.

2.04. Issue of No Objection Certificate to Temporary Employees for Registration with Employment Exchange.

Under instructions of Ministry of Home Affairs, temporary employees are eligible for registration with employment exchange for higher posts without production of 'No Objection Certificate'. They have, however, to produce evidence of their being temporary employees. For this purpose they would need a certificate issued by the appointing authority. The certificate should also state the period of service rendered by the employees. Normally the Head of office should not raise any objection to the registration of a temporary employee with the Employment Exchange for a higher post unless they come to the conclusion that it would be prejudicial to the public interest to allow the employee concerned to register himself at the Employment Exchange. The term 'Public Interest' should be interpreted with circumspection and not in a routine manner. If any certificate is withheld the reasons should be recorded in writing and approval of the next higher authority obtained.

2.05. Medical Examination and verification of Character and Antecedents.

Work-charged Staff should be got medically examined at the time of initial appointment by the competent medical authority. Similarly, the character and antecedents of the work-charged staff should be got verified at the time of their initial appointment.

(C) SERVICE RECORDS OF WORK-CHARGED STAFF

3.01. Opening of Service Rolls/Books

When any fresh appointment to the work-charged establishment is made a Service Roll/Book should be opened immediately. This is more or less the same as is prescribed for regular Government servants. Utmost care should be exercised in filling the first page of the Service Roll/

Book particularly in the spellings of the name of the employees, his age, his father's name, his native place, his height and marks of personal identification etc. The employee's name should be spelled as he writes it or, if he is illiterate, as he pronounces it. The entries on the first page of the Service Roll/Book should be attested under the signature and stamp of a Gazetted Officer.

3.02. Recording of date of Birth in the Service Roll/Book

In the case of a literate worker, the date of birth mentioned in his Matriculation/School leaving certificate is to be accepted as his date of birth and recorded in the Service Roll/Book. In the case of an illiterate worker he is required to produce some documentary evidence, if available, e.g. an extract from Birth Certificate, Baptismal Certificate, etc. Where no such proof is available the worker on entering service, should declare his date of birth which shall not differ from any declaration, expressed implied made for any public purpose before entering into service under Government of Mizoram. The declaration should be signed by the person and attested by a witness or if the person is illiterate left thumb impression should be taken in the presence of literate witness, whose signature should also be taken.

When the year and the month of birth are known, but not the exact date, the 16th of the month shall be treated as the date of birth. Similarly, When the exact month is not known but the year is only known, the date of birth should be taken as 1st July of the year.

When a person entering service is unable to give his date of birth, but gives his age, he should be assumed to have completed the stated age on the date of attestation e.g., if a person enters service on 1st April, 1983 and if on that date his age is stated to be 20 years, his date of birth should be taken as 1st April, 1963.

Where the person concerned is unable to state his age or the age stated by him is obviously incorrect, it should be got assessed by the Medical Officer and the age so assessed entered in his record of service in the manner described above. The date of birth should also be written in words and attested under the signature and stamp of the Divisional Officer.

The date of birth declared by the government servant accepted by the appropriate authority shall not be subjected to any alteration. A change in the date of birth of a Government Servant can be made with the sanction of the Government, if -

- (a) a request in this regard is made within 5 years of his entry into the Government Service.
- (b) It is clearly established that genuine bonafied mistake has occurred.
- (c) The date of birth so altered would not make him ineligible to appear in any School or University or Public Service Examinations in which he had appeared for entry into the Government Service or the date in which he entered Government Service.

(D) PAY AND ALLOWANCES

4.01. Fixation of Pay and Grant of Periodical Increments.

The pay of the employee on appointment, promotion, transfer etc. and crossing of Efficiency bar is to be regulated in accordance with the relevant provisions of the Fundamental Rules as amended from time to time.

(E) ALLOWANCES

5.01. House Rent, Special Compensatory Allowances, Travelling, Joining time, Joining time pay, Leave Travelling Concession and T.A. on Retirement.

The grant of these allowances to the work-charged employees is regulated in the same manner as their grant to the employees on the regular establishment.

However, T.A. etc. will not be granted to work-charged staff when they are rendered surplus in one unit to save them from retrenchment or where the transfer of an individual is agreed to at his own request.

(F) LEAVE & REST

6.01. Leave

The work-charged staff shall be governed by the CCS (Leave) Rules, 1972.

(G) DUTY HOURS AND HOLIDAYS

7.01. Duty Hours

The normal working hours of the work-charged staff except chowkidars and Sweepers on work-charged establishment shall be from 09.00 A.M to 5.00 P.M.

7.02. Subject to ceiling limit of 9 hours per day or 48 hours in a week, the normal working hours of other categories of employees borne on work-charged establishment can be suitably modified by the Executive Engineer in-charge in the interest of work.

(H) EVENTS IN CAREER

8.01. Confirmation

All the existing work-charged personnel under the Government of Mizoram who were recruited prior to 1.6.2008 shall be regarded as permanent work-charged employees in terms of this manual and shall be confirmed against the posts which they are holding presently. All other cases falling after 1.6.2008 shall be governed by the following conditions.

- i. Confirmation will be made only once in the service of an official which will be in the entry grade.
- ii. Confirmation is delinked from the availability of permanent vacancy in the grade. In other words, an officer who has successfully completed the probation period i.e., 2 years may be considered for confirmation.
- iii. A specific order of confirmation will be issued when the case is cleared from all angles.

8.02. Lien

The concept of lien as the title of a Government servant to hold substantively a permanent post will undergo a change. Lien will now represent only the right/title of a Government servant to hold a regular post, whether permanent or temporary, either immediately or on the termination of

the periods of absence. The benefits of having a lien in a grade will thus be enjoyed by all officers who are confirmed in the grade of entry or who have been promoted to a higher post declared as having completed the probation where it is prescribed, or those who have been promoted on regular basis to a higher post where no probation is prescribed under the Rules, as the case may be. The above right/title will, however, be subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if at any time the number of persons so entitled is more than the post available in the grade. For example, if a person who is confirmed or whose probation in a higher post has been declared as having been completed or one who is holding a higher post for which there is no probation on a regular basis, reverts from deputation or foreign service and if there is no vacancy in that grade to accommodate him, the junior most person will be reverted. If, however, this officer himself is the junior most, he will be reverted to the next lower grade from which he was earlier promoted.

8.03. Seniority for Promotion

Seniority or work-charged staff for purposes of promotion shall be reckoned in accordance with the seniority rules for purposes of promotion and retrenchment and other instructions issued from time to time.

The seniority in a particular category shall be reckoned from the date of continuous service in that category. Service in a higher category in an officiating capacity will count for seniority in the lower category. Service in an equivalent category with identical scales of pay will also count for seniority. If there be broken spell of service in a higher category only the last spell of continuous service in the higher category will count for seniority in that category.

If there are more than one source of recruitment viz., direct recruitment, promotion, transfer etc., the seniority is determined by roster points as explained in Ministry of Home Affairs O.M. No. 22011/5/76-Estt(D) dated 24-6-78, which merely states that sources of recruitment with which a new roster should start. If there is only one source of recruitment viz. Promotion, the seniority of appointees should be governed by the order in which the DPC have recommended persons for appointment to higher posts.

For work-charged staff under the Government of Mizoram, the three Departments, viz. PWD, P&E and PHE shall maintain separate seniority lists of the incumbents of each work-charged post(s) under their respective control.

8.04. Promotion

The Channel of promotion, percentage of posts to be filled by promotion, qualification and the method of promotion, etc. should be prescribed in the relevant recruitment rules and should be followed scrupulously.

8.05. Departmental Promotion Committee

Promotion of the work-charged establishment will be made by a Departmental Promotion Committee whose composition shall be the same as prescribed at para 2.02.

8.06. Cases of all eligible persons to be placed before DPC.

Cases of all persons eligible for promotion to higher posts in order of seniority should be placed by the appointing authority before the DPC. No case shall be withheld by any authority from consideration by the DPC.

(I) TRANSFERS

9.01. Transfer of work-charged staff on deputation

No member of work-charged establishment can be transferred on deputation to any outside agency, Government, Semi-government or Non-government without the specific approval of the Government of Mizoram.

(J) FACILITIES

10. Advances

The work-charged staff can be sanctioned advances mentioned below subject to the condition : (i) that temporary workers applying for advance shall be required to submit surety of permanent State Government employees of equivalent or higher status, and (ii) any other conditions which may be prescribed or laid down in the relevant orders against each.

10.01. Advance of T.A. on Transfer or Retirement

Advance of T.A. to the work-charged staff of under Government of Mizoram on transfer and advance of T.A. to a retiring employee and his family and to the family of employee who dies in service for returning to his/their home town can be sanctioned by the Executive Engineer in the same manner as for regular employees.

In the case of retiring employees, the competent authority may sanction advance of T.A. in case of journeys performed during leave preparatory to retirement but not in case of journeys performed after retirement.

10.02. Festival Advance

The orders as applicable to the staff on the regular establishment are also applicable to the work-charged establishment and the Head of Office is competent to sanction it.

10.03. Leave Salary Advance

Orders regarding payment of advance of leave salary, equal to the net amount of leave salary for the first month, after deduction of Income Tax, GP Fund etc. apply also to the same conditions as are applicable to the employees in the regular establishment.

10.04 House Building Advance

Such of the work-charged staff of the Government of Mizoram as are not governed by the Payment of Wages Act, 1936 and who fulfill the conditions prescribed in Rule 1 (a) of the House Building Advance Rules, are eligible for the benefit available under the House Building Advance Rules as amended from time to time. That is to say, a House Building Advance may be granted to such of the categories of work-charged employees as are not governed by Payment of Wages Act.

10.05. Accommodation

Work-charged staff are eligible for allotment of residential accommodation from the General Pool of the Govt. of Mizoram like the staff on the regular establishment. Their applications for allotment of accommodation should be forwarded to the General Administration Department along with others, whenever called for.

10.06. Medical Facilities

The work-charged staff are entitled to medical facilities like the regular staff i.e. medical facilities under C.S. (MA) Rules, 1944.

(K) LIVERIES AND WASHING ALLOWANCES ETC.

11.01 Provision of rain coats, gum boots and torch light for work-charged chowkidars and gum boots and protective goggles for beldars working with tar in road gangs.

Work-charged staff shall be allowed those facilities at par with other regular Government servants.

(L) ACT/RULES APPLICABLE TO WORK-CHARGED STAFF

12.01. Central Civil Service (Conduct) Rules, 1964

The Central Civil Service (Conduct) Rules, 1964 are applicable to the work-charged staff of Government of Mizoram except for some rules, the non-applicability of which is specifically mentioned therein.

12.02 Application of CCS (CCA) Rules, 1965 on the work-charged establishment of the Government of Mizoram.

The CCS (CCA) Rules, 1965 shall also be applicable to the Work-charged personnel for good and sufficient reasons.

(M) RESIGNATION

13.01 Period of Notice

Work-charged employees wishing to resign their appointment have to give a notice of 14 days if they have served less than 1 year and a notice of one month if they have served more than 1 year. In the absence of notice they forfeit pay for the prescribed period.

Only the Engineer-in-Chief (and not the appointing authority) is authorized to waive the condition of giving the prescribed notice or the forfeiture of pay for the period of notice, whenever he considers that there is justification for such relaxation.

13.02 Withdrawal of Resignation

When a resignation becomes effective, it can be allowed to be withdrawn only with the concurrence of the Government.

(N) RETIREMENT

14.01 Age of Retirement

It has been decided to regulate the age and the mode of retirement of work-charged employees of the Government of Mizoram on the analogy of F.R. 56 as at present. That is, a work-charged employee shall ordinarily be retained in service till the day he attains the age of sixty years. He may, however, be granted extension of service under very special circumstances to be recorded in writing after he attains the age of 60 years with the prior sanction of Government of Mizoram. However, the appropriate authority shall, if it is of the opinion, that it is in public interest to do so, have the absolute right to retire any work-charged employee after he has attained the age of 55 years by giving him writing, notice of not less than three months or three months pay and allowances in lieu of notice. Similarly, any work-charged employee may, by giving in writing notice of not less than three months to the appropriate authority, retire from service after he has attained the age of 55 years, provided that it shall be open to the appropriate authority to withhold permission to a work-charged employee under suspension who seeks to retire after giving 3 months notice.

A work-charged employee automatically retires on attaining the age of compulsory retirement and no formal order of retirement is necessary.

14.02. Superannuation Register

In order to guard against the possibility of a member of the work-charged establishment continuing in service beyond the age of 60 years and to facilitate review of superannuation cases after the age of 55 years, the Divisional Officers etc. shall maintain a superannuation register in the following form. The particulars of all the work-charged staff of the age of 55 years and above shall be entered in this register.

Name	Father's name	Designation	Date of Birth	Date on which he attains the age of 55 years	Whether fit for retention beyond the age of 55 years	Period of retention sanctioned	Date on which the age of 60 is attained
1	2	3	4	5	6	7	8

(O) TERMINAL BENEFITS

15.01. Work-charged Employees governed by General Provident Fund Rules.

Temporary Employees :

- (1) A Temporary Govt. Servant (or his family in the case of death) employed in an establishment as Work-charged employee who retire on superannuation or on being declared permanently incapacitated for further Government service by the appropriate medical authority, after having rendered temporary service of not less than 10 years, shall be eligible for grant of superannuation/invalid pension, retirement gratuity and family pension at the same scale as admissible to permanent employees under the CCS (Pension) Rules, 1972.
- (2) Temporary and quasi-permanent employees who seek voluntary retirement after completion of 20 years of service shall continue to be eligible for retirement pension and other pensionary benefits like death-cum-retirement gratuity and family pension under CCS (Pension) Rules, 1972. In cases not covered by para 1 and 2 above the terminal benefits will continue to be admissible as at present under the CCS (Temporary Service) Rules, 1965.

Permanent Employees :

15.02. Pension and Gratuity :

Permanent work-charged employees will be governed by the CCS (Pension) Rules, 1972 as amended from time to time.

15.03. Leave salary equivalent to annual/earned leave due in case of death of Work-charged employees in service.

The benefits of leave salary equivalent to Annual/Earned Leave due in case of death in service of permanent work-charged employees shall be made available to the legal heirs with effect from 1.06.2008.

In respect of Temporary Work-charged employees, as provided in the Factories Act, 1948, amended from time to time.

15.04. Cash Payment in lieu of unutilised Annual/Earned Leave to the work-charged staff.

- (1) The benefit of cash payment in lieu of the unutilised Annual/Earned Leave shall be made available to the permanent Work-Charged Employees retiring on superannuation w.e.f. 1.06.2008.
- (2) In respect of Temporary Work-Charged Employees, as provided in the Factories Act, 1948, amended from time to time.

15.05. Ban on appointment of Work-Charged Employee

There should be absolute ban on recruitment on Work-Charged except with the approval of DP & AR and concurrence of Finance Department.

(P) GPF ACCOUNTS

16.01. Maintenance of GPF Accounts

On completion of one year's service, the work-charged employees have to subscribe to General Provident Fund compulsorily and shall be governed by the GPF Rules, 1960 as amended from time to time.

APPENDIX - I

PUBLIC WORKS DEPARTMENT

Sl.No.	Name of post	Scale of pay	Group
1.	Draftman-II	5500-9000	B
2.	O.S.- II	-do-	-do-
3.	Laboratory Technician	-do-	-do-
4.	Electrician Grade-I	-do-	-do-
5.	Trained S.A.	5000-8000	C
6.	Electrician Grade - II	-do-	-do-
7.	S.A.	4500-7000	-do-
8.	Draftman III	-do-	-do-
9.	Computer Operator	-do-	-do-
10.	Mechanic Grade - II	-do-	-do-
11.	Carpenter	-do-	-do-
12.	Wireman	-do-	-do-
13.	Driller	-do-	-do-
14.	Plumber (Water work fitter)	-do-	-do-
15.	Cinema Operator	-do-	-do-
16.	Air Compressor Operator	-do-	-do-
17.	Stone Crusher Operator	-do-	-do-
18.	Generator Operator	-do-	-do-
19.	Lathe Machine Operator	-do-	-do-
20.	Hot Mix Plant Operator	-do-	-do-
21.	Spot Mix Plant Operator	-do-	-do-
22.	Painter	-do-	-do-
23.	Mason	-do-	-do-
24.	Upholster	-do-	-do-
25.	Driver	4000-6000	-do-
26.	Despatch Rider	-do-	-do-
27.	Assistant Cameraman	-do-	-do-
28.	Handyman	3050-4590	D
29.	Asst. Lab. Lab. Attendant	-do-	-do-
30.	Boat man	-do-	-do-
31.	Jugali	-do-	-do-
32.	IV Grade (common service)	-do-	-do-

POWER & ELECTRICITY DEPARTMENT

Sl.No.	Name of post	Scale of pay	Group
1.	Line supervisor	6500-10500	B
2.	Surveyor	5000-8000	C
3.	Trained S.A.	-do-	-do-
4.	Electrician II	4500 - 7000	-do-
5.	Line man II	-do-	-do-
6.	Engine Operator - II	-do-	-do-
7.	S.B.O. II	-do-	-do-
8.	Mechanic II	-do-	-do-
9.	Store Keeper	-do-	-do-
10.	Meter Reader	-do-	-do-
11.	S.A.	-do-	-do-
12.	Tracer	-do-	-do-
13.	A/C Operator	-do-	-do-
14.	Carpenter	-do-	-do-
15.	Welder	-do-	-do-
16.	W.T. Operator	-do-	-do-
17.	Bulldozer Operator	-do-	-do-
18.	JCB Operator	-do-	-do-
19.	Computer Operator	-do-	-do-
20.	Microscopist	-do-	-do-
21.	Driver	4000-6000	-do-
22.	Electrical worker	3050-4590	D
23.	Blue Printer	-do-	-do-
24.	Chowkider/Sweeper	-do-	-do-

P.H.E. DEPARTMENT

Sl.No.	Name of post	Scale of pay	Group
1.	O.S. II	5500-9000	B
2.	Telephone Operator II ,	-do-	-do-
3.	Plant Operator	5000-8000	C
4.	Trained SA	-do-	-do-
5.	Store Keeper	4500-7000	-do-
6.	Plumber	-do-	-do-
7.	Pump Operator	-do-	-do-
8.	Asst. Mechanic	-do-	-do-
9.	Hand pump Mechanic	-do-	-do-
10.	Asst. Plant Operator	-do-	-do-
11.	Wire man	-do-	-do-
12.	Electrician Gr-III	-do-	-do-
13.	Welder	-do-	-do-
14.	Asst. Driller	-do-	-do-
15.	Telephone Operator Gr-III	-do-	-do-
16.	Carpenter	-do-	-do-
17.	S.A.	-do-	-do-
18.	Asst. Plumber	4000-6000	-do-
19.	Asst. Handpump Mechanic	-do-	-do-
20.	Asst. Welder	-do-	-do-
21.	Asst. Operator	-do-	-do-
22.	Asst. Telephone Operator	-do-	-do-
23.	Mechanic Gr-III	-do-	-do-
24.	Conductor	-do-	-do-
25.	Driver	-do-	-do-
26.	Chowkider	3050-4590	D
27.	Khalasi	-do-	-do-
28.	U.W.A.	-do-	-do-
29.	Pump House Chowkider	-do-	-do-
30.	Water Supply Chowkider	-do-	-do-
31.	Sweeper	-do-	-do-
32.	Handyman	-do-	-do-