

Bihar Engineering Service (Class II) Rules, 1939

JHARKHAND

India

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Rule BIHAR-ENGINEERING-SERVICE-CLASS-II-RULES-1939 of 1939

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Bihar Engineering Service (Class II) Rules, 1939 Rules to regulate the method of recruitment to the Bihar Engineering Service, Class II, for Public Works Department (Buildings and Roads) and Irrigation Department. Class II

Part I – "Service" means the Bihar Engineering Service, Class II

"Commission" means the Public Service Commission, Bihar

1.

The Service shall be recruited-(i) by direct recruitment in accordance with the rules in Part II, or (ii) by the promotion or transfer of officers already in Government service, permanent or temporary, in accordance with the rules in Part III.

2.

The Governor shall decide in each year the number of vacancies in the service to be filled in that year by direct recruitment and by promotion respectively.

Part II – Direct appointments

3.

Except under the special orders of the Governor, a candidate for appointment to the service must be a citizen of the Indian Union.

4.

A candidate must-(a)be of an age not below twenty-three years and not exceeding twenty five years on the first day of August in the year in which applications are invited:Provided that the State Government may, in special cases, relax the age-limits: Provided further that in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes, the upper age-limit shall be twenty-eight years.Explanation. - For the purpose of this rule, 'Scheduled Castes' and Scheduled Tribes' shall have the same meaning as in the Constitution of India.(b)be of good character;(c)be of sound health, good physique and active habits and free from organic defects or bodily infirmity; and(d)(i)hold a degree in Civil Engineering from an Indian University or a diploma in Civil Engineering College; or(ii)be an Associate Member of the Institution of Engineers, India, or have passed Sections 'A' and 'B' of the Associate Membership Examination of the Institution of Engineers (India) or possess any other educational qualifications recognised by the Institution of Engineers (India) as being equivalent to pass in Sections 'A' and 'B' of the Associate Membership Examination, or(iii)hold a University degree or a diploma from a Civil Engineering College in the United Kingdom or be an Associate Member of the Institution of Civil Engineers.Note. - Persons who hold posts in Government service in a temporary or officiating capacity or on probation are eligible to apply for direct appointment subject to the provisions of this rule.Persons who have been confirmed in Government service are not so eligible except that-(i)members of the Sub-ordinate Engineering Service and (ii) members of ether services, possessing qualifications specified in clause (d) are eligible for appointment by promotion or by transfer in accordance with the procedure laid down in Part III of these rules.

5.

(a)The Commission shall announce in such manner as they think fit the number of vacancies in the service to be filled by direct appointment in each year, and shall invite application from candidates eligible for appointment under rules 3 and 4.(b)The application shall be accompanied by a Treasury Challan for Rs. 5 as application fee, which will not be refunded. When the fee has been paid on a first application no fee shall be payable on a subsequent application for the service. The fee of Rs. 5 shall be credited to the Government of Bihar under the head [XXXVI-Miscellaneous-Miscellaneous Departments (Provincial)-Examination Fees-Fees realised by the Public Service Commission] [Now XXI.].(c)With his application a candidate must submit true copies duly attested by a gazetted officer-(i)of an evidence that he holds one of the educational qualifications referred to in clause (d) of rule 4;(ii)of certificate of character and conduct from the heads of all the colleges at which he has studied since he passed the Matriculation Examination;(iii)of an evidence, in the form of an acknowledgement from the District Officer of the district in which he ordinarily resides, or in which he claims to be domiciled that he has not later than 14 days before the date fixed under clause (a), requested that officer to report to the Commission before the said date whether his character and antecedents are such as to render him suitable for appointment to the service for which he is a candidate;Note. - While requesting the District Officer to furnish a report to the Commission on his character and antecedents, a candidate should furnish as references the names of the two persons who know him in private life and are not near relatives. A candidate must not include College Professors or Principals unless they know the candidate at home.(iv)a certificate of health and

fitness from a registered medical practitioner, in the prescribed form;Note. - Form of the certificates of health and fitness may be obtained from the Secretary to the Commission.(v)evidence of age which should ordinarily be the true and attested copy of the Matriculation certificate or its equivalent.

6.

The Commission shall consider all applications received and shall interview such candidates as they consider suitable for appointment:Provided that the Governor may, if he thinks fit appoint an officer to represent the Department. The Officer so appointed shall be present at the interview and shall advise the Commission on the apparent fitness of the candidates with reference to the special qualification required in the Service but he will not be responsible for the selection of the candidate. If the Commission differs from the advise of the officer in respect of any candidate, they shall, when submitting their recommendations to Government, state their reasons for so doing.

7.

From among the candidates interviewed, the Commission shall select such number of candidates as may be fixed by the Governor.

8.

The Commission shall submit to the Governor a list of candidates selected by them arranged in order of preference together with their applications. This list shall be submitted by such date in each year as the Governor may direct.

9.

The Commission shall, while submitting recommendations under Rule 9, consider, the claims of qualified candidates belonging to the Scheduled Castes, backward classes, backward tribes and Muhammedans. If the list of nominees submitted under Rule 9 does not contain a reasonable number of candidates belonging to the aforesaid castes, classes, tribes and communities, a supplementary list shall be submitted nominating a sufficient number of such candidates, as in the opinion of the Commission attain the required standard of qualifications and are fit for appointment. The Commission shall further state how the candidates on the supplementary list compare with the candidates who are the lowest on the main list submitted under Rule 9.

10.

(a)The final selection of candidates shall be made by the Governor from amongst the candidates mentioned in the list submitted by the Commission under Rule 9 or in respect of whom a report has been submitted in accordance with Rule 10.(b)Every candidate so selected shall be examined by a Medical Board. A candidate who fails to satisfy the Board shall not be appointed.

Part III – Promotion of officers already in Government service.

11.

(a)The Chief Engineer, shall nominate for appointment to the Service such number of Officers not exceeding one and a half times the number of vacancies to be filled as may be fixed in each year by the Governor. The Officers nominated by the Chief Engineer will be arranged in order of preference.(b)The Chief Engineer shall send all papers relating to the candidates nominated by him direct to the Commission together with relevant papers of any officer whose supersession is proposed and shall at the same time submit list of such candidates to the Governor.

12.

The Commission shall advise the Governor In respect of each candidate nominated whether his qualifications are sufficient and whether his record proves him to have the requisite character and ability for the service.

13.

The final selection of officers to be promoted shall be made by the Governor after considering the recommendations made by the Commission under Rule 13.General

14.

Any attempt on the part of a candidate to enlist support for his application through persons of influence or in any other manner will disqualify him for appointment.Note. - These rules will be replaced when the revised rules are framed.