सत्यमेव जयते

The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973 Postal Regn. No. NE-313(MZ) 2006-2008 Re. 1/- per page

VOL - XLII Aizawl, Monday 23.9.2013 Asvina 1, S.E. 1935, Issue No. 508

NOTIFICATION

No.A.12018/53/2012-P&AR(GSW), the 20th September, 2013. 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, namely :-

PART – I
PRELIMINARY

1. **Short title and Commencement** :
   (1) These Rules may be called the **"Mizoram Engineering Service Rules, 2013"**.
   (2) They shall come into force from the date of publication in the official Gazette.

2. **Scope and Applicability** : These Rules shall be applicable to all persons appointed to the service either before or after promulgation of these rules in -
   (a) the Public Works Department;
   (b) the Public Health Engineering Department ;
   (c) the Power and Electricity Department;
   (d) the Minor Irrigation Department.
   (e) Any other Department as the Government may consider appropriate from time to time.

3. **Definitions** : In these rules, unless the context otherwise requires –
   (a) "Appointing Authority" means the Governor of Mizoram ;
   (b) "Commission" means the Mizoram Public Service Commission;
   (c) "Constitution" means the Constitution of India;
   (d) "Controlling Authority" means the Secretary, which shall include Commissioner or Principal Secretary appointed as the Head of respective Administrative Department mentioned in rule 2 above ;
   (e) "Direct Recruitment" means Recruitment made to the service other than by promotion;
   (f) "Duty Post" means any post specified in the Schedule and any other posts declared by the Governor as the duty post for Mizoram Engineering Service.
   (g) "Gazette" means the Mizoram Gazette;
   (h) "Government" means the Government of Mizoram;

(i) "Governor" means the Governor of Mizoram;
(j) "Member" means a Member of the Mizoram Engineering Service;
(k) "Schedule" means a Schedule attached to these Rules.
(l) "Scheduled Caste" and "Scheduled Tribe" means such castes and tribes as are specified by the President of India under Article 341(1) and 342(1) respectively 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
(m) "Service" means the Mizoram Engineering Service;
(n) "State" means the State of Mizoram
(o) "Year" means a Calendar Year

PART – II
CONSTITUTION, COMPOSITION, GRADES, DESIGNATION AND STRENGTH OF THE MIZORAM ENGINEERING SERVICE.

4. **Constitution and Composition**: (1) With effect from such date as the Government may, by notification in the Gazette, appoint in this behalf, there shall be constituted a State Engineering Service to be known as the Mizoram Engineering Service consisting of Engineers of different disciplines appointed to the Engineering Departments or any other Department as may be found suitable by the Government, and thereafter, as may be appointed to the Service by the Government from time to time.

(2) The Mizoram Engineering Service shall consist of the following cadres, namely-

(i) **Public Works Cadre**, which shall include the following separate wings-
a) Civil Wing, which shall consist of all Civil Engineers under the Public Works Department.
b) Mechanical Wing, which shall consist of all Mechanical Engineers/ Electrical Engineers under Public Works Department.
c) Architecture Wing, which shall consist of the duty posts of Architects under Public Works Department.

(ii) **Power & Electricity Cadre**, which shall include the following separate wings
a) Electrical Wing, which shall consists of all Electricals/Electronics/ Electrical & Electronics/Electronics & Communication/Electronics & Telecommunication/Mechanical/Computer Science Engineers under Power & Electricity Department.
b) Civil Wing, which shall consists of all Civil Engineers under Power & Electricity Department.

(iii) **Public Health Engineering Cadre**, which shall comprise of all the duty post of Engineers appointed to the Public Health Engineering Department.

(iv) **Minor Irrigation Cadre,** which shall comprise of all the duty post of Agricultural and Civil Engineers appointed under Minor Irrigation Department.

(3) On and from the commencement of these rules.

a) all the Civil Engineers, Mechanical Engineers, Electrical Engineers, Architects recruited under Public Works Department shall stand allocated to the Public Works Cadre;
b) all the Electrical Engineers, Electronics Engineers, Electrical & Electronics Engineers, Electronics & communication Engineers, Electronics & Telecommunication Engineers, Computer Science Engineers, Mechanical Engineers, Civil Engineers recruited under the Power and Electricity Department shall stand allocated to the Power and Electricity Cadre; and
c) all the Engineers recruited and subsequent recruitments under the Public Health Engineering Department shall stand allocated to the Public Health Engineering Cadre.
d) all the Agricultural and Civil Engineers recruited under Minor Irrigation Department shall stand allocated to the Minor Irrigation Cadre.

(4) A member of one Cadre shall not be appointed or have any right for appointment or promotion to any post included in any other Cadre. Similarly, a member of one wing of the Cadre shall have no right for appointment or for promotion in any other Wing.

Provided that, notwithstanding anything contained in these rules, appointment/posting to the post of Secretary to the Government of Mizoram included in the Schedule appended to these rules shall be made from the seniormost member of the service in the Supertime Grade 'A' of either PWD or P & E or PHE Cadre, or as may be decided by the Government from the Service from time to time.

5. **Classification of Grades** (1) The Service shall have the following Grades, namely:-
1) Supertime Grade-'A'
2) Supertime Grade-'B'
3) Selection Grade.
4) Junior Administrative Grade.
5) Senior Grade
6) Junior Grade

The posts included in the respective Grades are as shown in the Schedule to this rules.

(2) The Service shall also include any post or grade subsequently included in the Cadre of the service.

6. **Cadre Strength** : The Cadre strength of different Grades of the Service shall be as shown in the Schedule which may be increased or decreased by the Government from time to time.

7. **Designation** : Members of the Service shall, at the commencement of these Rules, be designated as mentioned in the Schedule to these rules and such other designations which the Governor may hereafter decide.

PART - III
INITIAL CONSTITUTION, RECRUITMENT, ETC.

8. **Initial** At the commencement of these Rules, the following persons shall be members of

Constitution 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:

(a) Persons appointed under the Mizoram PWD, PHE, Power & Electricity Deptts (Group B posts) Recruitment Rules, 1976

(b) Persons appointed under the Mizoram PWD, PHE, Power & Electricity Deptts (Group A posts) Recruitment Rules, 1979.

(c) Persons appointed under MES Rules, 1995 as amended from time to time

(d) Persons appointed under MES Rules, 2001 as amended from time to time;

(e) Persons appointed for Minor Irrigation under Agriculture Department (Group A posts) Recruitment Rules 1977 & 1987 as amended from time to time, Agriculture Department (Agri. Engrs) Group A Post Recruitment Rules 1990 & Agriculture Department Group A Posts (Agricultural Engineering) Recruitment Rules 1998 as amended from time to time and Minor Irrigation Deptt. (Group A Posts) Recruitment Rules 2009 and Recruitment Rules 2010 as amended from time to time.

Provided that no person shall be considered for inclusion under this rules who does not qualify for appointment under the rules mentioned at (a) to (e) of Rule 8 above.

9. **Recruitment to the Service** Recruitment/Appointment to various Grades of the Service and fixtation of Pay etc. after the commencement of these Rules shall be regulated as per Part V of these Rules.

10. **Nationality & domicile**

(1) No person shall be qualified for appointment to the Service unless he is a citizen of India as defined in Articles 5 to 8 of the Constitution of India.

(2) A candidate, in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview conducted by the Commission on his furnishing proof that he has applied for a certificate.

11. **Qualification for direct recruitment**: No person shall be appointed to the service by direct recruitment unless -

a) He/she holds an Engineering Degree or equivalent qualification in the appropriate line from any Indian University/Institution or Foreign University/ Institution recognised by the Government.

OR

He/she has passed Section A and B of the Associate Membership of the Institution of Engineers (India) and possessing Certificate to that effect from the said Institution.

b) He/she produces from the Medical Authority a certificate of mental and physical fitness in all respects for outdoor duties.

c) His/Her character and antecedents are such as to qualify him/ her for such service.

Provided that any person who is dismissed or discharged from service under the Government or any other organization for misconduct or who is convicted of any offence involving moral turpitude shall be disqualified for recruitment.

12	Age Limit for direct recruits :	(1)	The age limit for direct recruitment shall be not less than 21 years and not more than 35 years on the first day of the month of recruitment with the relaxation of 5 years in case of candidates belonging to Scheduled Caste or Scheduled Tribes or any other backward classes as laid down by the Government.
		(2)	The age recorded in the Birth Certificate issued by competent authority or High School Leaving Certificate or equivalent examination shall be accepted as final. If date of birth is recorded in HSLC/CBSE or equivalent examination certificate that will be accepted as final.
		(3)	In case of candidates possessing the required qualification, who has already been in the service of the Government, Semi Govt. of autonomous or organizations, the upper age limit may be relaxed up to the extent of continuous regular service rendered by them.
		(4)	In exceptional circumstances, the appointing authority may condone overage of a candidate to the extent necessary on the merit of each case.
13.	Physical fitness	(1)	A candidate for direct recruitment shall be of sound health both mentally and physically and shall be free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duty.
		(2)	A Candidate for direct recruitment shall be required to undergo medical examination before appointment to the service as may be decided by the Government from time to time.
14.	Disqualification for Examination and Interview	:	Any attempt on the part of a candidate to obtain support for his candidature by any means may be held by the Commission to disqualify him for admission/selection to the examination/interview.
15.	Penalty for misconduct	:	A candidate who is or has been declared by the Commission guilty of impersonation or of submitting fabricated document (s), which has/ have been tampered with or of making statement (s) which is/are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall/interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or interview, in addition to rendering himself/herself liable to criminal prosecution, may be -
		(a)	debarred permanently or for a specified period : (i) by the Commission from admission to any examination or appearance at any interview held by the Commission or for consideration for selection, and (ii) by the Government from Employment under them and also
		(b)	liable to disciplinary action under the appropriate rules, if she/he is already in the service under the Government.
16.	Disqualification for Appointment :	(1)	No person who has more than one wife living shall be eligible for appointment to any post under these rules. Provided that if any candidate is allowed to marry more than one wife at a time under the personal law applicable to such

candidate and the other party to the marriage and the Government satisfied about the permissibility of such marriage they shall not be disqualified by reason of such marriage.

(2) No person who is in service of the Government and other Government undertaking shall be eligible for appointment in service unless he/she produces a discharge certificate from his/her previous employer.

(3) The appointing authority may institute such inquiries as he/she may deem necessary as to the particular of any candidate in respect of nationality, age, character, conduct, antecedents etc. and if the result of such inquiry in his opinion is unsatisfactory in any of these aspects, the candidate may be declared disqualified with an intimation to the Commission.

(4) No person shall be appointed to the Service who, after such medical examination as the Government may prescribe, is not found to be in good mental or bodily health and free from any mental or physical defect likely to interfere with the discharge of the duties of the Service.

PART - IV
APPOINTMENT, PROBATION, CONFIRMATION, ETC.

17. Appointment to the service:

(1) Subject to the provision of Rule 11 and subject to the availability of vacancy or vacancies, appointment to the service shall be made by the Governor in accordance with the order of names arranged in the merit list by the Commission which shall be notified in the Gazette.

(2) A person recruited under Sub-rule (6)(a) of Rule 22 shall join within 45 (forty five) days from the date of issue of the order of appointment, failing which and unless the Governor extends the period, the appointment shall be deemed to be cancelled.

(3) All appointments to the service shall be made to the appropriate grades of the service and not against specific posts.

(4) All 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.

(5) Notwithstanding anything contained in sub-rule (4) above the Governor may withhold the appointment of a member to the Senior Grade till he/she -

(a) is confirmed in the service or

(b) passes the prescribed Departmental examination(s)

18. Probation :

(1) A member of the service recruited under sub-rule (6)(a) of Rule 22 shall be on probation for a period of 2 (two) years, which may be extended by the Governor for good and sufficient reasons to be recorded in writing for a further period as may be decided by the Government in the individual cases.

(2) 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.

19. **Confirmation** : A member of the service who has successfully completed his probation period to the satisfaction of the Appointing Authority 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 also that a person who has been confirmed in any grade or post of the Government before being appointed as member of the service shall be deemed to have been confirmed in the service.

20. **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.

21. **Training** : A member of the service shall be required to undergo such training and pass such departmental examinations as may be prescribed by the Governor from time to time. The departmental examination required for promotion to higher grade shall be conducted by the Mizoram Public Service Commission as per rules & regulations laid down by the Governor in consultation with the Commission.

PART - V
TIME SCALE OF PAY, PROMOTION, INITIAL FIXATION OF PAY ETC.

22. **Time Scale of Pay, Recruitment & Promotion to Higher Grades** : The time scale of pay and conditions of promotion to higher grades admissible to the members of the service shall be as follows subject to revision by the Governor from time to time:-

(1) **Supertime Grade- A** : Pay Band-4 in the scale of Rs.37,400-67,000/- with Grade Pay Rs.9,500/- p.m

To fill up vacancy(cies) in this Grade, a member of the service

in the Supertime Grade-B who have completed 2 years of regular service in the grade failing which officer in the Supertime Grade B who have completed 25 years of regular continuous service calculated from the date of entry in to the Junior Grade of the Service shall be eligible for promotion by Selection Method.

(2) Supertime Grade –B : Pay Band-4 in the scale of Rs.37,400-67,000/- with Grade Pay Rs.8,900/- p.m

To fill up vacancy(ies) in this Grade, members of the service in the Selection Grade who have rendered 5 years regular service in the Grade failing which member of the service in the Selection Grade who have completed 20 years regular continuous service calculated from the date of entry in to the Junior Grade of the Service out of which at least 2 years shall be in the Selection Grade shall be considered for promotion by Selection Method

3) Selection Grade : Pay Band-4 in the scale of Rs.37,400-67,000/- with Grade Pay Rs.8,700/- p.m.

To fill up vacancy(ies) in this Grade, member of the Service in the Junior Administrative Grade who have rendered 5 years regular service in the grade, failing which officer on regular service in the Junior Administrative Grade who have completed not less than 15 years of regular continuous service calculated from the date of entry in to the Junior Grade of the Service out of which at least 2 years in the Junior Administrative Grade shall be considered for promotion by selection method.

		Provided that 92% of the sanctioned posts shall be reserved for Graduate Engineers and 8% for Non-Graduate Engineers. Provided further that the reservation system shall be discontinued after all the present incumbent Non-Graduate Engineers in JAG as on the date of commencement of these rules get promotion, dead, retired or quitted the Service by any means.
(4)	Junior Administrative Grade (Non-Functional)	Pay Band – 3 in the scale of Rs.15,600/- 39,100/- with Grade Pay Rs.7,600/- p.m. Members of the Service in the Senior Grade who have completed 12 years regular continuous service calculated from the date of entry into the Junior Grade of the Service, out of which 5 years shall be in the Senior Grade shall be eligible for promotion to JAG (Non-Functional). The ceiling limit for JAG has been fixed at 23% of the effective strength of the post in the Junior Grade and Senior Grade of the Mizoram Engineering Service. Provided that 80% of the posts shall be reserved for Graduate Engineers and 20% for Non-Graduate Engineers. Provided further that the reservation system shall be discontinued after all the present incumbent Non-Graduate Engineers in Senior Grade as on the date of commencement of these rules get promotion, dead, retired or quitted the Service by any means.

(5) Senior Grade : Pay Band – 3 in the scale of Rs.15,600/-Pay 39,100/- with Grade Pay Rs.6,600/- p.m

To fill up vacancy(ies) in this Grade, members of the Service in the Junior Grade who have completed not less than 5 years continuous regular service in the Junior Grade and have passed Departmental Examinations in Engineering and Accounts conducted by the Mizoram Public Service Commission shall be eligible for consideration for promotion by Selection Method.

Provided that 80% of the posts shall be reserved for Graduate Engineers and 20% for Non-Graduate Engineers.

Provided further that the reservation system shall be discontinued after all the present incumbent Non-Graduate Engineers in Junior Grade as on the date of commencement of these rules get promotion, dead, retired or quitted the Service by any means.

(6) Junior Grade : Pay Band – 3 in the scale of Rs.15,600/-Pay 39,100/- with Grade Pay Rs.5,400/- p.m
Vacancies in this Grade shall be filled in the manner laid down below :-

a) By Direct Recruitment :

1) 65% of total duty posts in Junior Grade of each Cadre/Wing of the Service shall be filled up by direct recruitment of Graduate Engineers of appropriate line of Engineering as per Sub Rule (2) of Rule 4 through Competitive Examination and personal interview conducted by Mizoram Public Service Commission in accordance with the Mizoram Engineering Service (Competitive Examination) Regulations 2013. Out of 65% of post reserved for direct recruitment, 3% shall be reserved for persons with disabilities.

2) For direct recruitment to the post of Junior Grade, the Government shall send requisition to the Commission separately for each Cadre/Wing indicating (i) number of vacancies to be filled up by direct recruitment and (ii) the appropriate line of Engineering. Number of Vacancies to be filled for each line of Engineering may be decided by the Government in consultation with the Department concerned on need basis.

3) The Commission shall prepare and forward to the Government a list arranged in order of merit of the candidates who have qualified in the examination and interview.

4) 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.

5) 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 be fixed by the Commission.

b) **By Promotion :**

1) 35% of total duty posts in the Junior Grade of each Cadre/ Wing of the Service shall be filled up by promotion from Junior Engineer or Draftman Grade I by selection method, who have completed 5 years regular service as Junior Engineer/ Draftman-I and have passed Departmental Examination in Engineering and Accounts unless exempted by special or general order.

23. **Transfer & Posting**

(1) The Government may fill in any ex-cadre Engineering posts from members of the Cadre on deputation.

(2) Members of the Service shall be liable to be transferred and posted to a posts outside the Cadre under the Government which is equivalent in rank or Grade as the Governor may consider necessary.

24. **Fixation of initial pay** :

(1) On first appointment to the service in the 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 rules for the time being in force his pay has to be fixed at a higher stage.

(2) 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.

25. **Increment** :

(1) The first increment admissible to a member of the service in the Junior Grade time scale shall accrue on the successful completion of the probation period.

(2) 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 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.

26. Promotion to higher grades :

(1) Promotion from lower grade to higher grade after the commencement of these rules shall be made by the Governor from the confirmed members of the service on the basis of their inter-se seniority maintained under Rule 20 and on the basis of the recommendation offered by the Commission;

Provided that all promotions shall be recommended by the Commission strictly on the basis of merit-cum-seniority of the members of the service after having satisfied with the reports on his/her integrity, character and performance subject to the provision of qualifying service prescribed in Rule 22.

(2) Whenever any vacancy/vacancies arise(s) to be filled up by promotion, the Controlling Authority shall furnish to the Commission through the DP&AR the following documents and informations:-

(a) Grade and number of posts to be filled.

(b) List of officers in order of seniority eligible for promotion (separate list for promotion to different grades and cadres/ wing to be furnished) indicating the grade and cadre/or wing to which the case of promotion is to be considered.

(c) Final up-to-date seniority list of the concerned rade(s)

(d) Annual Confidential Reports/Annual Performance Appraisal Reports of eligible candidates of preceding years as may be required, duly reviewed and accepted by the authorities concerned.

(e) Vigilance Department's letter on cases pending or otherwise against the candidates and report from the Department concerned about disciplinary cases pending against them.

(f) Any other documents and information as may be considered necessary by the Commission.

(3) The Controlling Authority shall simultaneously request the Commission to recommend within one month a list of Officers found suitable for promotion in order of merit in respect of promotion to each grade or cadre in which recruitment is to be made by promotion.

(4) The select list shall remain valid for 12 (twelve) months from the date of approval by the Government or till such further time as may be extended by the Governor, limited to six months.

(5) The promotion shall be in accordance with the list finally approved by the Government.

PART - VI
MISCELLANEOUS

27. Resignation : A member of the service may, at any time, resign from service by giving notice for the period as may be prescribed under general rules framed or adapted by the Government from time to time.

28. **Discharge or Reversion** A temporary or officiating member on expiry of such appointment shall be liable to be discharged or reverted to the lower grade or feeder cadre of the service, to his/her original service, if :-

(a) he/she fails to qualify in or successfully complete any training as may be prescribed by the Government from time to time, or fails to render satisfactory service during tenure of service in the cadre, and

(b) it is found on subsequent verification or inquiry that he/she was initially not qualified for the appointment or that he/she furnished any fraudulent or incorrect and fabricated information with regard to his/her appointment.

29. **Incentive to the members** : The member of the service who obtained higher technical educational qualification than the prescribed qualification for direct recruitment under Clause (a) of Rule 11 shall be given incentives as follows :

(i)	Post Graduate Diploma	– 1 increment
(ii)	Post Graduate Degree	– 2 increments
(iii)	Doctorate Degree	– 3 increments

Provided that the advance increment(s) shall not affect the inter-se- seniority of the members of the service.

30 **Leave, Pension and other matters** In respect of leave, pension, discipline and other conditions of the service not expressly provided for in these rules, the members of the service shall be governed by the general rules in force as adapted by the Government from time to time.

31. **Mode of deployment :** A member of the service shall be liable to be posted to hold any post under the Government or autonomous body anywhere within the State of Mizoram or anywhere in India in public interest. He/she may also be posted to any other Department of the Government.

32. **Superannuation**: A member of the service shall retire on attaining 60 years being the age of superannuation as per rules for the time being governing such conditions of service in the Government as may be adapted or framed by the Government from time to time.

33. **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.

34. **Power to Relax :** 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 implementation of this Rule, it is considered necessary, he may, in consultation with the Commission, dispense with or relax or amend and repeal such particular rule or rules or any of the schedules to this Rules, to such extend 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.

35. Repeal and Saving

The Mizoram Engineering Service Rules, 2001 notified vide No. A.12018/1/95-PAR (GSW) dt.05.12.2001, published in the Mizoram Gazette Extraordinary issue No 273 dt 6.12.2001 and its subsequent amendment, the Mizoram Minor Irrigation Department (Group 'A' Post) Recruitment Rules, 2009 published in the Mizoram Gazette Extraordinary issue No 487 dt 29.10.2009 and Mizoram minor Irrigation Department (Group 'A' Post) Recruitment Rules, 2010 published in the Mizoram Gazette Extraordinary issue No. 448 date 11.11.2010 shall stand repealed with the commencement of these rules.

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

By orders,

C. Zothankhumi,
Addl. Secretary to the Govt. of Mizoram,
Department of Personnel & Administrative Reforms.

S C H E D U L E
AUTHORISED PERMANENT CADRE STRENGTH OF THE SERVICE
(See Rule-6)

Sl. No	GRADE	PWD Cadre			P&ED Cadre		PHED Cadre	MID Cadre	TOTAL	Name of Post
		Civil Wing	Mech. Wing	Arch. Wing	Elect. Wing	Civil wing				
1.	Super time Grade 'A'	1	-	-	1	-	1	-	3	Engineer-in-Chief and equivalent Grade
2.	Super time Grade 'B'	4	-	1	3	1	2	1	12	1. Chief Engineer 2. Chief Architect and equivalent grade
3.	Selection Grade	15	1	2	14	2	9	2	45	1.Superintending Engineer 2.Sr. Architect 3.Jt. Secretary 4.Director and equivalent grade
4.	Junior Administra-tive Grade	23 % of effective Cadre Strength of Senior Grade & Junior Grade as per qualifying service subject to a maximum limit of Senior Grade posts								1.Sr. Grade EE (N.F.)/ 2.Sr. Grade Arch (N.F.) and equivalent
5.	Senior Grade	51	4	4	31	6	29	9	134	1.Under Secretary 2.Executive Engineer 3.Architect & equivalent grade
6.	Junior Grade	150	9	10	77	19	68	17	350	AE/SDO/ Asst. Architect.
Effective Cadre Strength of Senior Grade & Junior Gr		201	13	14	108	25	97	26	484	
Grand Total		**221**	**14**	**17**	**126**	**28**	**109**	**29**	**544**	
Reserves : 1) Deputation Reserve 10%		22	1	2	12	3	11	3	54	
2) Leave Reserve 10%		22	1	2	12	3	11	3	54	
3) Training Reserve 10%		22	1	2	12	3	11	3	54	
Total :		*66*	*3*	*6*	*36*	*9*	*33*	*9*	*162*	
Effective Strength of the Service		**287**	**17**	**23**	**162**	**37**	**142**	**38**	**706+ 1 post of Secretary to Govt. of Mizoram**	

DUTY POSTS IN OTHER DEPARTMENTS/ORGANISATIONS

1.	Executive Engineer	- 2 posts	:	1) Police Department-1 (PWD Cadre) 2) Health & Family Welfare Department-1 (PWD Cadre)
2.	Assistant Engineer	- 9 posts	:	1) Police Department - 1(PWD Cadre) 2) Education & H.R.D. Department - 1(PWD Cadre) 3) Transport Department - 1(PWD Cadre) 4) Industries Department - 1(PWD Cadre) 5) Deputy Commissioner, Lunglei - 1(PWD Cadre) 6) Deputy Commissioner, Aizawl - 1(PWD Cadre) 7) Government Polytechnic Lunglei-2 as Lecturers(PWD 8) Forest & Environment Department-1 (PWD Cadre)

Published and Issued by Controller, Printing & Stationery Department, Government of Mizoram
Printed at the Mizoram Government Press, Aizawl. C/500

The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973 Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLVI Aizawl, Thursday 30.11.2017 Agrahayana 9, S.E. 1939, Issue No. 771

NOTIFICATION

No.A.12018/53/2013-P&AR(GSW), the 27th November, 2017. 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 is pleased to amend the Mizoram Engineering Services Rules, 2013 (hereinafter referred to as the Principal Rules) which was notified under No. A. 12018/53/2012-P&AR(GSW) dated the 20th September, 2013 and published in the Mizoram Gazette Extraordinary Issue No. 508 dated the 23rd September, 2013, namely :-

1. *Short title and commencement*
   (1) These Rules may be called the Mizoram Engineering Service (Amendment) Rules, 2017
   (2) They shall come into force from the date of their publication in the Mizoram Gazette.

2. *Amendment of Rule 2*
   In sub-rule (d) of rule 2 of the Principal Rules, the nomenclature Minor Irrigation shall substituted as "Irrigation and Water Resources"

3. *Amendment of Rule 4*
   In sub-rule (2)(iv) and sub-rule (3)(d) of rule 4 of the Principal Rules, the nomenclature Minor Irrigation shall substituted as "Irrigation and Water Resources"

4. *Amendment of Rule 8*
   In sub-rule (e) of rule 8 of the Principal Rules, the nomenclature Minor Irrigation shall be substituted as "Irrigation and Water Resources"

5. *Amendment of Rule 22* (1) sub-rule (3) of rule 22 of the Principal Rules shall be substituted by the following, namely,

   "3) Selection Grade :
   Pay Band-4 in the scale of ₹ 37,400-67,000/- with Grade Pay ₹ 8,700/-pm.

   To fill up vacancy(ies) in this Grade, a member of the Service in the Junior Administrative Grade who have rendered 5 years regular service in the grade, failing which officer on regular service in the Junior Administrative Grade who have completed not less than 15 years of regular continuous service calculated from the date of entry into the Junior Grade of the Service out of which at least 2 yewars in

the Junior Administrative Grade shall be considered for promotion by selection method.

Provided that 92% of the sanctioned posts shall be reserved for direct quota and 8% for promotion quota.

Provided further that the reservation system shall be discontinued after all the incumbent in JAG from promotion quota as on the date of commencement of the Principal Rules i.e. 23.09.3013 either get promotion or died while in service or retired on superannuation pension or resigned from the Service or removed/dismissed from service"

(2) Sub-rule (4) of rule 22 of the Principal Rules shall be substituted by the following, namely,

"4) Junior Administrative Grade (Non-Functional):Pay Band-3 in the scale of ₹ 15,600-39,100/- with Grade Pay & 7,600/- p.m.

A member of the Service in the Senior Grade who has completed 12 years of regular continuous service calculated from the date of entry into the Junior Grade of the Service, out of which 5 years in the Senior Grade shall be eligible for promotion to JAG (Non-Functional). The ceiling limit for JAG shall be fixed at 23% of the cadre strength of the post in the Junior Grade and Senior Grade of the Mizoram Engineering Service subject to the maximum of Senior Grade duty posts.

Provided that 80% of the posts shall be reserved for direct quota and 20% for promotion quota.

Provided further that the reservation system shall be discontinued after all the incumbents in Senior Grade from promotion quota as on the date of commencement of the Principal Rules i.e. 23.09.2013 either get promotion or died while in service or retired on superannuation pension or resigned from the Service or removed/dismissed from Service"

(3) Sub-rule (5) of rule 22 of the Principal Rules shall be substituted by the following, namely,

"5) Senior Grade : Pay Band-3 in the scale of ₹ 15,600-39,100/- with Grade pay ₹ 6,600/- p.m.

a) To fill up vacancy(ies) in this Grade, a member of the Service in the Junior Grade who have completed not less than 5 years continuous regular service in the Junior Grade and have passed Departmental Examinations in Engineering and Accounts conducted by the Commission shall be eligible for consideration for promotion by Selection Method.

Provided that 80% of the posts shall be reserved for direct quota and 20% for promotion quota

Provided further that the reservation system shall be discontinued after all the incumbents in Junior Grade from promotion quota as on the date of commencement of the Principal Rules i.e.

23.09.2013 either get promotion or died while in service or retired on superannuation pension or resigned from the Service or removed/dismissed from Service

b) Notwithstanding anything in sub-rule (5)(a) of these rules, a member of the Service in the Junior Grade who have completed not less than 10 years continuous regular service in the Junior Grade and have passed Departmental Examination in Engineering and Accounts conducted by the Commission shall be eligible for non-functional promotion without linkage to vacancies by Selection Method.

Provided that the provision for non-functional promotion shall be irrespective of the reservation system between direct recruits and promotees and shall be effective from the date of issue of notification No. A. 12018/53/2013-P&AR(GSW) dated 04.08.2015

Provided further that the posting of Officers to the functional posts in Senior Grade of the service shall be done, as far as possible, on the basis of seniority or as determined by the Government from time to time.

6. *Amendment of Rule 29*

Rule 29 of the Principal Rules shall be substituted as follows, namely,

"29) A member of the service who obtained higher technical educational qualification than the prescribed qualification for direct recruitment under sub-rule (a) of Rule 11 shall be given incentives as prescribed by Finance Department vide OM No. A. 26019/1/99-FIN(PRU) dated 30.04.2004 or as per the instructions of the Government in Finance Department from time to time;

Provided that the grant of incentive shall not affect the inter-se-seniority of the members of the service"

7. *Amendment of the Schedule*

In the Principal Rules, the authorised cadre strength of the Service as shown in the Schedule shall be substituted with the Schedule as shown in Annexure-I

8. *Repeal and savings*

The notification issued by the Government of Mizoram vide No. 12018/53/2013-P&AR(GSW) dated 04.08.2015 and even number dated 12.08.2015 stands repealed with effect from the date of commencement of these Rules.

Provided that any order made or any action taken under the notification 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.

By order, etc

Lalrinsanga,
Joint Secretary to the Govt.of Mizoram.

Annexure-I

SCHEDULE

Authorised Cadre Strength of the Mizoram Engineering Service

(See Rule 6)

Sl. No.	Grade	PW Cadre			P&E Cadre		PHE Cadre	I&WR Cadre	Total	Name of posts
		Civil Wing	Mech. Wing	Arch. Wing	Elect. Wing	Civil Wing				
1	Supe.time Grade 'A'	1	-	-	1	-	1	-	3+1 post of Secretary to the Government	1) Secretary to the Government 2) Engineer-in-Chief
2	Supertime Grade 'B'	4	-	1	3	1	3	1	12	1) Chief Engineer 2) Chief Architect and Equivalent grade
3	Selection Grade	15	1	2	14	2	8	2	45	1) Superintending Engineer 2) Senior Architect 3) Jt. Secretary and Equivalent grade
4	Junior Administrative Grade (Non-functional)	The ceiling limit for JAG (Non-Functional) is fixed at 23% of the cadre strength of the post in the Junior Grade and Senior Grade of the Service subject to a maximum of Senior Grade duty posts								1) Senior Grade EE (NF) 2) Senior Grade Architect (NF) and equivalent grade
5	Senior Grade	51+NF	4+NF	4+NF	34+NF	6+NF	29+NF	9+NF	137+NF	1) Executive Engineer 2) Architect 3) Under Secretary 4) Senior Sub-Divisional Officer/Senior Assistant Engineer/Senior Architect and equivalent grade
6	Junior Grade	150	9	10	76	19	68	17	349	1) Assistant Engineer 2) Sub-Divisional Officer 3) Assistant Architect and equivalent grade
	Cadre strength of Senior Grade and Junior Grade	201	13	14	110	25	97	26	486	
	Grand Total of duty posts	221	14	17	128	28	109	29	546 + 1 post of Secretary	
	Reserves : (1) Deputation reserve @ 10%	22	1	2	13	3	11	3	55	
	(2) Leave reserve @ 10%	22	1	2	13	3	11	3	55	
	(3) Training reserve @ 10%	22	1	2	13	3	11	3	55	
	Total of (1) + (2) + (3)	66	3	6	39	9	33	9	165	
	Effective cadre strength of the Service	287	17	23	167	37	142	38	711 + 1 post of Secretary	

Published and Issued by Controller, Printing & Stationery Department, Government of Mizoram
Printed at the Mizoram Government Press, Aizawl. C/100