



सत्यमेव जयते

# The Mizoram Gazette

## EXTRA ORDINARY

### Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLV Aizawl, Tuesday 12.1.2016 Pausa 22, S.E. 1937, Issue No. 6

#### NOTIFICATION

**No.B.13011/10/01-SWD, the 8<sup>th</sup> January, 2016.** In the interest of Public Service, the Governor of Mizoram is pleased to notify the Mizoram Social Defence and Rehabilitation Board Rules and Regulations, 2015 with immediate effect and until further orders :

#### 1. Short Title

- 1) These Rules and Regulations may be called the Mizoram Social Defence and Rehabilitation Board Rules and Regulations, 2015.
- 2) They shall come into force on the date of their publication in the Mizoram Gazette.

#### 2. Definitions

In these regulations, unless the context otherwise requires :-

- 1) "Board" means the Mizoram Social Defence and Rehabilitation Board.
- 2) "Chairman" means the Chairman of the Mizoram Social Defence & Rehabilitation Board.
- 3) "Government" means the Government of Mizoram.
- 4) "Member" means a member of the Board including Chairman.
- 5) "Member Secretary" means Member Secretary in the Board.
- 6) "Regulations" means the Mizoram Social Defence & Rehabilitation Board Rules and Regulations, 2015 or as amended from time to time.

#### 3. Composition of Board

- a)
  - 1) Minister i/c Social Welfare Deptt. - Chairman
  - 2) Parliamentary Secretary i/c Social Welfare Deptt. - Co-Chairman
  - 3) Secretary, Social Welfare Department - Vice-Chairman
  - 4) Secretary, Finance Department - Member
  - 5) Secretary, Law & Judicial Department - Member
  - 6) Commandant General, MRHG - Member
  - 7) Secretary, Planning Department - Member
  - 8) Director General of Police, Mizoram - Member
  - 9) Principal Director, Health & Family Welfare - Member
  - 10) Commissioner, Excise & Narcotics - Member
  - 11) Inspector General of Prisons - Member
  - 12) Chief Executive Officer, Mizoram Social Defence & Rehabilitation Board. - Member
  13. Director, Social Welfare Department - Member - Secretary

The Board may co-opt any or all of the representatives of the following Organizations as co-opted members.

- (i) President, Young Mizo Association.
- (ii) President, Mizoram Hmeichhe Insuihkhawm Pawl (Hqrs)
- (iii) Drugs Consultant, Social Welfare Department.

The Board may also invite experts in the field, or any specialized person in any other administrative fields, as invitee.

b) A Board Chairman and other Members of the Board shall continue to be members of the Board so long as they hold their office and shall cease to be members as soon as they cease to hold such office due to transfer, retirement, death etc.

#### **4. The Area of Operation**

The activities of the Board shall be mostly in Mizoram and can extend to other states and outside as well, based on the nature of project and activity as found deemed fit and proper by the Board on the basis of resolution.

#### **5. Functions of the Board**

- 1) To co-ordinate the Social Defence and Rehabilitation activities undertaken by various department and organizations with a view to avoid duplication.
- 2) To promote the growth of voluntary Social Defence and Rehabilitation agencies with reference to development of the welfare services.
- 3) To supervise the performance and working of the institutions/organizations concerned with Social Defence and Rehabilitation;
- 4) To receive and consider the Annual Report and Audited accounts of the Board prepared by CEO for the preceding financial year; and
- 5) To review the progress of work.
- 6) To take measure for prevention, treatment, rehabilitation and aftercare of drug addicts and alcoholics.
- 7) To establish essential Institutions and Centre for the purpose of prevention, treatment, rehabilitation and aftercare of drug addicts and alcoholics.
- 8) To identify, mobilize and assist non-governmental organization to undertake rehabilitation of drug addicts and alcoholics.
- 9) To monitor, coordinate and evaluate the progress and activities of civil societies working in the above field.
- 10) To conduct and undertake research and training in the related subjects and field of drug abuse and alcoholism to fulfill the objectives of the society.

#### **6. Powers of the Board**

- 1) The Board shall have power to frame policy, guidelines and rules & regulations as are not repugnant to, or inconsistent with these regulations for the conduct of the business of the Board, regulating the functioning of the agencies/organizations under the Board and also for working of its office.
- 2) The Board shall have the power to create posts within the limit of its budget allocation, make appointment to such posts and promotion of its employees.
- 3) The Board shall have the power to impose penalties on its employees as per rules in force from time to time.
- 4) The Board may, by resolution, appoint sub-Committees, Selection Committee, Departmental Promotion Committee to deal with specific tasks problems or group of problems and delegate

such powers as the Board may deem fit. These Sub-Committees/Committees will not be empowered to take decisions on behalf of the Board.

- 5) The Board may, by resolution, delegate to the Chairman or the Member Secretary, such of its power for the conduct of its business as it deem fit. Subject to the condition that the action taken by the Chairman or Member Secretary under the power delegated to them by this regulation shall be reported for confirmation in the next meeting of the Board.

#### **7. Meeting of the Board**

- 1) The Board shall have at least two meetings in a year, and not more than six months shall elapse between the meetings of the Board.
- 2) The Chairman of the Board shall convene and preside over the meetings. In the absence of the Chairman, co-chairman or Vice Chairman will preside over the meeting.
- 3) Every notice calling for meeting of the Board shall be issued to every member not less than fifteen days before the day schedule for meetings, except in the case of emergent meeting, when the notice shall be issued at least five days before the day fixed for meeting. A summary of business to be transacted at the meetings shall be communicated to the members at least five days before the day of the meeting except that in case of urgent meetings it should be circulated at least three days before the meeting.
- 4) A notice may be served upon any member of the Board in person or by post addressed to such member at the address.
- 5) The incidental omission to give notice to or the non-receipt of notice of any meeting by any member shall not invalidate the proceedings of that meeting.
- 6) One third of the members of the Board, present shall constitute the quorum.
- 7) The Chairman of the Board may convene special meetings of the Board to consider any matter of special importance or urgency or on the request to the Board Secretary or on written request of not less than three members of the Board, specifying the purpose for which the meeting is proposed to be called.
- 8) The Chairman may invite by person other than a member of the Board of Management to attend a meeting of the Board as invitees, but such persons shall not be entitled to cast their vote at the meeting.
- 9) Any business which is of an urgent nature and which cannot be held over till the next meeting of the Board may be transacted by circulated and approved by a majority of the members of the Board shall be as effective and bindings as if resolution had been passed at a meeting of the Board of Management; provided that any business so transacted shall be laid before the Board at the next meeting of the Board.

#### **8. Boards Office**

The Board shall have an office headed by Chief Executive Officer and such other supporting staff as may be sanctioned by the Board from time to time. The Chief Executive Officer shall keep a record of the Board's meetings and shall perform such other secretarial duties as directed by the Board from time to time.

#### **9. Creation of the Posts:**

- 1) All posts under the Board shall be created by the Board by passing resolutions to that effect on reasonable scale of pay ordinarily similar to the scale of pay applicable to the Govt. servants entrusted with similar responsibilities under the State Government. All orders regarding creation of the posts shall be issued by the Chief Executive Officer on behalf of the Board and in the name of the Board.
- 2) The availability of posts and the prescribed scale of pay is appended to these regulations as Annexure - I.

**10. General Conditions of Service**

Notwithstanding any provisions relating to service conditions contained in these regulations, the terms and conditions of service of employees shall be under the discretion of the Board and will be subject to orders and instructions issued by the Board from time to time.

**11. Appointments/Recruitment to Posts**

- 1) All appointments/recruitments to posts under the Board shall be made with the approval of the Board. All order regarding appointment to a post shall be issued by the Chief Executive Officer.
- 2) In appointing its employees, the Board shall consult a Selection Committee formed by the Board. The recommendation for such committee shall be placed before the Board for its approval or otherwise.
- 3) All vacancies of posts under the Board to be filled up by direct recruitment will be filled up through open advertisement in the local newspapers and through the Employment Exchange.
- 4) Recruitment method/procedure for various posts is appended to these regulations as Annexure-II.

**12. Medical Certificate**

- 1) Before joining any post under the Board for the first time, the selected candidate shall be required to produce a medical certificate of fitness as required under the Government, provided that such certificate shall not be required in the case of employees whose services have been transferred to the Board and who had once produced such certificate.
- 2) Under special circumstances, the Board may allow a selected candidate to join without producing such certificate before hand, but only on the condition that such candidate shall produce the certificate within one month from the date of joining failing which the appointment will stand cancelled by issue of termination order.

**13. Period of probation or trial and confirmation**

Every employee of the Board recruited against a vacancy shall be on probation for a period of 2 years. Such period of probation, if necessary, may be extended by the appointing authority for the period of six months. After satisfactory completion of such period of probation he/she shall be confirmed otherwise the appointment will be terminated for with.

**14. Promotion and Seniority**

- 1) All promotions to posts shall be made with the approval of the Board. While considering the promotion cases, the general guidelines and procedure laid down by the Government from time to time shall be followed.
- 2) In promoting its employees, the Board shall consult a Departmental Promotion Committee formed by the Board. The recommendation of such Committee will be placed before the Board for its approval or otherwise.
- 3) Fixation of inter se-seniority of employees of the Board shall be made as per the guidelines and instructions followed by the Government from time to time.

**15. Class of employees**

Class of employees of the Board shall be as per classification made by the Government from time to time. The duties and responsibilities of such employees shall be as may be specified by the Board by order issued from time to time.

**16. Pay & Allowances**

Regulation of pay and allowances, increment, fixation and revision of pay of the employees of the Board will be as per rules and orders issued by the Government from time to time.

**17. Conditions of deputations service**

- 1) In the case of Government servants whose services are utilised to the Board, the terms and conditions of service including pay, leave salary, contributory provident fund, pension and gratuity shall be as may be laid down by the Government at the time of deputation to the Board and further amendment from time to time.
- 2) Pension contribution and leave salary contribution of the deputed officer shall be paid by the Board as per the rates admissible from time to time.

**18. Age of superannuation, extension and re-employment**

Except as otherwise provided in these regulations, every employee of the Board service shall retire from service on the afternoon of the last day of the month in which he/she attains the age of sixty years, provided that the Board may, by special resolution in each case, extend the service of an employee but not more than one year at a time, or re-employ an employee at a time on specific fresh terms of services.

**19. Termination of services**

The Board may terminate the services of—

- 1) A temporary employee, at any time during the period of probation without notice and without assigning any reason thereof and after satisfactory completion of the period of trial, by giving one month's pay in lieu of the notice.
- 2) An employee appointed against a permanent post, after satisfactory completion of the period of probation, on any of the following grounds
  - a) When he is declared medically unfit for further service, and
  - b) When he/she absents himself from duty without the permission of the appropriate authority or he/she is guilty of insubordination, intemperance or other misconduct.Provided that the determination on any of the aforesaid grounds shall be in accordance with a procedure laid down by the Board in this behalf.

**20. Travelling Allowances**

- 1) An employee of the Board shall draw travelling allowances at similar rates and on similar conditions as the Govt. servants of the same category and grade, provided that in case of urgent and immediate nature of work, the Board shall have the power to grant journey by air to non entitled officer/staff.
- 2) The Chief Executive Officer shall be the controlling officer in respect of the bills regarding travelling allowances of an employee of the Board.

**21. Leave and leave salary**

Until the guidelines and procedures in this behalf is made by the Board, leave including study leave and leave salary shall be admissible to an employee of the Board in accordance with the rates and orders applicable to a Govt. servant of the same category and grade.

**22. Disciplinary proceedings, punishment, etc.**

Notwithstanding anything contained in these regulations, Rules applicable to Govt. servants in drawing up disciplinary proceedings, punishment shall be applicable to the employees of the Board.

**23. Amenities**

The Board may provide amenities to its employees subject to availability of fund.

**24. Funds Allocation & Budget**

24.1 The sources of fund of the Board shall consists of

- a) Grant-in-aid received from the Government
- b) Grant-in-aid and project fund received from Government of India and its organizations/institutions.
- c) Grant-in-aid from Autonomous bodies/organizations/external bodies.
- d) Training/Course/Research/Consultancy-fees and Project/study fees.
- e) Donations and contributions from other sources etc.

24.2 Annual Plan for the next financial year shall be prepared and placed before the Board for its approval not later than February every year. Head-wise allocation of funds will consists of

- a) Salary
- b) Wages
- c) Accommodation & Office Maintenance
- d) Travel Expenses
- e) Office Expenses
- f) Major & minor works
- g) Other Charges.

24.3 Re-appropriation of fund allocation shall be made with the approval of the Board and to be signed by Chief Executive Officer.

**25. Funds Control**

- 1) The Board shall open and maintain such bank accounts in State Bank of India/Mizoram Cooperative Apex Bank or any other Schedule banks. All receipts of the Board shall be paid into the Board's bank account.
- 2) The funds, that are not required immediately, can be invested under appropriate and attractive bonds/securities/mutual funds/schemes offering better interest /income that of banks in which the Board's fund is operated, so as to build corpus by the resolution passed by the Board.
- 3) No amount may be withdrawn from the account except on cheques signed by both the Vice Chairman and the Chief Executive Officer.

**26. Financial Power**

- 1) Power to sanction expenditure shall be vested to the authorities as follows  
Chief Executive Officer - up to Rs. 1,00,000.00  
Vice Chairman - up to Rs. 5,00,000.00  
Board - Above Rs. 5,00,000.00
- 2) After having sanction approval of the appropriate authority, the cheques/payments will be signed by the Chief Executive Officer and Vice-Chairman.

**27. Accounting & Audit**

- 1) The Chief Executive Officer shall maintain cash books accounts and other related records in such form and in such manner as may be prescribes by the Government.
- 2) He shall be responsible for ensuring that no expenditure is made from the fund of the Board unless provision for such expenditure has been made in the budget and funds are made available for such expenditure.
- 3) He shall prepare or cause to be preparing such statements of account and records and subsidiary accounts and records as may be required by the Government or the Board from time to time.
- 4) The account of the Board shall be audited annually by qualified Chartered Accountant or Auditor under the Government appointed for the purpose and the audited statement of Accounts shall be submitted, along with the annual report, at the meeting of the Board for the consideration and approval.

**Annexure-I**

**SANCTIONED STRENGTH OF POSTS UNDER THE MIZORAM SOCIAL DEFENCE  
AND REHABILITATION BOARD**

Sl. No.	Name of Post	No. of Post	Scale of Pay	Creation order No. & Date
1.	Chief Executive Officer	1	15600-39100+6600	No.A-/98-99/MSDRB/5 dt.2.7.99
2.	Executive Officer	1	15600-39100+6600	No.A-/98-99/MSDRB/5 dt.2.7.99
3.	Assistant Engineer	1	15600-39100+6600	No.F.20012/1/99 dt.8.4.08
4.	Assistant	1	9300-34800+4400	No.F.20012/1/99/MSD&RB, dt. 17.9.99
5.	UDC	1	9300-34800+4200	No.A-1/98-99/MSDRB/5, dt.2.7.99
6.	LDC	3	5200-20200+2400	No.A-1/98-99/MSDRB/5, dt.2.7.99
7.	Driver	2	5200-20200+1900	No.A-1/98-99/MSDRB/5, dt.2.7.99
8.	Grade IV	4	4440-7440+1650	No.A-1/98-99/MSDRB/5, dt.2.7.99

**Annexure-II**

**RECRUITMENT/PROMOTION METHOD**

Recruitment/promotion method will be as per the Recruitment Rules applicable to the employees respectively under the Government.

**Lalthangpuia Sailo,**  
Secretary to the Govt. of Mizoram,  
Social Welfare Department.