



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLVI Aizawl, Thursday 9.3.2017 Phalgun 18, S.E. 1938, Issue No. 96

NOTIFICATION

No.A.12018/24/2003-P&AR(GSW)/Pt, the 24th February, 2017. In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India read with sub-sections (1), (2) and (3) of section 60 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No. 1. of 1996), the Governor of Mizoram is pleased to make the following rules regulating the method of recruitment and conditions of service for the post of Commissioner for Persons with Disabilities under Social Welfare Department, Government of Mizoram namely :-

1. Short title and commencement:

- 1) These Rules may be called the Mizoram Commissioner for Persons with Disabilities (Recruitment and conditions of Service) Rules, 2016.
- 2) These Rules shall come into force from the date of their publication in the Official Gazette.

2. Definitions:

- 1) In these Rules, unless the context otherwise requires:
 - a) "Act" means the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participations)Act, 1995 (Act No. 1 of 1996)
 - b) "Governor" means the Governor of Mizoram
 - c) "Secretary" means a Secretary to the Government of Mizoram
- 2) All other words and expressions used in these Rules and not defined herein shall have the same meaning respectively assigned to them in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No. 1 of 1996).

3. Qualifications for appointment of the Commissioner: In order to be eligible for appointment as the Commissioner, a person must satisfy the following conditions, namely:-

- 1) he must have special knowledge or practical experience in respect of matters relating to rehabilitation of Persons with Disabilities;
- 2) if he is in service under the Central Government or a State Government or any other Organisation, he shall seek retirement from such service before his appointment to the post; and
- 3) he must possess the following educational qualification and experience, namely:-

(A) Educational qualifications:

- i) **Essential:**
 - a) Bachelor's degree from a recognised university
 - b) Working knowledge of Mizo language at least Middle School standard.

- ii) **Desirable:** Master's degree from a recognised Institution in Social Work/Law/Management/ Human Rights/Rehabilitation/Education of Persons with Disabilities.
- (B) Experience:** Should have at least ten (10) years experience in one or more of the following types of Organizations at specified levels:-
- i) In a Group 'A' level post in Central/State Government/Public Sector Undertaking/Semi Government/ Autonomous Bodies/Educational Institution/Registered National/International level Organisations dealing with disability related matters; or
 - ii) A senior level functionary in a Registered National or International level Voluntary Organisation working in the field of disability/ social development for at least 10 years; or
 - iii) Senior Executive position in a leading private sector organisation, involved in social work and in charge of handling social development activities of the organization for at least 10 years;
 - iv) Out of the total 10 years experience mentioned above, at least three years of experience in the immediate past should have been in the field of empowerment of Persons with Disabilities.
4. **Disqualification for appointment as Commissioner :** 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 said post(s);
 Provided that the Governor may, if satisfied that such marriage is permissible under the personal law applicable to such person and to the other party to the marriage and that there are other valid grounds for doing so, exempt any such person from the operation of these rules.
5. **Age limit:** In order to be eligible for appointment as the Commissioner, a person should not have attained the age of sixty two (62) years as on the last date for receipt of applications.
6. **Mode of appointment of the Commissioner:**
- 1) An advertisement shall be published, preferably six months before the post is due to fall vacant, inviting applications for the post of Commissioner from eligible candidates fulfilling the required criteria.
 - 2) A Search-cum-Selection Committee shall be constituted by the State Government with the following composition:

Chairman	:	Chief Secretary
Member Secretary:	:	Secretary, Social Welfare Department
Member	:	Secretary, DP&AR.
 - 3) The Search-cum-Selection Committee shall recommend a panel of three suitable candidates for the post of the Commissioner.
 - 4) The panel recommended by the Committee may consist of persons from amongst those who have applied in response to the advertisement mentioned in sub-rule (1) above as well as other eligible persons whom the Committee may consider suitable.
 - 5) The State Government shall appoint one of the candidates recommended by the Search-cum-Selection Committee as the Commissioner.
7. **Tenure of the Commissioner:**
- 1) The Commissioner shall be appointed on full-time basis for a period of three years from the date on which he assumes office, or till he attains the age of sixty-five years, whichever is earlier.
 - 2) A person may serve as Commissioner for a maximum of two terms, subject to the upper age limit of sixty-five years.