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NOTIFICATION

No. LA/ESTT.106/2024/1, the 6th June, 2024: In the interest of public service the Mizoram Legislative Assembly Secretariat hereby make the following scheme for regularization/ regular appointment of Provisional Employees to regular posts under the Mizoram Legislative Assembly Secretariat, namely:-

1. Short title and commencement:-
 - 1) This scheme may be called the Mizoram Legislative Assembly Secretariat Regularization of Provisional Employees Scheme, 2024.
 - 2) It shall come into force from the date of publication in the Official Gazette.
2. Application:-
 - 1) This scheme shall apply to all Provisional Employees under the Mizoram Legislative Assembly Secretariat who fulfilled all the following conditions:
 - a) Provisional Employees engaged by the appointing authority against Group 'C' and 'D' posts by issuing an Engagement Card; and
 - b) Provisional Employees engaged with prior approval of the Department of Personnel & Administrative Reforms and Finance Department for engagement under the Wages Expenditure head of account of the Mizoram Legislative Assembly Secretariat; and
 - c) Provisional Employees engaged with recommendation of the duly constituted Departmental Promotion Committee in respect of employees engaged on or after 19.02.2014 (i.e. on or after issue of DP&AR OM No. A.32012/1/2013-P&AR(GSW)/Pt dated 19.02.2014) for their initial engagement.
 - 2) This scheme shall not apply to the Provisional Employees engaged on co-terminus basis under the Mizoram Legislative Assembly Secretariat.

3. Reservation of vacancies for regularization:- Forty per cent of the vacancies in any Group 'C' or Group 'D' post falling within the direct recruitment quota as per the recruitment rules shall be reserved for regularization/regular appointment of Provisional Employees in a vacancy year.

Note 1 : For the purpose of calculation of the quota that shall be reserved for regularization under sub-paragraph (1) above, it is clarified that the reserved quota shall be calculated from the total available vacancies in a particular vacancy year within the direct recruitment quota for that particular category of post/grade as per the relevant recruitment rules.

Note 2: For the purpose of calculation of vacancies reserved for regularization, fraction of a vacancy either half or exceeding half but less than one may be taken as one vacancy.

Note 3 : Vacancies for the purpose of regularization have to be calculated vacancy year wise as per vacancy based roster. Vacancy year, in this context, refers to the period from 1st April of a calendar year to 31st March of the next calendar year.

4. Eligibility conditions for regularization:- A Provisional Employee shall be eligible to be considered for regularization to regular post under this scheme if he/ she fulfills all of the following eligibility conditions:

1) He/She must be continuously engaged as Provisional Employee for not less than 5 (five) years in the same post for which he/she seeks regular appointment/ regularization; and

Provided that there is no break between the services rendered as Muster Roll and Provisional-employee in the same sanctioned post, the services rendered as Muster Roll shall be counted as service in Provisional-Employee for the purpose of regularization.

2) He/She must possess the educational and other qualifications for direct recruitment prescribed by the relevant recruitment rules for the corresponding post; and

3) The performance reports of the Provisional Employee for the last preceding 5 (five) years shall not be below the benchmark prescribed by the Government from time to time.

Note : Relevant recruitment rules to be applied in this context, is the rules in force at the time of occurrence of vacancy of a post against which the Provisional Employee is to be regularized.

5. Procedure for regularization:-

The procedure to be followed by the Departmental Promotion Committee for consideration of cases for regularization under this scheme shall be as per the instructions/guidelines on the subject matter issued by the Government from time to time.
6. Overage Condonation:-

The age of a Provisional employee, while considering for regular appointment/regularization, may be condoned by the relevant authority if the employee at the time of initial engagement was not overaged as per the age limit prescribed by the Mizoram Legislative Assembly Secretariat (Recruitment and Condition of Service Rules) 2024 at the time of initial engagement but overaged as on the date of the meeting of the Departmental Promotion Committee which considered the case for regularization.
7. Pension & other retirement benefits:-

The pension and other retirement benefits of any Provisional Employee regularized under this scheme shall be governed by the relevant Pension Scheme/Rules in force at the time of such regularization.
8. Counting of past service:-

Counting of past service rendered as Provisional Employee in terms of leave, qualifying service for promotion, deputation, pay, pensionary benefits, seniority, etc. shall be governed by the provisions of the rules on counting of past service framed by the State Government from time to time.
9. No right to regularization:-

Notwithstanding anything contained in this scheme, regularization of any Provisional Employee under this scheme cannot be claimed as a matter of right.

Vanlalthantlingi,
Commissioner & Secretary,
Mizoram Legislative Assembly