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NOTIFICATION

No.A. 12018/1/94-P&AR(GSW), Dated Aizawl, the 21st August, 2007: In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Mizoram hereby makes the following rules :-

1. Short title and commencement :

- (1) These Rules may be called the Mizoram Secretariat Service Rules, 2007.
- (2) They shall come into force with effect from the date of publication in the official Gazette of Mizoram.

2. Definitions:

- (1) In these rules, unless the context otherwise requires:
 - (a) "Appointed Date" 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) "Constitution" means the Constitution of India.
 - (f) "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.
 - (g) "Gazette" means the Mizoram Gazette.
 - (h) "Government" means the Government of Mizoram.
 - (i) "Governor" means the Governor of Mizoram.
 - (j) "Grade" means any of the Grades specified in Rule 4.
 - (k) "Panel" means the Select List prepared in accordance with Rule 10.
 - (l) "Schedule" means schedule appended to these Rules.
 - (m) "Service" means the Mizoram Secretariat Service.
 - (n) "Temporary Officer" in relation to any grade means a person on temporary or officiating appointment in that grade on the basis of his being approved for such appointment as per Rules.

3. Initial Constitution of the Service :

On and from the commencement of these rules, there shall be constituted a Service known as the Mizoram Secretariat Service comprising of officers who were members of the erstwhile Mizoram Ministerial Service under the Mizoram Secretariat Service Rules, 1998 and the Mizoram Ministerial Service (Amendment) Rules, 2002.

4. Composition: (1) There shall be 5(five) grades in the Service namely

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

(2) The posts at Sl.No. 1 -5 above are Gazetted Group 'A' posts.

5. Combined Gradation list of the Officers of the 5 (five) Grades :

There shall be a combined gradation list as on 1st April of each year in respect of the officers in each grade.

6. Authorised Permanent Strength & Temporary Strength of the Service.

- (1) The authorized permanent strength of the various grades of the service on the appointed date shall be as specified in the Schedule II.
- (2) After the appointed date, the authorized 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 authorized permanent strength of the various grades as it may deem necessary from time to time.

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 excadre post either on deputation or otherwise in public interest.

8. Duty post to be held by members :

Every duty post of the cadre (in Departments/Offices specified in Schedule- III.) 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. Appointment to the Service :

All substantive appointments in the Service shall be made to the appropriate grade of the Service and not against any specific post in the grade, on the recommendation of the Commission.

10. Promotion:

- (1) GRADE-I : Vacancies in this grade shall be filled up by promotion from amongst the members of the Service in Grade -II who have rendered at least two years regular service in Grade-II failing which members of the service in Grade-II who have rendered at least l(one) year regular service in that grade but have completed 25 years regular service calculated from the year of entry into Grade V of the service . The method of promotion to this grade shall be by selection.
- (2) GRADE-II : Vacancies in this grade shall be filled up by promotion from amongst the members of the Service in Grade-III who have rendered at least 5(five) years regular service in that grade and are included in the panel for Grade -II. The method of promotion to this Grade shall be by Selection.
- (3) GRAGE-III : Promotion to this Grade shall be made from amongst the members of the service in Grade-IV who have rendered at least 5 years regular service in the grade and are included in the panel for Grade -III. The method of promotion to this Grade shall be by selection.
- (4) GRADE-IV : Vacancies in this Grade shall be filled up by promotion from amongst the members of the Service in Grade -V who have rendered at least 5 years regular service in that grade and are included in the panel for promotion to Grade-IV. The method of promotion to this Grade shall be by selection.
- (5) GRADE-V : 50% of the total cadre strength in this Grade shall be filled up by promotion from amongst the members of the Ministerial Service in the grade of Assistant with not less than five years regular Service who are included in the panel for promotion to the grade. The method of promotion to this Grade shall be by Selection, and the remaining 50% shall be filled up by promotion from members of the Ministerial Service in the Grade of Assistant through Limited Departmental Examination.
- (6) For the Purpose of sub-rule (1) to (5) of rule 10, panel list for the various grades may be prepared if and when considered necessary by the Government.

11. Examination Regulation :

Limited Departmental Examination referred to in sub-rule (5) of rule 10 shall be as determined by the Regulation in Appendix - 1.

12. Officiating appointment to higher grade :

Notwithstanding anything contained in sub-rules(1),(2),(3),(4) and (5) of rule 10, Officers of the grades under sub-rules(2) to (5) of rule 10 may be appointed to officiate in a temporary vacancy for a period not exceeding one year in the respective higher grades, as the case may be, if an Officer included in the panel for the relevant grade is not available or cannot, for any reason, be appointed to such vacancy.

13. Confirmation:

A person who has been confirmed in any post before being appointed as a member of the service shall be deemed to be confirmed in the service.

Once a member of the service has been confirmed in the lower grade/entry grade he shall not be required to be confirmed again in each grade or post of the service.

14. Seniority:

- (1) The Seniority inter-se of the members of the service at its initial Constitution shall be as determined by the Government in accordance with the orders and instructions in force before the commencement of these rules;
- (2) 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.
- (3) Except as provided in sub-rule(1), the seniority of persons appointed to any grade, after the appointed date shall be determined in the following manner :-

The Seniority inter-se of Officers appointed to any grade under Rule 4 after the appointed date shall be regulated by the order in which their names are included in the panel for that grade.

Provided that an Officer included in the panel had at any time refused to be appointed to a grade for reasons acceptable to the appointing authority, shall on his appointment to that grade at any time thereafter, be placed immediately after the officer who was last appointed to that grade.

15. PAY:

The scales of pay attached to the various grades of the services shall be as follows :-

- | | | |
|-----------------|---|-----------------------|
| (1) Grade - I | - | Rs. 16,400-450-20,900 |
| (2) Grade - II | - | Rs. 14,300-400-18,300 |
| (3) Grade - III | - | Rs. 12,000-375-16,500 |
| (4) Grade - IV | - | Rs. 10,000-325-15,200 |
| (5) Grade - V | - | Rs. 8,000-275-13,500 |

16. Power to relax :

Whenever 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 (by order and for reasons to be recorded in writing, in consultation with the Commission) relax 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.

17. Interpretation:

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

18. Repeal and savings :

The Mizoram Ministerial Service Rules 1998 and the Mizoram Ministerial Service (Amendment) Rules 2002 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 order ancillary thereto shall be deemed to have been made, done or taken under the corresponding provisions of these Rules.

Sd/-

C. ROPIANGA,

Secretary to the Govt. of Mizoram,
Deptt. of Personnel & Adve. Reforms.

SCHEDULE -I
(See Rule 2 (f))

Designation of posts included as "Duty posts" :-

- (1) Additional Secretary
- (2) Joint Secretary
- (3) Deputy Secretary
- (4) Senior Analyst-cum-Deputy Secretary
- (5) Under Secretary
- (6) Analyst
- (7) Deputy Director(Administration)
- (8) Superintendent
- (9) Junior Analyst
- (10) Assistant Director (ATI)

SCHEDULE-II
(See rule 6)

Authorised permanent strength of the various grades of the Mizoram Secretariat Service on the appointed date.

Sl. No.	Grade	Authorised permanent strength
1	Grade - I	(1) 1 post of Additional Secretary
2	Grade - II	(1) 4 posts of Joint Secretary
3	Grade - III	(1) 10 posts of Deputy Secretary (2) 1 post of Senior Analyst-cum-Deputy Secretary
4	Grade - IV	(1) 30 posts of Under Secretary (2) 2 posts of Analyst. (3) 19 posts of Deputy Director (Admn.)
5	Grade - V	(1) 116 posts of Superintendent (2) 6 posts of Junior Analyst. (3) 3 posts of Assistant Director, ATI.

SCHEDULE - III

(See Rule 8)

**NAME OF DEPARTMENTS/OFFICES TO WHICH
THE MIZORAM SECRETARIAT SERVICE RULES, 2007 SHALL APPLY.**

Sl. No.	Name of Department
1.	Governor's Secretariat.
2.	All Departments in Civil Secretariat.
3.	Directorate of Accounts and Treasuries.
4.	Administrative Training Institute.
5.	Directorate of Agriculture.
6.	Directorate of Animal Husbandry & Veterinary.
7.	Directorate of Art & Culture.
8.	Office of the Civil Aviation.
9.	Office of the Registrar(Co-op)
10.	Office of the Deputy Chief Election Officer
11.	Directorate of Economics & Statistics.
12.	Directorate of School Education.
13.	Directorate of Higher & Technical Education.
14.	State Council of Educational Research & Training.
15.	District Institute of Education & Training.
16.	Commissionariat of Excise.
17.	Office of the Principal Chief Conservator of Forest.
18.	Directorate of Fisheries.
19.	Directorate of Food Civil Supplies and Consumer Affairs.
20.	Directorate of Health Services.
21.	Directorate of Horticulture.
22.	Office of the Commandant General, Home Guards.
23.	Directorate of Industries and its subordinate offices.
24.	Directorate of Relief & Rehabilitation.
25.	Directorate of Labour & Employment.
26.	Directorate of Land Revenue & Settlement.
27.	Directorate of Local Administration Department.
28.	Office of the Engineer-in- Chief, P.W.D.
29.	Office of the Chief Engineer, P.W.D.(Building)
30.	Office of the Chief Engineer, P.W.D.(Highway)
31.	Office of the Chief Engineer, P.W.D.(Roads)
32.	Office of the Chief Engineer, Power & Electricity.
33.	Office of the Chief Engineer, Public Health Engineering.
34.	Office of the Controller, Printing & Stationery.
35.	Office of the Inspector General of Prison.
36.	Directorate of Rural Development.
37.	Directorate of Sericulture.
38.	Directorate of Social Welfare.
39.	Directorate of Soil & Water Conservation.
40.	Directorate of Sports & Youth Services.
41.	Directorate of Small Saving & State Lottery.
42.	Commissionariat of Taxation.
43.	Directorate of Transport.
44.	Directorate of Trade & Commerce.
45.	Directorate of Tourism.
46.	Directorate of Urban Development & Poverty Alleviation.

APPENDIX -I
(See Rule 11)

No.A.12018/1/94-P&AR(GSW), Dated Aizawl the 21st August,2007: 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 sub-rule(5) of Rule 10 of the Mizoram Secretariat Service Rules, 2007 the Governor of Mizoram is pleased to make the following regulations :-

- 1. Short title and commencement**
 - (1) These regulations may be called the Mizoram Secretariat Service Grade-V (Limited Departmental Examination) Regulations, 2007.
 - (2) They shall come into force from the date of publication in the Official Gazette.
- 2. Definitions**
 - (1) In these Regulations, unless the context otherwise requires :-
 - (a) "Limited Departmental Examination" means examination conducted under these regulations for filling up 50% of posts of Grade-V of Mizoram Secretariat Service(the posts of Superintendent, Junior Analyst and Assistant Director A.T.I).
 - (b) "Vacancies" means vacancies in the Grade V of the service which are declared to be filled by promotion on the result of Limited Departmental Examination.
 - (c) "Scheduled Tribes" 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 Secretariat Service Rules, 2007.
- 3. Holding of Examination**
 - (1) The examination shall be conducted by the Commission under these Regulations in the manner notified by the Government of Mizoram from time to time.
 - (2) The date on which and the venue at which the examination shall be held will be fixed by the Commission and it shall be conducted at such intervals as the Governor may, from time to time determine.
- 4. Conditions of eligibility**

In order to be eligible to compete Departmental Examination for filling up of 50% of the posts of Grade-V, a candidate must satisfy the following conditions :-

 - (a) He must be a citizen of India.
 - (b) He must be holding the posts of Assistant Grade included in the Mizoram Ministerial Cadre with not less than 5 years regular service in the grade.

5. Decision as eligibility

The decision of the Commission as to the eligibility or otherwise of candidates for admission to the examination shall be final and no candidate to whom a certificate of admission has not been issued by the Commission be admitted to the examination.

6. Result

- (1) The names of the candidates who are considered by the Commission 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 candidates shall be decided by the Commission at its discretion.
- (3) Success at the examination shall confer no right to appointment to posts of Grade -V of the service unless the Government is satisfied to appoint him.

7. Penalty for misconduct

A candidate who is or has been declared by the Commission to be guilty of:

- (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 of all or any of the acts specified in the foregoing clause, as the case may be shall, in addition to rendering himself liable to criminal prosecution, be liable. -
- (1) to be disqualified by the Commission from the examination for which he is candidate ;
 - (2) to be debarred either permanently or for a specified period;

- (i) by the Government from any examination or selection by them:
- (ii) by Central Government from any employment under them, and

(3) to disciplinary actions under the appropriate rules.

8. Syllabus

The examination for the posts of Grade-V shall be conducted with the syllabus as set forth below as Appendix -II.

APPENDIX -II**SYLLABUS FOR THE LIMITED DEPARTMENTAL EXAMINATION FOR
PROMOTION TO GRADE - V**

PAPER - I	3 Hours	Full Marks 100
a) Precs Writing		15 marks
b) Drafting		20 marks
c) English Grammar		40 marks
d) Essay Writing		25 marks
 PAPER - II	 3 Hours	 Full Marks 100
a) FR 1 - 127		40 marks
b) SR 3-12, 196-203		15 marks
c) CCS (Pension) Rules, 1972-theory		25 marks
d) CCS (Pension) Rules, 1972-practical		10 marks
e) CCS (Joining Time) Rules, 1979		10 marks
 PAPER - III	 3 Hours	 Full Marks 100
a) General Financial Rules 2005, Part -I, the whole of Chapter - 1,2,3,4,8,9 and 12 with appendix 13,Part-II-Compendium of Rules on Advances.		30 marks
b) Treasury Rules of the Central Government Vol. I Part I - The whole portion Part III - The whole portion Part V - Section I-III Part VII - Section III-V Part IX - The whole portion (As per Swamy's Compilation)		20 marks
c) General Provident Fund (Central Service) Rules, 1960- The whole portion		15 marks
d) Mizoram State Government Employees Group Insurance Scheme, 1992		10 marks
e) Delegation of Financial Power Rules, 1978		10 marks
f) FR & SR Part II - Traveling Allowance Rules		15 marks
 PAPER - IV	 3 Hours	 Full Marks 100
a) CCS (CCA) Rules, 1965		35 marks
b) CCS (Temporary Service) Rules, 1965		5 marks
c) CCS (Conduct) Rules, 1964		25 marks
d) LTC Rules		5 marks
e) CS (Medical Attendance) Rules		10 marks
f) CCS (Leave) Rules, 1972		20 marks

PAPER - V

3 Hours

Full Marks 100

- | | | |
|----|--|----------|
| a) | Central Secretariat Manual of Office procedure | 20 marks |
| b) | Rules of Procedure and Conduct of Business in
Mizoram Legislative Assembly (Chapter V, VIII, XIV,
XXI, XXVIII (e), (f), (h), (i) & (j) as per Sixth Edition, 2004) | 15 marks |
| c) | Article 12-19, 36-51-A, 309-323 of the Constitution of India | 20 marks |
| d) | Govt. of Mizoram (Allocation of Business) Rules, 1987 as
amended from time to time. | 5 marks |
| e) | Govt. of Mizoram (Transaction of Business) Rules, 1987 | 10 marks |
| f) | Chapter 39 and 40 (ie. Confirmation and Seniority) of Swamy's
complete manual on Establishment and administration. Procedure to
be observed by Departmental Promotion Committee laid down by
Government of Mizoram from time to time. | 25 marks |
| g) | The State of Mizoram Act, 1986 | 5 marks |