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NOTIFICATION

No. A. 12018/62/2007-P&AR(GSW), the 9th April, 2012. 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 make the following rules, namely :-

PART - I GENERAL

1. Short title and Commencement

- (1) These Rules may be called the Mizoram Food & Civil Supplies Service Rules, 2012
- (2) They shall come into force with effect from the date of publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires -

- a) "Appointing Authority" means the Governor of Mizoram;
- b) "Authorised Permanent Strength" in relation to any grade means the strength of permanent and specified posts in that grade;
- c) "Commission" means the Mizoram Public Service Commission;
- d) "Constitution" means the Constitution of India;
- e) "Duty Post" means any post specified in schedule-I and it includes temporary posts carrying the same designation and pay as any of the posts specified in that schedule and any other posts specified in schedule - II;
- f) "Government" means the Government of Mizoram;
- g) "Governor" means the Governor of Mizoram;
- h) "Grade" means any of the Grades specified in Rule - 4;
- i) "Official Gazette" means the Mizoram Gazette published by the Government;
- j) "Schedule" means schedule appended to these Rules;
- k) "Service" means the Mizoram Food & Civil Supplies Service.

PART - II COMPOSITION OF THE SERVICE AND ITS CLASSIFICATION

3. Initial Constitution of the Service

There shall be constituted a Service to be known as the Mizoram Food & Civil Supplies Service (MF&CSS)

4. Classification of Service

(1) There shall be 5(five) grades in the service namely :-

<u>Sl. No.</u>	<u>Grade</u>	<u>Post</u>
1.	Grade-I	- Additional Director
2.	Grade-II	- Joint Director
3.	Grade-III	- Dy. Directors and District Civil Supply Officer or its equivalent posts
4.	Grade-IV	- Asst. Director/Asst. District Civil Supply Officers and Sub-Divisional Officer, FCS&CA and their Equivalent posts.
5.	Grade-V	- Inspector of Supplies.

(2) The posts at Sl. No. 1-4 above are Group 'A' posts and the post at Sl. No. 5 is Gazetted Group 'B' post.

5. Authorised permanent strength of service

- (1) The authorised permanent strength of the various grades of the service on the appointed date shall be as specified in 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 authorised permanent strength of the various grade as it may deem necessary from time to time.

6. Posting of Members of the Service

- (1) Every member of the service shall be posted against a duty post of the appropriate grade specified in schedule I
- (2) A member of the service shall be liable to be transferred to a post outside the cadre under the Government which is equivalent in rank or grade as the Governor may consider necessary.

PART-III RECRUITMENT**7. Method of Recruitment**

- (1) Appointment to any post after initial Constitution under rule 3, in the entry grade i.e. Grade V of the service shall be made -
 - (a) 30% of the total sanctioned strength by promotion on seniority-cum-merit from amongst the Sub-Inspector of Food & Civil Supply having at least 5 years regular service in the grade.
 - (b) The remaining 70% of the total sanctioned strength shall be filled up by Direct Recruitment from Graduates of a recognised University conducted by the Mizoram Public Service Commission failing which transfer on deputation.
 - (c) Out of 70% direct recruitment quota, 3% shall be reserved for persons with disabilities having requisite qualifications and as per physical requirement and functional classification identified by the Government.
- (2) The Commission shall conduct interview for selection to the posts for direct recruitment as per the rules laid down by the Government and shall prepare and furnish a list of all candidates recommended for appointment in order of merit to the Government.

8. Physical Fitness

A candidate for direct recruitment shall be-

- (1) of sound health both mentally and physically and free from organic defect or bodily deformity likely to interfere with the efficient discharge of his duties.
- (2) required to undergo medical examination before appointment to the service.

9. **Age Limit**

A candidate for direct recruitment shall not be less than 18 years and not more than 35 years on the closing date for receipt of application from candidates provided that the upper age limit may be relaxed by five years in case of candidates belonging to the Schedule castes / Scheduled tribes and in respect of candidates belonging to other special categories in accordance with general or special order issued by the Central Government or Government of Mizoram of persons from time to time.

10. **Nationality**

No person shall be qualified for appointment to the service unless he / she is a citizen of India.

11. **Disqualification**

(1) No persons, -

- (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 service.

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 grounds for so doing, exempt any person from the operation of this rule.

- (c) who is serving in a Government Department and other Government undertaking shall be eligible for appointment in the service unless he / she produces a discharge certificate from his previous employer.
- (2) The appointing authority may institute such inquiries as he / she may deem necessary as to the particulars of any candidates in respect of nationality, age, character, conduct, antecedents etc. and if the result of such inquiry in his/ her opinion is unsatisfactory in any of these aspects, the candidates may be declared disqualified with intimation to the commission.
- (3) No person who attempts enlist support for his / her candidature directly or indirectly by any means, shall be appointed to the service.

PART-IV APPOINTMENT TO THE SERVICE.

12. **Appointments**

- (1) Subject to the provisions of sub- rule (1) of Rule 7, and subject to the availability of vacancies, appointment to grade- V of the service shall be made by the Governor in accordance with the order of names arrange in the list by the Commission and shall be notified in the Official Gazette.
- (2) A person recruited under sub- rule 2 of Rule 7 shall join within 30 days from the date of issue of the order of appointment failing which and unless the Government extends the period, the appointment shall stand cancelled.

13. **Probation and confirmation**

- (1) A person recruited to the service under sub-rule 2 of Rule 7 shall be on probation for a period of two years, which may be extended for a good and sufficient reason by the Government for a further period as may be determined by the Government
- (2) Where a probationer has successfully completed his / her probation period or any extension thereof to the satisfaction of the Appointing Authority, he / she may be confirmed in the service.
- (3) If during the period of probation referred to in sub-rule (1) and sub-rule (2) as the case may be, the Appointing authority is of the opinion that an officer is not fit for regular appointment, it may in consultation with the Commission through the DP&AR, be discharge the officer from service or pass order.

14. Seniority:

- (1) The seniority of a member recruited under sub-rule (1) and (2) of Rule 7 shall be determined according to the order of merit list recommended by the Commission and finally approved by the Appointing Authority.
- (2) The inter-se-seniority of the members of the service appointed to any grade at the time of initial constitution shall be as obtained on the date of commencement of these rules;
 Provided that if the seniority of any such member has not been specifically determined on the said date, the same shall be determined by the Government in consultation with the Department of Personnel and Administrative Reforms,
 Provided further that if there is any dispute not covered by sub-rule (1) and (2) above, it shall be determined by the Government.
- (3) All members of the Service who were substantively appointed in any particular grade in the service at the initial constitution shall rank senior to all other members temporarily appointed to the grade of the service under Rule 7.

15. Promotion

- (1) **GRADE-I** : The post in this grade as specified in Schedule II shall be filled up by promotion from amongst the members of the service in grade-II who have rendered at least 5 (five) years of regular service in that grade failing which officers on regular service in grade -II at least for a period of 3 years but have completed 20 (twenty) years of service calculated from the date of entry into Gazetted post under FCS &CA Department including Grade -V of the service. The method of promotion to this grade shall be by Selection.
- (2) **GRADE - II** : The post in this grade as specified in Schedule II shall be filled up by promotion from amongst the members in the service in grade-III who have rendered not less than 5 (five) years regular service in that grade failing which officers in the grade-III with not less than 3 years of regular service in that grade but have completed 15(fifteen) years of service calculated from the date of entry into grade-V of the service. The method of promotion to this grade shall be by Selection.
- (3) **GRADE-III** : The post in this grade as specified in Schedule II shall be filled up by promotion from amongst the members in grade-IV who have rendered not less than 5 years of regular service in the grade.
- (4) **GRADE-IV** : The post in this grade as specified in Schedule II shall be filled up by promotion from amongst the members in grade-V who have rendered not less than 5(five) years of regular service in that grade. The method of promotion to this grade shall be by Selection.

16. Pay

The scale of pay attached to the various grades of the services shall be as follows which can be changed by the Government from time to time.

- | | | | |
|----|-------------|---|---|
| 1) | Grade - I | - | Pay band - 4 - Rs. 37400 - 67000 + Grade pay Rs. 8700 |
| 2) | Grade - II | - | Pay band - 3 - Rs. 15600 - 39100 + Grade pay Rs. 7600 |
| 3) | Grade - III | - | Pay band - 3 - Rs. 15600 - 39100 + Grade pay Rs. 6600 |
| 4) | Grade - IV | - | Pay band - 3 - Rs. 15600 - 39100 + Grade pay Rs. 5400 |
| 5) | Grade - V | - | Pay band - 2 - Rs. 9300 - 34800 + Grade pay Rs. 4400 |

PART - V MISCELLANEOUS PROVISION**17. Leave Pension and other matters**

In respect of leave, pension, discipline and other condition of service not expressly provided for in these Rules, the members of the service shall be governed by the general rules applicable to the Government employees from time to time.

18. Power to Relax

Where the Governor is of the opinion that it is necessary and expedient to do so, he may, in consultation with the Commission and for reasons to be recorded in writing, relax by order any of the provisions of these Rules with respect to any class or categories of person provided that the case of any person shall not be dealt with in any manner less favorable to him than that provided by any of these rules.

19. Repeal and savings

On and from the commencement of these Rules, all previous recruitment rules for the posts covered by these rules shall stand repealed.

Provided that all orders made or action taken under the Rules so repealed or under any General orders ancillary thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

20. Interpretation

If any question arises relating to the interpretation of these rules, it shall be decided by the Government in consultation with the Commission and DP& AR and such decision shall be final and binding.

By order and in the name of the Governor of Mizoram.

R. Zarzosanga,

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

SCHEDULE - I
(See Rule 2(1)(f))

Designation of posts included as "Duty Posts"

- | | |
|--|--------------------|
| (1) Additional Director | (2) Joint Director |
| (3) Deputy Directors/Dist. Civil Supplies Officer or its equivalent posts. | |
| (4) Asst. Directors/Asst. Dist. Civil Supplies Officers/Sub-Divisional Officer, FCS&CA and their equivalent posts. | |
| (5) Inspector of Supplies. | |

SCHEDULE - II
(See Rule 5)

The authorised permanent strength of the various grades of the Mizoram Food & Civil Supplies Service on the appointed date :

Sl. No.	Grade	Authorised Permanent Strength
1.	Grade - I	- 1 post of Additional Director
2.	Grade - II	- 1 post of Joint Director
3.	Grade - III	- (a) 2 posts of Deputy Directors - (b) 3 posts of Dist. Civil Supplies Officer
4.	Grade - IV	- (a) 6 posts of ADS/ADCSSO - (b) 5 posts of SDO, FCS & CA
5.	Grade - V	- 49 Inspector of Supplies
	Total	- 67 posts