

Bihar Police Sub-ordinate Services Commission Act, 2016

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Act 6 of 2016

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Bihar Police Sub-ordinate Services Commission Act, 2016(Bihar Act 6 of 2016)Last Updated 7th February, 2020Preamble. - An Act to constitute the "Bihar Police Sub-ordinate Services Commission" for selection of the candidates to the post of Group 'C' of the Home (Police) Department and posts of other departments under the State Government of Bihar for which physical measurement/test or ability test is mandatory and for selection of the candidate for such other posts.Be it enacted by the Legislature of the State of Bihar in the sixty seventh year of the Republic of India as follows:-Chapter - I 1. Short title, Extent and Commencement.(1) This Act may be called 'The Bihar Police Sub-ordinate Services Commission Act, 2016'.(2) It shall extend to the whole of the State of Bihar.(3) It shall come into force on such date as the State Government may publish the same, by notification, in the official Gazette.

2. Definitions.

- In this Act, unless any thing is repugnant to the subject or context, -(i)"Act" means "The Bihar Police Sub-ordinate Services Commission Act, 2016;(ii)"Commission" means, Bihar Police Sub-ordinate Services Commission constituted under this Act;(iii)"State Government" means "The State Government of Bihar;(iv)"Schedule" means schedule appended to this Act.Chapter - II 3. Constitution of Commission.- The Bihar Police Sub-ordinate Services commission shall be constituted consisting of the following:-(i)Chairman. - Home (Police) Department, Government of Bihar shall appoint or nominate a retired or serving officer of the rank of Director General of Police or Additional Director General of Police as Chairman.(ii)Members. -(a)Home (Police) Department, Government of Bihar shall appoint or nominate two retired or serving officers of Home(Police) Department of the rank of Inspector General of Police or Deputy Inspector General of Police or Superintendent of Police as members.(b)One of the two members will be nominated as "Member-Secretary" by the Chairman.(c)Home (Police) Department of the State Government shall nominate a maximum of 2 (two) members from other department such as, Home Department, Environment and Forest Department, Registration Excise & Prohibition Department, Transport

Department and Disaster Management Department. Among these members, at least one member shall be from minority community and one member shall be from Scheduled Caste /Scheduled Tribe.

4. Tenure of chairman and Members of the Commission.

- The tenure of the Chairman and Members of the Commission shall be three years or till attainment of their age as sixty eight years, whichever is earlier; Provided that, in special circumstances, the tenure of the chairman or the member may be further extended for such period as may be determined by the State Government; Provided further that if the State Government is reasonably satisfied that continuance of Chairman or any Member or all Members in the Commission is against the public interest or causing inconvenience in functioning of the Commission, the chairman or and such any other member or all members may be discharged from their posts by the State Government before the completion of the determined tenure.

5. Age limit of Chairman and Members of the Commission.

- The maximum age-limit of the Chairman or Members of the Commission at the time of appointment shall be 65 (Sixty five) years.

6. Headquarter and Administrative Department of the Commission.

- The Headquarter of the Commission shall be situated in Patna and Home(Police) department shall be the Administrative department of the commission.

7. Sub-ordinate officers and Employees.

- For conduct of business of the Commission, posts of Sub-ordinate officers and employees will be created and terms and conditions of their service will be in conformity with the rules made by The State Government under this Act. Chapter - III 8. Services Cadres and Posts for which the Commission may recommend for Appointment. (1) The Commission may select and recommend for appointment to all cadres and posts of Group C having designated 'uniform' and prescribed physical ability and efficiency tests as well as such other posts having maximum Grade Pay upto rupees 4200/- in the different departments under the State Government as mentioned in the appended schedule. (2) The Schedule of the Act may be amended time to time by the Home(Police) department by notification, if required.

9. Selection Procedure.

(1) The Commission shall select the candidates for appointment to cadre posts, enumerated in the appended schedule according to the prescribed procedure under the service cadre rules of respective posts/departments; Provided that in absence of service cadre rules for any post, the Commission shall select the candidates for such post according to the prescribed procedure adhered in the

examination rules for selection by the commission with prior approval of the State Government.(2)The Commission may hold a Combined Competitive Examination for posts with similar eligibility criterion.

10. Transfer of Pending Selection Process Related to Cadre Posts of Group C.

- Selection process shall be completed by the "Bihar Police Sub-ordinate Services Commission" for the appointment to all such cadre posts as mentioned in the appended schedule of this Act, in respect of which the advertisement has not been issued or published by the Bihar Staff Selection Commission or Bihar Technical Staff Selection commission or any other Commission or Board; Provided that the selection process shall be completed by such other respective Commission or Board for appointment to all such cadre posts as mentioned in the appended schedule of this Act, in respect of which the advertisement has been issued or published by any other Commission or Board till the date of commencement of this Act. Chapter - IV 11. Financial Provisions.(1)All expenditures incurred for functioning of the Commission shall be borne by the State Government.(2)The Commission shall charge examination fee from the candidates as determined by the State Government, from time to time for conduct of competitive examinations which shall be deposited in the appropriate Receipt- Head in the State Treasury by the Commission.

12. Accounts and Audit.

- (i) Financial year of the Commission shall begin from 1st April of a calendar year and shall end on 31st March of the next calendar year.(ii)All documents related to receipts and expenditures shall be maintained properly by the Commission and the Member Secretary of the Commission shall be solely responsible for the same. Chapter - V 13. Delegation of Powers.(1)The Chairman of the Commission shall have the powers of Head of Department of State Government in administrative and financial matters.(2)Chairman of the Commission may entrust the duties and responsibilities of Examination controller to one of the member and the duties and responsibilities of Administrative Branch of the Commission to another member.

14. Powers to make rules/regulations.

(1)The State Government shall have power to make rules to carry out the provisions of this Act, if required.(2)The commission may frame regulations for publication of advertisement, conduction of written examinations, personality test/viva-voice test, publication of result and other selection procedures, if any, with prior approval of State Government .

15. To Lay the Rules on the floor of Legislature.

- Every rule made by the State Government shall be laid before each house of the State Legislature immediately in the session, called for minimum fourteen days or which may comprise one session or two or more successive sessions or the successive session and if before the adjournment of the

earlier session, immediately following the session or the successive session aforesaid if both houses agree in making any modification in the rule or disagree the rule thereafter will have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the legal validity of anything done previously under that rule.

16. Removal of Difficulties and Interpretation.

(1) If any difficulty arises in carrying out the provisions of this Act, the State Government within one year after the commencement of this Act, may, by notification, make such provisions, not inconsistent with the provisions of this Act for removing such difficulties. (2) If any doubt arises in respect of interpretation of any provisions of the Act within one year after the commencement of this Act, the State Government may remove the same by notification in consultation with the law department. (3) If any differences appears in Hindi version and English version of this Act, the Hindi version shall have overriding effect.

17. Residual Matters.

- All or any residual matters related to this Act shall be disposed off by the State Government according to the provisions of this Act.

18. Repeal and savings.

(1) Subject to the limit of the matter transferred under section 10 of this Act and the matter assigned to the Commission for selection to cadre posts by this Act, the relevant provisions of the rules/regulations of the concerned Commission /Board related with the appointment in the concerned department shall stand repealed from the date of commencement of this Act. (2) Notwithstanding this repeal any action of selection taken by the Commission /Board under the relevant provisions of the rule/regulation of the concerned Commission/Board shall be deemed to be legal, as if, the said actions were taken under this Act.

Schedule

List of posts for which Examination is to be conducted by Bihar Police Sub-ordinate Services Commission

| Sl. No. | Name of post | Controlling Department | Grade Pay |
|---------|-----------------------------------|------------------------|------------|
| 1 | 2 | 3 | 4 |
| 1 | Sub Inspector of Police | Home (Police) Deptt. | Rs. 4200/- |
| 2 | Reserve Sub Inspector (Seargent) | Home (Police) Deptt. | Rs. |

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| | | | 4200/ Rs. |
| 3 | Company Commander (Home Guard) | Home (Police) Deptt. | 4200/ Rs. |
| 4 | Fire Station officer(Fire extinguisher officer) | Home (Police) Deptt. | 4200/ Rs. |
| 5 | Steno Sub-Inspector | Home (Police) Deptt. | 4200/ Rs. |
| 6 | Steno Asstt. Sub-Inspector (Direct Recruitment) | Home (Police) Deptt. | 2800/- Rs. |
| 7 | Typist Asstt. Sub-Inspector (Direct Recruitment) | Home (Police) Deptt. | 2800/ Rs. |
| 8 | Steno Asstt. Sub-Inspector (Limited CompetitiveExamination) | Home (Police) Deptt. | 2800/ Rs. |
| 9 | Typist Asstt. Sub-Inspector (Limited CompetitiveExamination) | Home (Police) Deptt. | 2800/ Rs. |
| 10 | Sub-Inspector (M- Cadre) | Special Branch (Home Deptt.) | 4200/- Rs. |
| 11 | Asstt. Sub-Inspector (M-Cadre) | Home (Police) Deptt. | 2400/- Rs. |
| 12 | Clerk (Field formations.) | Home (Police) Deptt. | 1900/- Rs. |
| 13 | Sub-Inspector (Wireless) | Wireless (Home Deptt.) | 4200/- Rs. |
| 14 | Sub-Inspector (Technical) | Wireless (Home Deptt.) | 4200/- Rs. |
| 15 | Asst. Superintendent (Home Prison) | Home (Police) Deptt. | 4200/- Rs. |
| 16 | Sub-Inspector of Police | Vigilance Deptt. | 4200/- Rs. |
| 17 | Sub-Inspector | Registration, Excise and Prohibition Deptt. | 4200/- Rs. |
| 18 | Forester | Forest and Environment Deptt. | 4200/- Rs. |
| 19 | Enforcement Sub-Inspector | Transport Deptt. | 4200/- Rs. |

Note. - New posts may be included in and any post deleted from the appended Schedule by the State Government by notification.