

Bihar Mines & Geology Service Rules, 2008

BIHAR

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Rule BIHAR-MINES-GEOLOGY-SERVICE-RULES-2008 of 2008

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Bihar Mines & Geology Service Rules, 2008Published vide Notification-File No. 1/Vivid-023/2007 (Part-3)-1228/M, Patna, dated 20.6.2008Government of Bihar, Department of Mines & Geology, Notification-File No. 1/Vivid-023/2007 (Part-III)-1228/M, Patna, dated 20.6.2008. - In exercise of powers conferred by the proviso to Article 309 of the Constitution of India, the Government of Bihar is hereby pleased to make the following Rules to regulate the mode of recruitment and conditions of Service of the persons appointed to the Bihar Mines & Geology Service.Chapter-1 Preliminary

1. Short title and commencement.

(1)These Rules may be called the Bihar Mines & Geology Service Rules, 2008;(2)It shall extend to the whole of the Bihar State.(3)It shall come into force with immediate effect.

2. Definitions.

- In these Rules, unless otherwise required in the context,(i)'Cadre' means the sanctioned strength of service as a separate unit.(ii)'Commission' means the Bihar Public Service Commission.(iii)'Governor' means the Governor of Bihar.(iv)'Member' or 'Member of the Service' means a person appointed to the Bihar Mines & Geology Service.(v)'Schedule' means Schedule appended to these Rules.(vi)'Service' means Bihar Mines & Geology Service.(vii)'Competitive Examination' means Bihar Mines & Geology Service Competitive Examination.(viii)'Sub-Ordinate Service' means the cadre of the Mines Inspectors.(ix)'Department' means Mines & Geology Department.(x)'State Government' means the State Government of Bihar.

3. Constitution of the Services.

- This Service shall be known as Bihar Mines & Geology Service and it shall be deemed to be a State Service.This cadre shall be under the administrative control of Mines & Geology Department. The Director, Mines & Geology Directorate shall be the Head of the Department for this cadre.The

strength of the service shall be as contained in Schedule-I.

4.

The person appointed and working in Mining Service and Geology Service prior to the enforcement of these Rules shall be deemed to be automatically included in this Service. All members of this Service shall be Gazetted.

Chapter-2 Recruitment

5. Sources of recruitment.

(1) Save as otherwise provided, recruitment to the Service shall be made: (a) by direct recruitment, in accordance with Chapter-3 of the Rules. (b) by promotion, in accordance with the Rules in Chapter-4 of the Rules.

6. Reservation.

- The rules of reservation/roster as prescribed by the State Government shall be applicable in appointments and promotions.

7. Determination of Vacancies and notifying the same to the Commission.

- In every calendar year, with reference to the 1st day of April, the Government shall determine the number of vacancies to be filled up in that year by direct requirement and by promotion, and the vacancies, so determined, shall be sent to the Commission.

Chapter-3 Direct Recruitment

8. Direct Recruitment.

- 75% posts of the basic grade of the service shall be filled up by direct recruitment. The Commission shall advertise the vacancies to be filled by direct recruitment through competitive examination and shall invite applications from candidates eligible for appointment to the Service.

9. Eligibility.

- The minimum age 21 year shall be essential for the appointment to the basic grade of the Service. The maximum age limits shall be the same as may be determined from time to time by the Personnel and Administrative Reforms Department of the State Government. Minimum educational qualification shall be the same as prescribed in Schedule II of these Rules.

10. Examination.

- The eligible candidates shall have to appear in the written examination in the following subjects:-

1. General Knowledge - 100

2. Mining or Geology - 100

3. Mineral Policy & related - 100

Acts, Rules, Regulation, etc. as existing in India The minimum qualifying marks in each of the above subjects shall be as prescribed by the State Government, from time to time.

11. Interview.

- The candidates, double in the number of the vacancies shall be selected for interview, on the basis of marks obtained at the written examination. The total marks for the interview shall be 50. No minimum qualifying marks shall be fixed for interview.

12. Recommendation by the Commission.

(1) The Commission shall prepare a merit list on the basis of marks obtained in written examination and interview. From the merit list so prepared, the Commission shall recommend such number of candidates as requisitioned by the Department. (2) In case, equal marks being obtained by two or more candidates, weightage in the merit list will be given on the basis of the age of the candidates i.e. the candidate of higher age will be placed higher in the merit list as compared to the candidates of lower age. (3) The merit list prepared in accordance with sub-rule (i) shall have a validity period of one (1) calendar year only. (4) Unfilled vacancies due to lack of required number of successful candidates or non-joining the posts, shall be carried forward to the next year.

13. Medical Examination.

- Every candidate selected for appointment shall have to undergo a medical examination by Medical Board constituted by the State Government. A candidate who fails to satisfy the Medical board regarding his/her physical fitness, necessary for efficient performance of the duties of the post, shall not be appointed. The Medical Board shall determine the objective standards for this. Chapter-4 Recruitment by Promotion

14. Recruitment by Promotion.

(1) Recruitment by promotion under this Rule shall be strictly on seniority-cum-merit basis. (2) 25 percent posts of the basic grade of the Service shall be filled up by promotion from the cadre of the Mines Inspector of the Department. (3) Such an appointment by promotion shall be made on the recommendation of the Departmental Promotion Committee constituted under the Chairmanship of Chairman/member of the Commission. (4) The Rules of reservation/roster as determined by the State Government for promotion shall essentially be complied. (5) It shall be essential to complete the Kalawadhi (qualifying period) as prescribed by State Government (Personnel & Administrative Deptt.) from time to time for promotion.

15. Pay.

- Pay Scales of various categories of posts shall be the same as prescribed by the State Government or their corresponding revised Scales announced by the Government from time to time. Chapter-5 Confirmation

16. Probation.

(1) Every Officer appointed against a substantive vacancy in the basic grade, shall remain on probation for a period of two years from the date of joining to the post: Provided that the period during which a person has held that post in officiating or temporary capacity, for at least two years, that period may be allowed by the Department to be counted towards the period of probation. (2) In case of service being unsatisfactory during the probation period, such period may be extended by one year. In case service is found not satisfactory even in the extended period, the Governor may, during or at the end of the period of probation, terminate the appointment of an officer directly recruited to the service or revert a promoted officer to his/her post of substantive appointment. (3) Upon confirmation to the service, the period of probation shall be included in the total service of the officer.

17. Departmental Examination.

- No person shall be eligible for promotion from basic grade to a higher post unless he has passed the final departmental examination, completed the prescribed training and is confirmed. Syllabus : Syllabus for Departmental examination will be as prescribed in Schedule-III.

18. Training.

- The member of this Service shall have to complete the training for such period, within or outside the state, as may be prescribed by the State Government.

19. Confirmation.

(1) An officer appointed on probation shall be confirmed at the completion of the period of probation and after passing the departmental examination and after completion of prescribed training. (2) Next annual increment after the first increment shall not be granted to any person appointed, unless he/she passes the departmental examination. Chapter-6 Cadre Promotion

20. Promotion.

- Promotion under this Rule shall be strictly on seniority-cum-merit basis. All posts, above the basic grade of the Service shall be filled up by promotion from the members of the Service. (i) Qualifying Service. - No officer shall be eligible for promotion unless he/she completes minimum qualifying period (Kalawadhi) as determined from time to time by Personnel & Administrative Reforms Deptt.

of the State Government.(ii)Departmental Promotion Committee. - (a) There shall be Departmental Promotion Committee for considering promotion to the posts of Asstt. Director, Dy. Director and Addl. Director.(b)The post of Director shall be filled up from the officers of Mines & Geology Service on the recommendation of DPC constituted under the Chairmanship of Chairman/Member of the Commission:Provided that in case of administrative exigencies the post of Director may temporarily be filled up by the other services also.Chapter-7 General

21. Contract regarding area of work.

(1)Any member of this Service shall be posted in any department of the Government and anywhere in or outside the State of Bihar.(2)The State Government shall have the powers to post or depute any member of this service to any ex-cadre post in accordance with his/her seniority.

22. Administrative Control of the Director.

- When the Service of a member is under the Directorate, Director shall exercise such powers over the members as are generally exercised by heads of departments in the State Government.

23. Other Conditions of Service.

- Other conditions of Service applicable to this Service such as, disciplinary action, leave, retirement benefits, etc. not covered by these Rules shall be governed by the relevant rules framed for employees and officials of the State Government.

24.

The Difficulty/difficulties arising in the implementation of these Rules may be removed by orders notified in Official Gazette.

25. Repeal and Saving.

- Prevailing Rules/resolutions/instructions for Mining Cadre and Geology Cadre shall deemed to be repealed from the date of enforcement of these Rules. Notwithstanding such repeal, action already taken in pursuance of rules, instructions, resolutions issued earlier shall deemed to be taken under these Rules.

I

Composition of the Cadre and the Number of posts.(A)Posts of Basic Scale-Mineral Development Officer : Scale of -Pay -6,500-10,500

Sl. No.	Designation	No. of Posts	Place of Posting
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1. Mineral Development Officer 25 Dist level/ Divisional Level/ Hq. Level

(B) Posts in the category of Asstt. Director: Scale of Pay 10,000-15,200

1. Asstt. Director 11 Dist level/Divisional level/Hq. Level

Total 11

(C) Posts in the category of Dy. Director: Scale of Pay 12,000-16,500

1. Dy. Director 8 Divisional level/Hq. level

(D) Posts in the category of Addl. Director: Scale of Pay 14,300-18,000

1. Addl. Director 01 Headquarters

(E) Post in the category of Director, Mines & Geology: 01 - Scale of Pay 16,400-20,000

1. Director/HOD 01 Headquarters

Total Strength of the cadre (excluding leave reserve of 5%)

(i)	Mineral Development Officer	- 25
(ii)	Assistant Director	- 11
(iii)	Dy. Director	- 8
(iv)	Addl. Director	- 1
(v)	Director	- 1
	Total:	- 46
	Leave reserve	2
	Total	48

Note :-The Government, by Notification in the Official Gazette, may redetermine the no. of posts and pay scales of the above cadre.

II

Qualification for direct recruitment to the Basic grade of the Bihar Mines & Geology Service will be Mineral Development Officer :-2nd Class, M.Sc. Degree in Geology/ Applied Geology/M. Tech. in Geology/Degree in Mining Engineering.

III

Syllabus for Departmental Examination

Part-I (General Rules) Full Marks-100

(i) Bihar T.A. Rules (ii) Bihar State Government Service Conduct Rules. (iii) Bihar Treasury Code Volume I & II. (iv) Bihar Service Code. (v) Bihar Pension Rules. (vi) Bihar Provident Fund Rules.

Part-II (Act & Rules relating to Mines & Revenue) Full Marks-100

(i) MMRD Act, 1957. BMMC Rules 1972, B.M. (illegal Mining & Storage) Rules, 2003. (ii) Bihar & Orissa Public Demand Recovery Act 1914.