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NOTIFICATION

MIZORAM CIVIL SERVICE RULES, 2000

No. A.12031/1/91 - P&AR(CSW) : Dated Aizawl, the 18th January, 2000 : In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Mizoram is pleased to make the following rules regulating the recruitment and conditions of the service of persons appointed to the Mizoram Civil Service:

PART-I: GENERAL

1. SHORT TITLE AND COMMENCEMENT:

- (1) These Rules may be called the Mizoram Civil Service Rules, 2000
- (2) They shall come into force from the date of publication in the Mizoram Gazette.

2. DEFINITION : In these rules unless there is anything repugnant in the subject or context -

- (a) "Constitution" means the Constitution of India.
- (b) "Commission" means the Mizoram Public Service Commission.
- (c) "Government" means the Government of Mizoram.
- (d) "Governor" means the Governor of Mizoram.
- (e) "Member" means a person appointed in a substantive capacity to any grade of the Mizoram Civil Service and includes a person on probation to the M.C.S. in accordance with these Rules.
- (f) "Schedule" means a schedule appended to these rules.
- (g) "Scheduled Caste" means such castes as are specified by the President of India under Article 341(1) of the Constitution of India as modified by law made by Parliament from time to time in so far as the specification pertains to the state of Mizoram.
- (h) "Scheduled Tribe" means such tribes as are specified by the President of India under Article 342(1) of the Constitution of India as modified by law made by Parliament from time to time in so far as the specification pertains to the state of Mizoram.

- (i) "Service" means the M.C.S.
- (j) "State" means the State of Mizoram.
- (k) "Year" means Calendar year.
- (1) "Gazette" means the Mizoram Gazette.

PART - II : CONSTITUTION, DESIGNATION AND COMPOSITION

CONSTITUTION : There shall be constituted a State Civil Service to be known as Mizoram Civil Service.

DESIGNATION : Members of the Service shall, at the commencement of these rules, be designated as mentioned in the schedule of these rules and such other designations which the Governor may hereafter confer -

COMPOSITION OF SERVICE :

The Service shall have the following grades, namely :-

1. (a) Supertime Grade - 'A'
- (b) Supertime Grade - 'B'
2. Selection Grade
3. Junior Administrative Grade
4. Senior Grade
5. Junior Grade

INITIAL CONSTITUTION :

At the commencement of these Rules the following persons shall be members of the Service and the past services rendered in any of the posts specified in the schedule appended to these rules shall be counted as service under these rules for all purposes other than seniority :

- (i) Persons appointed under the M.C.S. Rules, 1977 as amended from time to time.
- (ii) Persons appointed under M.C.S. Rules, 1988 as amended from time to time.

Provided that no persons shall be considered for inclusion under this rule who does not qualify for appointment under the M.C.S. Rules, 1977, the Mizoram Subordinate Civil Service(Group 'B' post) Recruitment Rules, 1983 and M.C.S. Rules, 1988 as amended from time to time.

PART-III : AUTHORISED PERMANENT STRENGTH

AUTHORISED PERMANENT STRENGTH OF THE SERVICE :

- (i) The authorised and permanent strength of the Cadre and nature of the posts therein at the commencement of these rules shall be as specified in the schedule appended to these rules.
- (ii) The authorised and permanent strength of the Cadre and nature of the posts after the commencement of these rules shall be determined by the Government from time to time

PART-IV : RECRUITMENT TO THE SERVICE

8. RECRUITMENT TO THE SERVICE :

- (i) Recruitment to the Service in the Junior Grade after commencement of these Rules, shall be by the following methods :-
 - (a) $66\frac{2}{3}\%$ of the vacancies shall be filled by direct recruitment through competitive examination to be conducted by Public Service Commission.
 - (b) $33\frac{1}{3}\%$ of the vacancies shall be filled by selection from amongst officers who hold gazetted posts in a substantive capacity in connection with the affairs of the state with not less than 5 years of service, in such grade and A.Os (NG) with not less than 8 years of service shall be eligible for induction into the Service by selection method for this quota (in the manner as may be prescribed by M.P.S.C).
- (ii) Subject to the provision of these rules, the method or methods of recruitment to be adopted for the purpose of filling any particular vacancy or vacancies in the Service as may be required to be filled during any particular period of recruitment, and the number of persons to be recruited by each method shall be determined on each occasion by the Government in consultation with the Commission.

9. DIRECT RECRUITMENT :

- (i) Save as provided in rule 8 of these rules, appointment to the Service to the extent of $66\frac{2}{3}\%$ of the substantive vacancies which occur from time to time in the authorised permanent strength of the Service shall be through competitive examination in the manner prescribed in these rules.
- (ii)
 - (a) The examination shall be conducted by the Commission in accordance with the Mizoram Civil Service (Competitive Examination) Regulations, 1997 as may be adapted and as the Government from time to time make in consultation with the Commission.
 - (b) The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examinations shall be final, and a candidate to whom a certificate or admission card has not been issued by the Commission shall not be admitted to the examination.
- (iii) The Commission shall prepare and forward to the Governor a list arranged in order of merit of the candidates who have qualified in the examination.
- (iv) The inclusion of candidate's name in the list shall confer no right to appointment unless the Governor is satisfied, after such inquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the Service before an actual offer of appointment is made.
- (v) A competitive examination for direct recruitment to the Service shall be held at such intervals as the Governor may, in consultation with the Commission, determine from time to time. The dates on which and the places at which the examination shall be held shall be fixed by the Commission.

PART - V : APPOINTMENT, PROBATION, TRAINING AND CONFIRMATION**10. APPOINTMENT TO THE SERVICE :**

- (i) All appointments to the Service, after commencement of these rules, shall be made and notified in the Gazette by the Government and no such appointment shall be made except in the manner specified in rule 8.
- (ii) All appointments to the Service shall be made to the appropriate grades of the Service and not against specific posts.
- (iii) All the appointments to the Service in the higher grades or time-scale of pay shall be made only by promotion in accordance with the appropriate provisions under these rules.
- (iv) Notwithstanding anything contained in sub-rule (iii), the Government may -
 - (a) Withhold the appointment of a member to the Senior Grade
 - (1) till he is confirmed in the Service, or
 - (2) till he passes the prescribed departmental examination(s)

11. APPOINTMENT OF DIRECT RECRUITS :

- (i) Subject to the provisions of these rules appointment to the Service shall be made from the candidates in the list referred in rule 9, sub-rule (iii) of these rules strictly in order of merit recommended by the Commission.
- (ii) Appointment to the Service shall be made by the Governor and shall be notified in the Gazette.
- (iii) A direct recruit shall join duty within 45 days of the date of the issue of the order of appointment, failing which and unless the Governor is otherwise pleased to extend the period, the appointment shall be cancelled.

12. APPOINTMENT BY SELECTION :

- (i) Subject to the provisions of rule 8 the Governor may, in consultation with the Commission consider for appointment to the Service to the extent of 33 $\frac{1}{3}$ % of the substantive vacancies of the authorised permanent strength of the Service in the manner as may be prescribed by the Government.
- (ii) Selection and inclusion in the list under these rules shall be on merit with due regards to seniority and suitability in all respects.
- (iii) The names of the persons recommended by the Commission for appointment to the Service under these rules shall be submitted to the Governor for approval.

Provided that the Government shall not consider the case of persons who have already attained the age of 53 years.

Every person selected and appointed under these rules shall undergo such training and for such period as the Governor may prescribe in any established training institutes within and outside the state.

5 DISQUALIFICATION :

No person -

- (a) who has entered into or contracted a marriage with a person having a spouse living,
or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person,
shall be eligible for appointment to the Service.

Provided that the Governor may, if satisfied, that such marriage is permissible under the personal law applicable to such persons and the other party to the marriage and there are other grounds for doing so, exempt any person from the operation of these rules.

14. PHYSICAL FITNESS :

No candidate shall be appointed to the Service unless he is declared, after such medical examination, as the Governor may prescribe to be mentally and physically sound and free from any defects likely to interfere with the discharge of his/her duties.

15. PROBATION :

- (i) Every person recruited to the Service in accordance with these rules shall be on probation for a period of two years.

Provided that the period of probation may, for good and sufficient reasons to be recorded in writing, be extended by the Governor in the individual cases.

- (ii) A person on probation shall be liable to be discharged from the Service at any time without assigning any reason thereof during the period of probation.
 - (a) Provided that if he holds a lien on any permanent post under the State or the Central Government, he shall be liable to be reverted to that post
 - (b) Provided further that a person who holds a lien to any permanent post under the State or the Central Government may, if he so desires, during the period of probation have the option to revert back to his parent department after giving such notice as may be prescribed by the Governor
- (iii) The requirement of undergoing the period of probation under sub-rule (i) of this rule shall not be applicable in respect of person appointed under rule 8(1)(b) read with rule 12

16. TRAINING:

Every probationer shall during the period of probation successfully undergo the Foundation Course and such other training as the Governor may, from time to time prescribed.

Provided that the Governor may, if satisfied that there are special grounds for so doing, exempt a probationer from the operation of these rules.

17. DEPARTMENTAL EXAMINATION :

Every probationer shall during the period of probation appear at and pass such departmental examination as may be prescribed and conducted by the Commission.

Provided that the Governor may, for good and sufficient reasons temporarily exempt a probationer from any one or more of the prescribed departmental examinations.

18. CONFIRMATION:

A member who has been declared to have satisfactorily completed the period of probation shall be confirmed in the Service.

Provided that once a member of the Service has been confirmed in the Entry Grade, he shall not be required to be confirmed in each grade or post of the Service.

Provided that a person who has been confirmed in any posts before being appointed as a member of the Service shall be deemed to be confirmed in the Service.

PART-VI : MISCELLANEOUS**19. THE TIME SCALE OF PAY AND PROMOTION TO GRADES:**

The time scale of pay admissible to the members of the Service shall be as follows subject to revision by the Governor from time to time.

- | | |
|---------------------------------|--|
| (1) (a) SUPERTIME GRADE - 'A' : | Rs. 16400 - 450 - 20900/- plus Special Pay of Rs. 500/- p.m.
(for filling up of vacancies in this Grade, officers in the Supertime Grade 'B' who have rendered 2 years regular service or who have completed 25 years service calculated from the year of entry in any Gazetted posts covered by MCS Rules, 1977 or MCS Rules, 1988 shall be eligible for consideration for promotion by selection method). |
| (b) SUPERTIME GRADE - 'B' : | Rs. 16400 - 450 - 20900/- p.m.
(for filling up of vacancies in this Grade, officers in the Selection Grade who have rendered 5 years regular service in the Grade or who have completed 20 years service calculated from the year of entry in any Gazetted posts covered by MCS Rules, 1977 or MCS Rules, 1988 shall be eligible for consideration for promotion by selection method). |

(2) SELECTION GRADE

Rs. 14300 - 400 - 18300/- p.m.

(for filling up of vacancies in this Grade, officers in the Junior Administrative Grade who have rendered 5 years regular service or who have completed not less than 15 years service calculated from the year of entry in any Gazetted posts covered by MCS Rules, 1977 or MCS Rules, 1988 shall be eligible for consideration for promotion by selection method).

(3) JUNIOR ADMINISTRATIVE GRADE

Rs. 12000-375-16500/- p.m.

(for filling up of vacancies in this Grade, officers in the Senior Grade with not less than 5 years service in the grade or with not less than 10 years service calculated from the year of entry in any Gazetted posts covered by MCS Rules, 1977 or MCS Rules, 1988 shall be eligible for consideration for promotion by selection method).

(4) SENIOR GRADE

Rs. 10000-325-15200/-p.m.

(for filling up of vacancies in this Grade, officers who have completed not less than 5 years service in the Junior Grade shall be eligible for consideration for promotion by selection method provided that officers who have completed not less than 5 years service in any Gazetted posts covered by MCS Rules, 1977 or MCS Rules, 1988 shall also be eligible for consideration for promotion to this Grade by selection method).

(5) JUNIOR GRADE

Rs. 8000-275-13500/-p.m.

20. FIXATION OF INITIAL PAY IN THE TIME SCALE:

- (i) On first appointment to the Service in Junior Grade, the initial pay of a member of the Service shall be fixed at the minimum of time scale unless under the Fundamental Rules or any other rules for the time being in force, his pay has to be fixed at a higher stage.
- (ii) On appointment to the next higher grade of the Service the initial pay of a member of the Service in the time scale shall be fixed in accordance with the principles governing such fixation under the Fundamental Rules or any other rules for the time being in force.

21. INCREMENT:

- (i) The first increment admissible to a member of the Service in the Junior Grade time scale shall accrue on the successful completion of the period of probation.
- (ii) The Governor may withhold, such time as he may direct, an increment or increments due to a substantive member of the Service who has failed to pass the departmental examination(s) within such time as the Governor may, by general or special order, prescribe; but withholding such increment shall have no cumulative effect.

Provided that subject to the provision of Rule 8, the provisions of these rules shall not be applicable to the members of the Service appointed under Rule 12.

22. PROMOTION TO HIGHER GRADES :

The appointment from one lower to the next higher grades after the commencement of these Rules shall be made by the Governor from the confirmed members of the Service on the basis of their seniority maintained under Rule 23 and on the basis of the recommendation to be offered by the Commission.

Provided that all promotions shall be recommended strictly on the basis of merit cum-seniority of the members of the Service after the Commission having satisfied with the reports on his integrity and character subject to the provision of qualifying service prescribed in Rule 19.

23. SENIORITY:

- (i) The seniority inter-se of the members of the Service at its initial constitution shall be as determined by Government in accordance with the orders and instruction in force before the commencement of these rules.
- (ii) The seniority inter-se of the members of the Service appointed after the commencement of these rules shall be determined by the Government from time to time in accordance with such determination of seniority regulations as may be made by the Government.

24. POWER OF THE GOVERNOR TO DISPENSE WITH OR RELAX ANY RULE :

Where 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 amend and repeal such particular rule or rules or any of the schedules to these Rules, to such extent or subject to such conditions as he may consider necessary from time to time.

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided by any of these rules.

25. MISCELLANEOUS PROVISION :

Except as provided in these rules, all matters relating to pay, allowances, leave, pension, discipline and other conditions of Service shall be regulated by the general rules framed by the Governor from time to time.

26. INTERPRETATION :

If any question arises relating to the interpretation of these rules, it shall be referred to the Governor whose decision thereon shall be final.

27. REPEAL & SAVINGS :

The Mizoram Civil Service Rules, 1988 as amended from time to time stands 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 or taken under the corresponding provisions of these rules.

SCHEDULE**AUTHORISED PERMANENT STRENGTH OF THE MIZORAM CIVIL SERVICE
SCHEDULE - I (RULE-7)****SUPERTIME GRADE - 'A'**

- | | | | |
|---|--|---|---|
| 1 | Secretary to the Government of Mizoram | - | 1 |
|---|--|---|---|

Total :	1 Post
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SUPERTIME GRADE - 'B'

- | | | | |
|----|-----------------|---|---|
| 1. | Addl. Secretary | - | 2 |
|----|-----------------|---|---|

Total :	2 Posts.
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SELECTION GRADE

- | | | | |
|-----|-----------------------------------|---|---|
| 1. | Deputy Commissioner | - | 4 |
| 2. | Joint Secretary | - | 4 |
| 3. | Joint Secretary to the Governor | - | 1 |
| 4. | Joint Commissioner, RD | - | 1 |
| 5. | Joint Chief Electoral Officer | - | 1 |
| 6. | Controller, Printing & Stationery | - | 1 |
| 7. | Inspector General of Prisons | - | 1 |
| 8. | Director, LAD | - | 1 |
| 9. | Director, LR&S | - | 1 |
| 10. | Director, R&R | - | 1 |
| 11. | Director, L&E | - | 1 |

Total :	17 Posts.
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JUNIOR ADMINISTRATIVE GRADE

- | | | | | |
|----|---|---|----|------------------|
| 1 | Deputy Secretary | - | 14 | 60% of the posts |
| 2. | Additional Deputy Commissioner | - | 7 | |
| 3. | Joint Director, Transport | - | 2 | |
| 4. | Joint Director, Administrative Training Institute | - | 1 | |
| 5. | Joint Director, Food & Civil Supply | - | 1 | |
| 6. | Dy. Commissioner (Admin.) RD/Jt. Director, RD | - | 1 | |
| 7. | Protocol Officer | - | 1 | |

Total :	27 Posts.
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SENIOR GRADE

- | | | | | |
|----|--|---|----|-------------------|
| 1. | Under Secretary | - | 11 | 25% of the posts |
| 2. | Assistant Settlement Officer I | - | 2 | |
| 3. | Sub. Divisional Officer (Civil) | - | 14 | |
| 4. | Extra Assistant Commissioner | - | 9 | |
| 5. | Deputy Director, Food & Civil Supply | - | 1 | 50% of the posts. |
| 6. | District Civil Supply Officer | - | 2 | 50% of the posts. |
| 7. | Assistant Commissioner/Deputy Director, RD | - | 1 | |
| 8. | Deputy Controller, Printing Stationery | - | 1 | |
| 9. | Deputy Director, Local Administration Department | - | 1 | |

10.	Deputy Director, Land Revenue & Settlement	-	1	
11.	Liaison Officer	-	5	
12.	Election Officer	-	3	
13.	District Transport Officer	-	2	66 $\frac{2}{3}$ % of the posts
14.	District Local Administration Officer	-	1	50% of the posts
15.	Deputy Director, Transport	-	1	
16.	Private Secretary to the Chief Minister	-	1	

Total : 56 Posts.

JUNIOR GRADE

1.	Block Development Officer	-	22	(2 posts re-designated)
2.	Assistant Director, LAD	-	1	
3.	Assistant Director, RD	-	1	
4.	Assistant Director, LR&S	-	1	
5.	Assistant to the Deputy Commissioner	-	14	(5 AOCs re-designated)
6.	Assistant Controller, Printing & Stationery	-	4	(2 AOCs re-designated)
7.	Sub-Deputy Magistrate	-	18	(4 AOCs re-designated)
8.	Circle Officer, LAD	-	5	(3 AOCs re-designated)
9.	Assistant Settlement Officer-II	-	12	(6 AOCs re-designated)
10.	Sub-Divisional Food and Civil Supply Officer	-	2	25% of the posts
11.	A.D.C. Planning	-	8	(6 AOCs re-designated)

Total : 88 Posts.

GRAND TOTAL : 191

RESERVE

1).	Deputation Reserve	10% of 191	=	20
2).	Leave reserve	10% of 191	=	20
3).	Training	10% of 191	=	20

30% = 60 Posts.

The effective strength of the Service 191 + 60 = 251

Sd/-

(H.V. LALRINGA)

Chief Secretary to the Government of Mizoram