



GOVERNMENT OF MIZORAM
MIZORAM STATE LEGAL SERVICES AUTHORITY
High Court Complex, Mizoram New Capital Complex,
Khatla, Aizawl - 796 001

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OFFICE ORDER

Aizawl, the 27th June, 2024

No. C. 11022/1/2023 – SLSA/18 : Sawrkar-in Office Memorandum a chhuah No.C.31011/3/2010-P&AR(ARW) dated 19.06.2024 angin (copy enclosed for reference), Mizoram State Legal Services Authority hnuaia hnathawk, aikal tirte chuan June ni 19, 2024 atanga chhiara thla khat ral hmain hna zawm vek tur a ni.

Hun tiam chhunga hna zawm thei lo chuan OM para 6 anga hma lak tur a ni a. Zawm hun chung tura ruata zawm lo, hma la bawk si lote chu phalna nei lova chawl anga ngaih an ni ang a, CSS(Conduct) Rules, 1964 angin an chungah hremna lek theih a ni ang.


Sd/-
(GRACY L. BAWITLUNG) MJS
Member Secretary
Mizoram State Legal Services
Authority

Memo No C. 11022/1/2023 – SLSA/18

Aizawl, the 27th June, 2024

Copy to:

1. The Secretary, DLSAs, Aizawl/Lunglei/Siaha/Champhai/Kolasib/Mamit/Lawngtlai/Serchhip for information and necessary action.
2. All Staff under Mizoram SLSA for information and necessary action.
3. Website Manager, MSLSA to upload in the website of Mizoram SLSA
4. Guard File


Member Secretary
Mizoram State Legal Services
Authority

8/6
19/6/24
Suptd. Secy
19/6/24
B. Thuan

No.C.31011/3/2010-P&AR(ARW)
GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(ADMINISTRATIVE REFORMS WING)

Govt. of Mizoram
State Legal Services Authority
Date 19-6-24
Receipt No. 2129

Mizoram Secretariat, MINECO
Bldg. 1, Basement-2, Room No. 081
Aizawl-796001, Mizoram
Aizawl, the 19th June, 2024.

OFFICE MEMORANDUM

Subject: Consolidated instructions relating to actions warranted against illicit practice of engagement of proxies / substitutes by Government servants.

Sub-rule (1) of rule 3 of the CCS (Conduct) Rules, 1964 provides that every Government employee shall be devoted to duty and shall maintain absolute integrity, discipline, high ethical standards and honesty.

2. A myriad of instances has come to the notice of the Government where employees are absenting themselves from duty for prolonged periods and whereby, they have resorted to the illicit practice of engaging proxies / substitutes in their place. It has been observed that due seriousness is not being accorded by the concerned controlling authorities to the various rule provisions, inter alia under the CCS (Leave) Rules, 1972 and CCS (Conduct) Rules, 1964, for taking corrective and appropriate action against these delinquent officials. It is reiterated that such practice of proxy / substitute engagement is unauthorized and warrants prompt and stringent action as per rules.
3. This deep-seated and illicit practice adopted by Government employees severely limits the operational efficacy of the Government at different levels and fundamentally infringes upon the spirit of good governance. The Government, therefore, views this matter seriously and has decided to take immediate remedial action. The Council of Ministers in its meeting held on 06.06.2024 had decided to do away with the practice once and for all. It is, therefore, directed that all Government employees engaging proxies / substitutes should return to their respective posts within a period of 30 (thirty) days, without fail, from the date of issue of this memorandum. All controlling authorities are also directed to bring these instructions along with the relevant rule provisions to the notice of all their employees so as to highlight the consequences which may visit in the event of their failure to comply therewith.
4. All cases of Government servants failing to return to duty within the stipulated period shall be treated as 'unauthorized absence' under the relevant rule provisions and disciplinary action should be taken forthwith by the concerned controlling authorities.
5. All departments are directed to submit a 'compliance report' within 45 (forty-five) days from the date of issue of these instructions to DP&AR (ARW) in the prescribed format annexed to this memorandum in hard and soft copy (*Microsoft Word document format*). The report should be routed through and duly compiled by the concerned administrative departments positively. Responsibility shall be fixed on those administrative heads of department, heads of department and other controlling officers who fail to submit the said report as directed. Submission of false report in any form by any authority shall be dealt with strictly by the Government.

6. Special consideration shall be accorded to those Government employees who are undergoing medical treatment and also to those employees who are suffering from terminal or acute illness so that they may avail all forms of leave admissible to them and all controlling officers may grant leave to such employees in accordance with the provisions of CCS (Leave) Rules, 1972. The Government employees shall be required to submit a 'Medical Certificate of Incapacity' from a Medical Board constituted or recognized by the Government in order to be accorded special consideration. The prospect of grant of 'Extraordinary Leave on Medical Ground' may also be looked into and permitted as a recourse to such Government servants after exhaustion of all forms of leave admissible to them, subject to the condition that the period of continuous leave does not exceed five years as prescribed by rule 12 of the CCS (Leave) Rules, 1972. However, this rule shall not apply to cases where leave is applied on medical certificate, in connection with a disability in accordance with DoPT Notification No.18017/1/2014-Estt.(L) dated 03.04.2018. All controlling authorities may accordingly explore the feasibility thereof.
7. Correspondingly, all competent authorities are directed to consider the practical applicability of invoking relevant provisions of CCS (Pension) Rules, 1972, viz., Voluntary Retirement, Invalid Pension and Compulsory Retirement, in respect of delinquent officials who are unable or unwilling to return to duty for reasons other than those mentioned in Para 6. The provisions of F.R. 56 (j) and F.R. 56 (l) whereby, the Government has absolute right, after periodic review of performance, to retire Government servants prematurely, if it is necessary to do so in public interest, on the ground of lack of integrity and ineffectiveness, may also be attracted in such cases. It may be noted that 'Premature Retirement' under F.R. 56 is not a penalty and is distinct from 'Compulsory Retirement', which is one of the prescribed penalties under the CCS (CCA) Rules, 1965.
8. A one-time 'Special Voluntary Retirement Scheme' shall be formulated for those employees who are unable to avail any of the benefits or options applicable under the existing rules aforementioned, for which a drafting committee shall be constituted by the Government. Hence, the scheme shall be notified in due course.
9. These instructions shall be applicable to all employees under the Government of Mizoram, viz., all Regular Employees, Co-Terminus (CSS) Employees, Part-time Employees, Casual Employees, Work-charged Employees, Contract Employees and Provisional Employees. Non-adherence to these instructions in the case of temporary Government employees and CSS employees shall entail immediate termination from service as the aforementioned options and benefits are not admissible to them.
10. It may be ensured that discretion allowed under these provisions is exercised judiciously, keeping in view the circumstances and merits of each individual case.
11. No representations or applications, in any form, pertaining to engagement of proxies / substitutes shall be entertained or considered by DP&AR (ARW).
12. All concerned authorities are requested to kindly take cognizance of the above instructions for guidance and strict compliance.

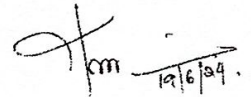
Sd/- K. LALTHAWMMAWIA
Commissioner & Secretary to the Govt. of Mizoram

Memo No.C.31011/3/2010-P&AR(ARW) :

Aizawl, the 19th June, 2024.

Copy to:

1. Secretary to Governor, Mizoram.
2. Commissioner & Secretary to Chief Minister, Mizoram
3. P.S. to Speaker / Ministers / Leader of Opposition / Deputy Speaker / Ministers of State / Vice Chairman, State Planning Board / Deputy Govt. Chief Whip.
4. All Members of Legislative Assembly, Mizoram.
5. Sr. P.P.S. to Chief Secretary, Government of Mizoram.
6. All Administrative Heads of Department.
7. Secretary, MPSC / MIC / SEC / AMC / Lok Ayukta.
8. All Heads of Department.
9. All Deputy Commissioners, Mizoram.
10. All Wings of DP&AR.
11. Website Manager, DP&AR for necessary action.
12. Guard file.



(LALMUANKIMA)

Under Secretary to the Govt. of Mizoram

Annexure-I

Name of Department : _____

| Sl. No. | Name of Government servant | Name of Proxy | Date of return to duty | Remarks |
|----------------|-----------------------------------|----------------------|-------------------------------|----------------|
| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> | <i>(5)</i> |
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Annexure-II

Name of Department : _____

| Sl. No. | Name of Government servant | Name of Proxy | Reason for not returning to duty |
|----------------|-----------------------------------|----------------------|---|
| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
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