

Secretary, Bihar Gram Katchahry (Employment, Service Conditions and Duties) Rules, 2007

BIHAR

India

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Rule

SECRETARY-BIHAR-GRAM-KATCHAHRY-EMPLOYMENT-SERVICE-CONDITIONS AND DUTIES) RULES, 2007

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Secretary, Bihar Gram Katchahry (Employment, Service Conditions and Duties) Rules, 2007Published vide Notification No. 4460, dated 29.8.2008Government of Bihar, Panchayati Raj Department, Notification No. 4460, dated 29.8.2008. - In exercise of powers conferred by Section 146 read with Section 94(1) of the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006), the Governor of Bihar makes the following Rules:-

1. Short title, extent and commencement.

- (i) These Rules may be called Secretary, Bihar Gram Katchahry (Employment, Service Conditions and Duties) Rules, 2007.(ii)These shall extend to the whole of Bihar State.(iii)These shall come into force from the date of publication of the Hindi version in the Official Gazette of Bihar.

2. Definitions.

- In these Rules, unless otherwise required in the context:-(a)"Act" means the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006);(b)"Government" means State Government of Bihar;(c)"District Magistrate" means District Magistrate of any district appointed by the State Government and includes any other officer who has especially been appointed by the State Government for the execution of all the works and any work of District Magistrate under this Act;(d)"Commissioner" means Divisional Commissioner;(e)"Gram Katchahry" means the Gram Katchahry established under sub-section (1) of Section-90 of the Bihar Panchayat Raj Act, 2006;(f)"Sarpanch" means the elected Sarpanch of the Gram Katchahry under Section 93(1) of the Bihar Panchayat Raj Act,

2006;(g)"Panch of the Gram Katchahry" means the elected Panch of a Gram Katchahry;(h)"Sub-Divisional Magistrate" means a Sub-Divisional Magistrate appointed by the State Government and includes any other officer as the State Government may appoint under the Act specifically to discharge all or any of the functions of the (Sub-Divisional) Magistrate;(i)"Block Development Officer" means an officer appointed as such by the State Government;(j)"Suit" means a suit triable by the judicial bench of the Gram Katchahry;(k)"Gram Panchayat Supervisor" means an officer especially appointed by the State Government for the purpose of supervision and inspection of books of account of Gram Panchayats and Gram Katchahry coming under their purview;(l)All the words and terms used but not defined in these Rules shall have the same meanings as are assigned to them in the Act.

3. Employment of Secretary, Gram Katchahry.

- A Secretary may be employed on contract basis for the execution of works and maintenance of documents of every Gram Katchahry or judicial bench in the district.

4. Reservation.

(a)The roster will be prepared at district level in view of the letter No. 458 dated 30.9.2002 of the Personnel and Administrative Reforms Department.(b)In every category as far as may be 50 per cent female candidates will be employed.(c)In case of non-availability of female candidates the said post will be filled up by the male candidates of the same category.(d)For grouping of posts action will be taken under Resolution No. 2803 dated 3.10.2006 of the Personnel and Administrative Reforms Department.(e)In this employment the reservation of handicapped persons will be admissible under Resolution No. 62 dated 5.1.2007 of the Personnel and Administrative Reforms Department.Note.-In case of selection of any person on merit he/she will not be debarred from employment by reason of being a handicapped.

5. For appointment.

(a)Qualification.-(i) He/she must be a citizen of India and a resident of the concerned Gram Panchayat of the State of Bihar;(ii)The minimum educational qualification for the post of Secretary, Gram Katchahry will be secondary matriculate [or the certificate declared equivalent to the aforesaid certificate by the State Government from time to time.] [Inserted by Notification No. 28, dated 5.1.2009.](b)Age:-.....

6. Procedure for employment.

(1)One Secretary may be employed on contract for the execution of works and maintenance of documents relating to the office of every Gram Katchahry and its judicial bench in the district.(2)The details of the vacancies of the Secretary, Gram Katchahry in the district (as per reservation) on the basis of roster, conditions of employment and qualification for employment shall be published on the notice board of the offices of the District Board, concerned Panchayat Samiti,

concerned Gram Panchayat and concerned Gram Katchahry.(3)Application in prescribed form (Schedule-1) shall be received in the office of the Block Development Officer. The Block Development Officer will nominate the Gram Panchayat Supervisor or in his/her absence any other supervisor of block level as nodal officer in this behalf who will receive the applications and give receipt to the applicant and maintain the applications received in the Katchahry-wise register.(4)The panel for employment of Secretary, Gram Katchahry will be prepared by the nodal officer nominated by the Block Development Officer on the basis of merit.(5)The marks obtained in the secondary (matric) examination will be the basis for determination of merit.(6)The panel prepared for employment of Secretary, Gram Katchahry will be approved by the following Committee:-

- | | |
|--|--------------------|
| (a) Sarpanch of Gram Katchahry | - Chairman |
| (b) All other Panch of Gram Katchahry | - Member |
| (c) Nodal Officer nominated by Block Development Officer | - Member Secretary |

(7)The Block Development Officer may attend the meeting of the committee as "Facilitator" according to the need.(8)The proceeding of the meeting of the committee must be sent to the District Panchayat Raj Officer and the Block Development Officer.(9)After the approval of the committee the said panel will be published within one month from the last date of receipt of the application on the notice board of the offices of the District Magistrate, District Board, concerned Panchayat Samiti, concerned Gram Panchayat and Gram Katchahry. For raising any objection to the panel a period of fifteen days will be granted.(10)Any objection to the panel will be filed to the office of the Block Development Officer concerned within fifteen days from the date of its publication.(11)The objection received will be acknowledged to the objector.(12)The objection will be removed,by the concerned Block Development Officer within seven days from the last date of its receipt and there after the Gram Katchahry will be intimated which will amend the panel accordingly and republish it as per sub-rule (9) as was done before.(13)The panel finally published will remain valid till the whole tenure of the Gram Katchahry.(14)First of all the vacancy of the Gram Katchahry concerned will be filled up from the Katchahry-wise merit list.(15)The date of counselling will be published on the Notice Board of the offices of the District Magistrate, District Board, concerned Panchayat Committee, concerned Gram Panchayat and Gram Katchahry. The attendance of the candidates in the counselling will be acknowledged.(16)The letter (Schedule-II) for employment on contract to the candidates selected by Samiti for Gram Katchahry will be sent by the Block Development Officer or Nodal Officer nominated by him/her after verification of the certificates and under the signature of the Sarpanch. The **, on the basis of the consent letter (Schedule-III), will be accepted by the Sarpanch.(17)After filling the vacancy of the concerned Gram Katchahry from its merit list, the Katchahry-wise panel prepared will be preserved so that in case any vacancy occurs in future it may be filled up from the merit list of the concerned Gram Katchahry in descending order and on the basis of the counselling by the Samiti mentioned above.

7. Verification of Certificates.

- The Block Development Officer or Nodal Officer nominated by him will be empowered to make necessary verification of the certificates of qualifications. If any certificate is bound to be forged or

false the appointment will be cancelled and other legal action be taken.

8. Other conditions of Service.

(1)The Secretary to the Gram Katchahry will be employed on fixed fee (contract amount) and Rs. 2,000/- (Two Thousand) per month will be payable to him.(2)With the completion of the tenure of the Gram Katchahry the contract of the candidate employed on contract to the post of Secretary, Gram Katchahry will terminate automatically provided that till the fresh employment on contract by the newly constituted Gram Katchahry, he/she shall continue to discharge the functions and responsibilities of the Secretary, Gram Katchahry and on completion of the procedure of employment make over his/her charge to the newly employed Secretary, Gram Katchahry.(3)The employment will be on contract basis and the contract may be cancelled at any time with one month's prior notice if the service is found to be unsatisfactory and in view of the reasons mentioned in Rule 11.(4)In case of non-availability of the suitable candidate the vacancy of the Secretary to a particular Gram Katchahry will be filled up by giving additional charge to the Secretary of the contiguous Gram Katchahry. For this additional charge 20 per-cent of the contract amount shall be payable as deputation allowance.(5)The selected candidate shall have to execute an agreement in prescribed form before the employment. The agreement will be signed by the Sarpanch on behalf of the Gram Katchahry.

9. Payment of contract amount

- The payment of the contract amount will be made with the joint signature of the Sarpanch/Up-Sarpanch on the basis of the absentee report/statement:Provided that, in the event of any one post of Sarpanch or Up-Sarpanch being vacant, the payment of the contract amount will be made with the joint signatures of the Panch elected by the majority of the Panchs and Sarpanch or Up-Sarpanch.

10. Functions and responsibilities of the Secretary, Gram Katchahry.

(1)Maintenance or custody of the case register and record register of the cases filed in the Gram Katchahry.(2)Maintenance and custody of the account book/cash book and other books of the Gram Katchahry.(3)Presentation of records and registers of cases before the Sarpanch/ Judicial bench and service of notice/summons to the parties of the case.(4)He/she will be accountable for performance of all the works relating to the Gram Katchahry/judicial bench.(5)Any other responsibility as may be assigned to him/her from time to time in relation to the business of the Gram Katchahry.

11. Disciplinary action.

- In case of being absent, not marking his/her presence in time and negligence of duties, corrupt practices, mental insolvency, the Sarpanch or in his/her absence the Up-Sarpanch of the Gram Katchahry may initiate disciplinary action. The final decision with respect to the disciplinary action will be taken by the committee mentioned in para 6(6) of these Rules. The appropriate action will be

taken by the Sarpanch/Up-Sarpanch of the concerned Gram Katchahry in the light of the decisions taken by the said committee.

12. Complaint.

- Any complaint against the employment on contact to the post of Secretary, Gram Katchahry, under these Rules, may be made before the concerned Sub-Divisional Magistrate within 30 (thirty) days from the date of such employment. The Sub-Divisional Magistrate will be empowered to take decision on the complaint received. The Sub-Divisional Magistrate concerned will take decision on the complaint not later than 30 days.

13. Appeal.

- The appeal against the decision of the Sub-Divisional Magistrate will be preferred before the concerned District Magistrate within thirty days of such decision, which is to be heard by the District Magistrate or the officer, not below the rank of Additional District Magistrate nominated by him/her. The decision will be given after hearing.

14. Miscellaneous.

- The State Government may clarify any provision of these Rules by notification/instruction and remove any difficulty arising in its implementation.

I

Application form Application for employment to the post of Secretary Gram Katchahry

Tick mark (☐) whichever is applicable

1. Name of Block and Gram Katchahry for employment:- Self attested passport size photo
2. Name of the candidate:-
3. (a) Name of the father/husband:-
(b) Name of the mother:-
4. Date of Birth:-
5. Sex:- ☐ Male ☐ Female

☐ Female

☐ Age on the date of application
Year ☐

| Month|

| Day|

|}|-| 7.|

PermanentAddress:-Village/Town/Mohalla/Road.....

8.| Postal address:-Village/Mohalla/Road/Town| -||

9.| Caste:-|

General { |

| Reserved|

|}|-| 10.| Reservation Category:-|

SC { |

| ST|

| EBC|

| BC|

|}|-| 11.| If handicapped:-|

Visually impaired { |

| Audibly handicapped|

| Orthopaedically handicapped|

|}-| 12.| Qualification:-|}|

Educational	Name of the School/ Board	Year of passing	Total marks	Percentage of marks
1	2	3	4	5
Law Graduate				

Note.-If any candidates has passed matriculation or intermediate examination or obtained degree of graduation or post-graduation, in that case too the merit list will be prepared on the basis of marks obtained in the Matriculation examination.Certified that all the above information is true. If any information is found to be false, my candidature may be cancelled and necessary legal action be taken.Place.....Date.....Signature of the CandidateAcknowledgementReceived application in prescribed form for employment to the post of Secretary, Gram Katchahry from Shri/Sushri/Shrimati..... and the receipt is.....Dated.....Signature and full name of the recipient(with seal)Necessary Instructions

- 1. The application should be sent directly or by registered post to the *[Block Development]**
- 2. Self-addressed envelope of 10" x 6" size with stamp is to be attached with the application.**
- 3. The application must be accompanied with the certificate of qualification/marks sheet/caste certificate.**
- 4. Those selected shall be present at the date, time and place fixed alongwith their all the original certificates/marks sheets/caste certificate as well as the attested photocopies thereof.**
- 5. Prior to employment residential certificate, as necessary, must be furnished.**
- 6. Necessary verification will be made on the basis of the photo- copies and in case of any error being found the employment will be cancelled and legal action be taken.**
- 7. No travelling allowance will be admissible for counselling/joining.**

Note- S.C. - Scheduled Castes S.T. - Scheduled Tribes M.B.C. - Most Backward Classes B.C. - Backward Classes

II

Employment letter for Secretary, Gram

Katchahry To, Shri/Sushri/Shrimati.....With
pleasure it is to inform that you have been selected for employment as.....of Gram
Katchahry.....under the Block of.....your employment will be made as per Secretary, Bihar
Gram Katchahry (Employment, Service Conditions and duties) Rules, 2007. If the employment is
acceptable to you please submit it to the undersigned with your consent in the following proforma
and join the above mentioned Gram Katchahry within ten
days. Date.....Place.....Signature of the Sarpanch, Full name, Office and Seal.

III

Consent Letter I..... father's namemother's
name.....address.....give my consent to work as Secretary, Gram Katchahry under the
conditions mentioned in Secretary, Bihar Gram Katchahry (Employment, Service Conditions and
Duties) Rules, 2007. Date.....Place.....Signature of the Sarpanch Full

Name.....Address :.....