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NOTIFICATION

No.A.12034/1/2000-P&AR(GSW), the 29th May, 2000.

THE GOVERNMENT OF MIZORAM REGULARISATION OF WORK-CHARGED EMPLOYEES (IN PUBLIC WORKS DEPARTMENT, PUBLIC HEALTH ENGINEERING DEPARTMENT, POWER & ELECTRICITY DEPARTMENT AND IN OTHER ESTABLISHMENTS) SCHEME, 2000.

Preamble : This scheme is formulated for giving scope for regularisation of work-charged employees to regular service under the Government of Mizoram in the light of the Hon'ble Supreme Court's directive in the case reported in AIR 1992 SC 2130.

Short title and commencement : This scheme shall be called "The Government of Mizoram Regularisation of work-charged employees (in Public Works Department, Public Health Engineering Department, Power and Electricity Department and in other establishments) Scheme, 2000.

It shall come into force with immediate effect.

Application : This scheme shall apply to all Work-charged Employees under the Government of Mizoram in group C & D categories, who were duly appointed by Competent Authority or Authorities, as the case may be.

Regularisation : (i) Regularisation of Work-charged Employees shall be in consonance with the reservation policy adapted by the Government of Mizoram from time to time.

(ii) Any person who has been employed in Work-charged capacity in Group C & D category under the Government of Mizoram who has rendered satisfactorily a minimum continuous service

of 5(five) years shall be eligible for regularisation to the corresponding posts prescribed for direct recruitment in the relevant Recruitment Rules.

Provided that such Work-charged Employee possesses the requisite Educational and other qualifications, etc. prescribed in the relevant Recruitment Rules.

Provided further that such regularisation shall be subject to satisfactory performance accorded any other like report for the last 3 (three) years, as may be maintained by the Department concerned.

(iii) Notwithstanding anything as provided in this clause, such regularisation shall be subject to availability of vacant post in direct quota of the corresponding post and shall be considered on order of length of service rendered as Work-charged Employee in the relevant category.

Regularisation not as right. : Not with standing anything contained in the clause 4 above, such regularisation cannot be claimed as a matter of right.

Upper age limit : Overaged appointment of Work-charged Employee at the initial entry in Work-Charged capacity if any, shall be subject to condonation in consultation with DP & AR immediately before such regularisation.

Pay : The pay of a Work-charged Employee shall be fixed by the Government immediately on regularisation in accordance with the relevant provisions of the Fundamental Rules, as amended from time to time and as adapted by the Government of Mizoram.

Counting of Work-charged service on regularisation : (i) **SENIORITY** : The seniority of a Work-charged Employee shall be determined and fixed by the Government on regularisation in the corresponding post.

(ii) **PENSION** : Past service rendered in Work-charged capacity shall be counted as qualifying service for the purpose of pensionary benefits as per the provisions incorporated under Government of India Decision No. 2 below Rule 14 of the CCS (Pension) Rules, 1972.

(iii) **RESIDUARY** : All residuary matter regarding counting of past service in Work-charged capacity towards entitlement of Leave, Advance etc. shall be as may be determined by the Government formulated in consonance with relevant provisions of the Rules in force and governing similar matters.

By order etc.

B. Lalhema,
Secretary to the Govt. of Mizoram,
Deptt. of Personnel & A.R.