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NOTIFICATION

No. A. 12034/I/2019-F.Est, the 10th May, 2022. Whereas the '*Mizoram Public Procurement Rules, 2020*' for the sake of Mizoram Transparency in Public Procurement was framed vide Notification No. A.47011/1/2014- F.Est, dated 10.02.2020 and published in the Mizoram Gazette under VOL - XLIX dated 12.02.2020 vide Issue No. 92.

And whereas '*Procurement of Non-consulting Services*' had been provided in Section 84 under Part-B of Chapter V and the Department may procure certain non- consulting services in the interest of economy and efficiency and detailed instructions and procedures for this purpose without, however, contravening the basic guidelines provided in other provisions of the said Rules may be prescribed by the Government.

Now, therefore, in line with the provision under Rule No. 84 of the '*Mizoram Public Procurement Rules, 2020*' the Governor of Mizoram hereby makes the following guidelines namely :-

1. Short Title and commencement:-
 - (1) These guidelines may be called the '*Mizoram Guidelines for Outsourcing of Manpower, 2022*'.
 - (2) It shall come into force from the date of publication in the Official Gazette.
2. Applicability :-

Subject to the provisions contained in the '*Mizoram Public Procurement Rules, 2020*', these Guidelines shall apply to all public procurement of manpower, services by the procuring authorities of all the departments of the State Government of Mizoram or their attached or subordinate offices including Public Sector Undertakings.
3. Definitions
 - (i) '*Appointment*' means an appointment made to any service by way of outsourcing of manpower under these Guidelines.
 - (ii) '*Agency*' means an Agency to supply manpower to Government Departments or Bodies empanelled/registered under these Guidelines.
 - (iii) '*Body*' means Govt. Department/Subordinate office/attached office or Public Sector Undertaking under the Government of Mizoram.
 - (iv) '*Cancellation*' means termination of empanelment/registration of any Agency under these Guidelines.

- (v) 'Clause' means Sl. No. assigned to various provisions provided in these guidelines.
 - (vi) 'Department' means any Department under the Government of Mizoram.
 - (vii) 'Employee' means an employee recruited by the registered Agencies for the purpose of outsourcing.
 - (viii) 'Firm' means a Firm empanelled/registered for doing outsourcing of manpower under these Guidelines.
 - (ix) 'Government' means the State Government of Mizoram.
 - (x) 'Governor' means the Governor of Mizoram.
 - (xi) 'Outsourcing' means the business practice of hiring a party outside the Government to perform services and create goods that traditionally were performed in-house by the company's own employees and staff. Outsourcing is a practice usually undertaken by companies as a cost-cutting measure.
 - (xii) 'PSU' means Public Sector Undertaking wholly or partly owned by the Government of Mizoram including Society established under the relevant Act and Rules framed by the Government of Mizoram.
4. Classification & Remuneration of Services :
Classification of services to be outsourced and their remuneration under these Guidelines shall be classification of manpower prescribed by the Government of Mizoram from time to time as given in the ANNEXURE appended in these Guidelines.
5. Submission of Quotation and criteria for Agency:
Any Agency/Service Providers to which Government Departments may outsource manpower may submit sealed quotation in a prescribed Form as given in FORM-A to the concerned Department, Government of Mizoram and the intending Agency should have fulfilled the following criteria :-
- (i) must be a citizen of India.
 - (ii) should furnish GST clearance as per the GST Rules.
 - (iii) must be Scheduled Caste/Tribe (*Caste Certificate be enclosed*).
 - (iv) must have Registration Certificate from Firms & Societies, Mizoram.
 - (v) *must not have any criminal case* (Certificate of proof from the concerned Police Station be enclosed).
 - (vi) *must be financially sound to take up the task* (financial Soundness Certificate to that effect from the Bank where the applicant has an account should be furnished).
6. Qualification for employees:
All persons to be recruited by the registered Agency should have acquired all qualifications for corresponding posts under the Government of Mizoram prescribed by the relevant approved Service Rules/Recruitment Rules framed by Government of Mizoram.
7. Floating of quotation : The Department intending to outsource manpower should call sealed quotations from the eligible Agencies and make selection of Firm carefully under the provision of these Guidelines.
8. Earnest Money Deposit : All quotationers should deposit '*Earnest Money*' @ 2% to 5% of the fixed remuneration per head in the form of *Call Deposit* in any Nationalized Bank in Mizoram in favour of the Authority inviting the quotation.
9. Security Deposit: The selected Firm should made '*Security Deposit*' Money' @ 5% of the fixed remuneration per head *in the form of Call Deposit* in any Nationalized Bank in Mizoram in favour of the Authority inviting the quotation.

10. Remuneration/Wages:
The remuneration of the casual employees as prescribed in ANNEXURE appended herewith fixed *as per the minimum wages* prescribed by the Govt, of India shall be borne by the Department/Bodies outsourcing manpower which shall be disbursed by the concerned Agency.
11. Commission Charge & GST :
The recruiting Agency may take commission charge not more than 10% of the total remuneration of the employee which shall be quoted at the time of submission of sealed quotation and the commission charge shall be borne by the concerned Department/Bodies outsourcing manpower. The GST charge, if any shall also be borne by the Department/Bodies outsourcing manpower.
12. Responsibility of the Agency : The recruiting Agency shall be responsible for the conduct and performance of the employee. In the event of misconduct or damage caused by the employee resulting in loss of the Government property, the Head of office of the outsourcing Department shall report to the recruiting Agency for taking appropriate action as deemed fit.
13. Selection of Firm : Selection of Firm for outsourcing manpower shall be made by the concerned Department from the Firms which submitted sealed quotation within the prescribed period.
14. Penalty : If the selected Firm fails to supply manpower within the stipulated period or if it fails to continue the provision of manpower at any time during the term of the contract agreement, the Security Deposit made by the Firm shall be forfeited to the Government as revenue and such Firm may be declared as 'Defaulter' for a *minimum period of 3(three) months* that may cause ineligibility to enter into any agreement with the Government for the suspension period.
15. Agreement : A deed of agreement in a non-judicial stamp worth not less than ^ 50/-(Rupees fifty) shall be signed by the Department/Body outsourcing man power on the first part and the recruiting Agency on the second part as per a format appended in FORM-B.
16. *Release of 'Earnest Money Deposit' and 'Security Deposit:*
 - (a) *The Earnest Money deposited by the unsuccessful quotationers may be released after the selected quotationers deposit Security Deposit and also signs an agreement with the Government.*
 - (b) *The Security Deposit made by the selected Firm may be released after satisfactory completion of the contract.*
17. Power of relaxation : Notwithstanding anything contained in these Guidelines, the Governor of Mizoram, in the interest of public services has the power to relax any of the provisions provided in these guidelines.
18. Approval of Finance Department and DP&AR(ARW) for outsourcing of all categories of Manpower shall be obtained.

Vanlal Chhuanga,
Principal Secretary to the Govt. of Mizoram,
Finance Department.

ANNEXURE
(See Clause 4)

CLASSIFICATION OF MANPOWER

<u>Sl. No.</u>	<u>Classification of Manpower</u>	<u>Level</u>	<u>Remuneration</u>	<u>Revision of Remuneration</u>
1	Group-A	Level-10 (GP 5400)	₹ 39,600	Govt. of Mizoram may review the remuneration from time to time.
2	Group-B	Level-8 (GP 4600)	₹ 32,300	-do-
3	Group-B	Level-7 (GP 4400)	₹ 28,100	-do-
4	Group-C	Level-6 (GP 4200)	₹ 25,400	-do-
5	M/R Skilled-I and its equivalent	NA	₹ 19,200	-do-
6	M/R Skilled-II and its equivalent	NA	₹ 15,600	-do-
7	M/R Semi-skilled and its equivalent	NA	₹ 12,600	-do-
8	M/R Unskilled and its equivalent	NA	₹ 11,400	-do-

FORM-A
(See Clause 5)

FORM FOR SUBMISSION OF QUOTATION

1. Name of Firm/Society/Agency : _____
2. Registration No. and date. : _____
3. Full Address. : _____

4. Details of manpower to be outsourced. :

<u>S/N</u>	<u>Name of Post</u>	<u>Group</u>	<u>No. of post post</u>	<u>Remuneration (Per month)</u>
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____
5. Contact No. : 1. Mobile No. : _____
2. Landline No. : _____
3. e-mail I.D. : _____
6. Rate of Commission Charge offered (in %) : _____

Dated _____
The _____

Signature : _____
Name of Proprietor : _____
(In block Letter)
Seal :

DOCUMENTS TO BE ENCLOSED.

1. *Attested copy of Registration Certificate of the Firm.*
2. *Original Earnest Money Deposit.*
3. *GST Clearance as the case may be.*
4. *Financial Soundness certificate from the Bank where the applicant has an account.*
5. *Certificate of Caste (SC/ST).*
6. *Certificate of Police Verification.*

FORM-B
(See Clause 5)

DEED OF AGREEMENT UNDER

On this ___ day of 20___, _____ (*Name of Department/Body*), Government of Mizoram on the first part and (*Name of Firm/Society*) on the second part hereby enter into agreement for outsourcing of manpower as specified below for a period of I(one) year from the date of signing this agreement extendable for appropriate period with the approval of DP & AR and Finance Department under Rule 15 of the '*Mizoram Outsourcing of Manpower Guidelines, 2022*'.

- | | | | |
|----|----------------------------------------|---|--|
| 1. | Designation of employee | : | |
| 2. | <i>Classification</i> (Group/Category) | : | |
| 3. | Remuneration | : | |
| 4. | Rate of commission charge | : | |
| 5. | Place of deployment | : | |

(_____)
Head of Deptt.
Seal

(_____)
Head of Agency
Seal

WITNESSES

- | | |
|-------------------------------------------------|-------------------------------------------------|
| 1. (_____)

(Designation & Office) | 2. (_____)

(Designation & Office) |
| 1. (_____)

(Designation & Office) | 2. (_____)

(Designation & Office) |