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NOTIFICATION

No.A.12018/1/94-P&AR(GSW), the 3rd June, 1998. In exercise of the powers conferred by the proviso to Article 309 of the Constitution and all other powers enabling him in this behalf, the Governor of Mizoram hereby makes the following rules, namely :-

1. Short title and commencement.
 - (i) These Rules may be called the Mizoram Ministerial Service Rules, 1998.
 - (ii) They shall come into force with effect from the date of publication in the official Gazette of Mizoram.
2. Definition. In these rules, unless the context otherwise requires :
 - (a) "Appointed Day" means the date on which these rules come into force.
 - (b) "Appointing Authority" means the Governor of Mizoram.
 - (c) "Authorised Permanent Strength" in relation to any grade means the strength of permanent and specified posts in that grade.
 - (d) "Commission" means the Mizoram Public Service Commission.
 - (e) "Direct Recruit" means a person recruited on the basis of a Competitive Examination and Limited Departmental Competitive Examination.
 - (f) "DPC/SC" means appropriate DPC/Selection Committee duly constituted by the Government from time to time.

- (g) "Duty Post" means any post specified in Schedule I and it includes a temporary post carrying the same designation and pay as any of the posts specified in that Schedule and any other post specified in Schedule II.
- (h) "Gazette" means the Mizoram Gazette.
- (i) "Government" means Government of Mizoram.
- (j) "Governor" means the Governor of Mizoram.
- (k) "Grade" means any of the Grades specified in Rule 3.
- (l) "Panel List" means the Panel List prepared in accordance with the regulation made under Rule 10.
- (m) "Permanent Officer" in relation to any grade means a person who has been appointed to any grade.
- (n) "Probationer" means a direct recruit appointed to a grade on probation in or against a vacant post.
- (o) "Schedule" means Schedule to these Rules.
- (p) "Service" means the Mizoram Ministerial Service.
- (q) "Temporary Officer" in relation to any grade means a person holding temporary or officiating appointment in that grade on the basis of his being approved for such appointment.

3. Composition. (1) There shall be 4(four) grades in the Service, namely:—

Sl. No.	Grade	
1.	Grade - I	Joint Secretary and its equivalent posts.
2.	Grade - II	Deputy Secretary and its equivalent posts.
3.	Grade - III	Under Secretary and its equivalent posts.
4.	Grade - IV	Superintendent and its equivalent posts.

- (2) The posts at Sl.No. 1-4 above shall be Gazetted Posts of Group 'A'.

4. Combined Gradation, Lists of the Officers of the 4(Four) grades. There shall be a combined gradation list in respect of the Officers in each grade for all the Departments and Officer specified in Schedule III.

5. Authorised Permanent Strength & Temporary Strength of the Service.
 - (1) The authorised strength of the various grades of the service on the appointed day shall be as specified in the Schedule II.
 - (2) After the appointed day, the authorised permanent strength of the various grades shall be such as may, from time to time, be determined by the Government.
 - (3) The Government may make temporary/permanent additions to the authorised permanent strength of the various grades as it may deem necessary from time to time.
6. Initial Constitutions of Service. The permanent and temporary officers of various grades of the Service holding the posts in each grade on the appointed day shall be the members of the service.
7. Posting of the members of the Service. Every member of the Service shall, unless he is on leave or otherwise not available for holding a duty post, be posted against a duty post of the appropriate grade in the cadre.

 Provided that any member of the Service may be posted to an ex-cadre post either on deputation or otherwise.
8. Duty post to be held by members of the Service. Every duty post in the cadre shall, unless declared to be excluded from the cadre or kept in abeyance for any reasons, be held by a member of the service of the appropriate grade.
9. Substantive appointment in the Service. All substantive appointment in the service shall be made to the appropriate grade of the Service and not against any specified post in that grade.
10. Recruitment.
 - (1) GRADE - I : Vacancies in this Grade shall be filled by promotion from amongst the members of the Service in the Grade-II with not less than 5 years of service in that Grade and are included in the Panel List for the Selection Grade. The method of recruitment to this Grade shall be Selection.
 - (2) GRADE - II : Recruitment to this Grade shall be made by promotion from amongst the members of the service in the Grade - III with not less than 5 years of Service in the Grade and are included in the Panel List for Grade - II. The method of recruitment to this Grade shall be Selection.

- (3) GRADE - III : Vacancies in this Grade shall be filled by promotion from amongst the members of the Service in the Grade-IV with not less than 5 years of service in that Grade and are included in the Panel List for promotion to the Grade. The method of recruitment to this Grade shall be Selection.
- (4) GRADE - IV : 50% of the vacancies in this Grade shall be filled by promotion from amongst the members of the Subordinate Ministerial Service in the grade of Assistant with not less than 5 years of service who are included in the Panel List for promotion to the grade. The method of Recruitment to this Grade shall be Selection. And the remaining 50% shall be filled by Promotion through Limited Departmental Competitive Examination.
- (5) Substantive appointments to the various grades shall be made in order of seniority of officers of the respective grades except when, for reasons to be recorded in writing a person is not considered fit for such appointment in his turn.
- (6) For the purpose of sub-rule (1) to (5) of Rule 10, Panel List for the various grades shall be prepared and may be revised as per regulations as may be prescribed by the Government.
- (7) Notwithstanding anything contained in sub-rule (1), (2), (3) and (4) of Rule 10, Officers of the grades under sub-rules (2), (3) and (4) of Rule 10 may be appointed to officiate in a temporary vacancy for a period not exceeding six months in the respective higher grades as the case may be, if an Officer is included in the Panel List for the relevant grade is not available or cannot for any reason be appointed to such vacancy.
- (8) The rules for Limited Departmental Examination referred to in sub-rule (4) of Rule 10 shall be as determined by Regulation in Schedule IV.

11. Seniority. (1) The relative seniority of members of the Service appointed to any grade before the appointed day shall be regulated by their relative seniority as determined before that day.

Provided that, if the seniority of any such Officer has not been specifically determined before that day, it shall be as determined by the Government of Mizoram.

- (2) All permanent Officers included in the initial constitution of each grade under rule 6 shall rank senior to all persons substantively appointed to that grade with effect from any date after the appointed day. And all temporary Officers

included in the initial constitution of each grade under that shall rank senior to all temporary Officers appointed to that grade with effect from any date after the appointed day.

- (3) Except as provided in sub-rule (1) and (2), the seniority of persons appointed to any grade after the appointed day shall be determined in the following manner :-

The seniority inter-se of officers appointed to any grade under Rule 3 after the appointed day shall be regulated by the order in which their names are included in the Panel List for that grade.

Provided that an Officer included in the Panel List who refused at any time to be appointed to the grade for reason acceptable to the appointing authority, shall on his appointment to the grade at any time thereafter, be placed immediately after the Officer who was last appointed to that grade from the Panel List.

12. Pay. The scales of pay attached to the various grades of the Service shall be as follows :-

1) Grade - I	—	Rs. 4500 - 5700/-
2) Grade - II	—	Rs. 3700 - 5000/-
3) Grade - III	—	Rs. 3000 - 4500/-
4) Grade - IV	—	Rs. 2200 - 4000/-

13. Power of the Governor to amend, dispense with or relax. Whereas the Governor is satisfied that the operation of any of these Rules causes undue hardship in any particular case or that in the exigencies of Public service as well as for effective implementation of these Rules, he may dispense with or relax or amend and repeal such particular rule or rules or any of the Schedule to these rules, to such extent or subject to such conditions as he may consider necessary from time to time.

14. Interpretation. If any question arises as to the interpretation of these Rules, the Government shall decide the same.

15. Repeal and Savings. All the previous Recruitment Rules for the posts in Schedule I & II shall stand repealed with the commencement of these Rules.

Provided that any order made or action taken under the Rules so repealed or under any general orders ancillary thereto shall be deemed to have been made, done or taken under the corresponding provisions of these Rules.

SCHEDULE — I (See Rule 2 (g))

Designation of posts included as “Duty Posts” are Joint Secretary, Deputy Secretary, Senior Analyst-cum-Deputy Secretary, Under Secretary, Analyst, Deputy Director (Admn), Superintendent in and outside the Secretariat and in various grades outside Secretariat. Junior Analyst and Assistant Director in the A.T.I.

SCHEDULE—II (See Rule 5(L))

Authorised Permanent Strength of the various grades of the Mizoram Ministerial Service on the appointed day.

Sl./No. Grade	Authorised Permanent Strength
1. Grade — I	(1) 2 posts of Joint Secretary.
2. Grade — II	(1) 9 posts of Deputy Secretary. (2) 1 post of Senior Analyst-cum-Deputy Secretary.
3. Grade — III	(1) 33 posts of Under Secretary (subject to the decision of the Gauhati High Court Civil Rule No. 1735/91). (2) 2 posts of Analyst. (3) 12 posts of Deputy Director (Admn).
4. Grade — IV	(1) 100% of the sanctioned strength of Superintendent and Junior Analyst. (2) 75% of the sanctioned strength of Assistant Director, A.T.I.

SCHEDULE—III (See Rule 4)

NAME OF DEPARTMENTS/OFFICES TO WHOM THE MIZORAM MINISTERIAL SERVICE RULES, 1997 APPLY

Sl. No.	Name of Department.
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1. All Departments in Civil Secretariat.
2. Directorate of Agriculture & Fisheries and its subordinate Offices.
3. Directorate of Animal Husbandry & Veterinary and its subordinate Offices.

Sl. No.	Name of Department.
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4. Administrative Training Institute.
5. Directorate of School Education and its subordinate Offices.
6. Chief Controller of Accounts Office/ Directorate of Accounts and Treasuries and its subordinate Offices.
7. Office of the Principal Chief Conservator of Forest and its subordinate Offices.
8. Office of the Deputy Commissioner and its subordinate Offices.
9. Office of the Registrar (Co-op) and its subordinate Offices.
10. Directorate of Health Services and its subordinate Offices.
11. Directorate of Industries and its subordinate Offices.
12. District Council Court and its subordinate Offices.
13. Directorate of Local Administration Department and its subordinate Offices.
14. Office of the Inspector General of Prison and its subordinate Offices.
15. Directorate of Labour & Employment and its subordinate Offices.
16. Directorate of Economics & Statistics and its subordinate Offices.
17. Office of the Chief Engineer, PWD and its subordinate Offices.
18. Directorate of Rural Development and its subordinate Offices.
19. Office of the Chief Engineer, Power & Electricity Department and its subordinate Offices.
20. Office of the Chief Engineer, Public Health Engineering and its subordinate Offices.
21. Directorate of Land Revenue and Settlement and its subordinate Offices.
22. Directorate of Taxation and its subordinate Offices.
23. Directorate of Civil Supplies and its subordinate Offices.
24. Directorate of Transport and its subordinate Offices.
25. Directorate of Trade and Commerce and its subordinate Offices.
26. Directorate of Rehabilitation and its subordinate Offices.

Sl. No.	Name of Department.
27.	Directorate of Information and Public Relations and its subordinate Offices.
28.	Directorate of Tourism and its subordinate Offices.
29.	Directorate of Sericulture and its subordinate Offices.
30.	Office of the Deputy Chief Election Officer and its subordinate Offices.
31.	Directorate of Social Welfare and its subordinate Offices.
32.	Office of the Controller, Printing & Stationery and its subordinate Offices.
33.	Directorate of Soil & Water Conservation and its subordinate Offices.
34.	Directorate of Sports & Youth Services and its subordinate Offices.
35.	Mizoram Liaison Offices.
36.	Office of the Commandant General, Home Guards and its subordinate Offices.
37.	Directorate of Institutional Finance and Small Savings and its subordinate Offices.
38.	Commissionariat of Excise and its subordinate Offices.
39.	Directorate of Higher & Technical Education and its subordinate Offices.
40.	Directorate of Art & Culture and its subordinate Offices.
41.	Governor's Secretariat.
42.	Directorate of Horticulture and its subordinate Offices.
43.	Directorate of Fisheries and its subordinate Offices.
44.	Directorate of Mizoram State Lottery.

SCHEDULE—IV

(See Rule 10(8))

No.A.12018/1/94-P&AR(GSW), the 3rd June, 1998. In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all powers enabling him in this behalf and in pursuance of Rule 10(8) of the Mizoram Ministerial Service Rules, 1998, the Governor of Mizoram is pleased to make the following regulations, namely :—

1. **Short title and commencement.**
 - 1) These Regulations may be called "The Mizoram Ministerial Service Grade — IV (Limited Departmental Examination) Regulations, 1998".
 - 2) They shall come into force on the date of publication in the Official Gazette.
2. **Definition.**
 - 1) In these Regulations, unless the context otherwise required :-
 - a) "Departmental Competitive Examination" means examination conducted under these regulations for filling up of 50% of vacant posts of Grade IV of Mizoram Ministerial Service (both the posts of Superintendent and Junior Analyst).
 - b) "Vacancies" means vacancies in the Grade IV the service which are declared to be filled by direct recruitment on the result of Limited Departmental Examination.
 - c) "Scheduled Tribe" shall have the same meaning as assigned to it by clause 25 of Article 366 of the Constitution of India.
 - 2) Other words and expressions used in these Regulations and not defined herein shall have the meaning respectively assigned to them in the Mizoram Ministerial Service Rules, 1993.
3. **Holding of Examination.**
 - 1) The Examination shall be conducted under these Regulations in the manner notified by the Govt. of Mizoram from time to time.
 - 2) The date on which and the venue at which the examination shall be held shall be fixed by Commission/Government or it shall be conducted at such intervals as the Governor may, from time to time, determine.
4. **Condition of Eligibility.**

In order to be eligible to compete Departmental Examination for filling up of 50% of vacancies against Grade-IV a candidate must satisfy the following conditions :—

 - a) Nationality : He must be a citizen of India.
 - b) He must be holding the posts of Assistant with not less than 5 years regular service in the grade, or Investigator with not less than 5 years service in the grade included in the Mizoram Ministerial Subordinate Service Cadre.
5. **Attempts at the examination.**
 - 1) No candidate who does not belong to a Scheduled Tribe or who is not covered by any one of the specified exceptions notified by the Govt. from time to time, shall be permitted to compete the examination more than 2(two) times.

- 2) Subject to such exemptions or concessions or both as may be notified in this behalf by Govt. he shall pay the fees prescribed by the Commission/Government.
6. Decision as to Eligibility. The decision of the Commission or Govt. as to the eligibility or otherwise of candidates for admissions to the examination shall be final and no candidate to whom a certificate of admission has not been issued by the Commission or Government be admitted to the examination.
7. Result.
- 1) The names of the candidates who are considered by the Commission or Govt. suitable for appointment on the results of the examination shall be arranged in the order of merit. They shall be recommended for appointment in that order upto the number of appointment required to be made. The order of merit shall be determined in accordance with aggregate marks obtained by each candidate and if two or more candidates obtained same marks in the examination, their names shall be arranged in the list according to their age or name in alphabetical order in case they are of the same age.
 - 2) The form and manner of communication of result of the examination to individual candidate shall be decided by the Commission or the Govt. at its discretion.
8. Appointment.
- 1) Success at the examination shall confer no right to appointment to posts of Grade-IV of the service unless the Govt. is satisfied to appoint him.
 - 2) No persons who have one wife living or who, having a spouse living, married in any case in which such marriage is void by reason of its taking place during the life time to such spouse, and no women married in void by reason of the husband having a wife living at a time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for any appointment on the result of the examination.
- Provided that the Govt. may, if satisfied that there are special ground for doing so, exempt any person from the operation of this sub-regulation.
9. Penalty for misconduct.
- A candidate who is or has been declared by the Commission/Government to be guilty for ;
- a) Obtaining support for his candidature by any means, or
 - b) Impersonating, or
 - c) Procuring impersonation by any persons, or

- d) Submitting fabricated documents which have been tampered with, or
- e) Making statements which are incorrect or false, or suppressing material information, or
- f) Resorting to any other irregular or improper means in connection with his candidature for the examination, or
- g) Using unfair means in the examination hall, or
- h) Misbehaving in the examination hall, or
- i) Attempting to commit or, abetting the Commission/Govt. of all or any of the acts specified in the foregoing clause, as the case may be, may in addition to rendering himself liable to criminal prosecution be liable,—
- 1) to be disqualified by the Commission/Govt. from the examination for which he is a candidate;
- 2) to be debarred either permanently or for a specified period;
 - i) by the Govt. from any examination or Selection by them;
 - ii) by Central Govt. from any employment under them; and
- 3) If he is already in service under Central/State Govt. to disciplinary action under the appropriate rules.

10. The Examination for the posts of Grade-IV shall be conducted with the syllabus as set forth below as Appendix - I

APPENDIX—I

SYLLABUS FOR THE LIMITED DEPARTMENTAL EXAMINATION FOR PROMOTION TO GRADE - IV

PAPER - I

3 Hours

Full Marks - 100

- (a) Precis writing
- (b) Drafting
- (c) English Grammar

PAPER-II

3 Hours

Full Marks - 100

- (a) F.R. 1 - 49, 52 - 127
- (b) S.R. 3 - 12, 196 - 203
- (c) F.R.&S.R. Part II (Travelling Allowances)
- (d) C.C.S. (Pension) Rules, 1972
- (e) C.C.S. (Leave) Rules, 1972
- (f) C.C.S. (Joining Time) Rules, 1979

PAPER—III

3 Hours

Full Marks—100

- (a) General Financial Rules, the whole of Chapter—I, II, IV, V, VI, VII, XI, XIV, Rule 270–280 and 284 with Appendix-13.
- (b) Treasury Rules of Central Govt. Vol.-I
Part I-The whole portion.
Part-III-The whole portion.
Part V-Section I to III.
Part VII-Section III to V
Part IX-The whole portion (As per Swamy's Compilation).
- (c) General Provident Fund (Central Service) Rules, 1960-the whole portion.
- (d) Rules relating to House Building Advance to Govt. Servant.
- (e) Delegation of Financial Power Rules, 1978.

PAPER—IV

3 Hours

Full Marks-100

- (a) C.C.S. (CCA) Rules, 1965 (Rules 2,4,8,10,11,14,16, 19-28).
- (b) C.C.S. (Temporary Service) Rules, 1965.
- (c) C.C.S. (Conduct) Rules, 1964.
- (d) L.T.C. Rules.
- (e) Medical Attendance Rules.

PAPER—V

3 Hours

Full Marks-100

- (a) Central Secretariat Manual of Office Procedure.
- (b) Rules of procedure & Conduct of Business in Mizoram Legislative Assembly (Chapter V, VIII, XIV, XXI, XXVIII, (e), (f), (g), (h) and (i) (As per fourth Edition, 1990).
- (c) Articles 311 of the Constitution of India.
- (d) Government of Mizoram (Allocation of Business) Rules, 1987 as amended from time to time.
- (e) Govt. of Mizoram (Transaction of Business) Rules, 1987.
- (f) Appendix 29 of C.S.R.
- (g) The State of Mizoram Act, 1986.

Vanhela Pachuau,
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