

Bihar Vigilance Investigation Cadre Rules, 2012

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Rule BIHAR-VIGILANCE-INVESTIGATION-CADRE-RULES-2012 of 2012

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Bihar Vigilance Investigation Cadre Rules, 2012Published vide Notification No.

N.V.-Astha.V.411/2011(Chaya)-5015, dated 23.08.2012Last Updated 4th February, 2020No.

N.V.-Astha.V.411/2011(Chaya)-5015. - In exercise of the powers conferred by the proviso of Article-309 of the Constitution of India the Governor of Bihar is pleased to make the following Rules to regulate the constitution of Bihar Vigilance Cadre and procedure of recruitment and other service-conditions :-Chapter-1 1. Short title, extent and commencement.- (i) These Rules may be called The Bihar Vigilance Investigation Cadre Rules, 2012(ii) It shall extend to the whole of the State of Bihar.(iii) It shall come into force with effect from the date of its publication in the official Gazette of Bihar.

2. Definitions.

- In these Rules, unless anything repugnant to the subject of context -(a)"Department" means the Vigilance Department;(b)"Government" means the State Government of Bihar;(c)"Governor" means the Governor of Bihar;(d)"Departmental Promotion committee" means the committee duly constituted by Government for departmental promotions;(e)"Member of the Cadre" means the person appointed and working on deputation in the Bihar Vigilance Cadre under the provisions of these Rules;(f)"Grade" means of grade listed in the Schedule-1;(g)"Appointing Authority" means Principal Secretary/Secretary, Vigilance Department in respect of Sub Inspector and the Governor of Bihar in respect of Deputy Superintendent of Police;(h)"Schedule" means the schedule appended to these Rules;(i)"Cadre" means the Bihar Vigilance Investigation Cadre, which shall be a cadre in uniform- holders and guided by the Bihar Police Manual.(j)"Vacancy within the year" means the vacancies accrued in a particular year due to creation of new posts, retirement, death, removal from service and dismissal in the cadre.

3. Constitution of the Cadre and Strength.

(1) From the date of commencement of these Rules, the Bihar Vigilance Investigation Cadre shall be deemed to be constituted. It shall be a State level cadre. (2) The number of posts in the cadre and its different posts shall be as per the details given in the schedule-1. The State Government may revise the schedule-1, according to the need, and increase or decrease the number of posts in a suspended animation and make changed in a grade. Chapter-2 Procedure of recruitment and proportion

4. Determination of vacancies and requisition.

- On the first April of every year, the Government shall calculate the vacancies to be filled by direct recruitment in the categories of Police Sub-Inspector and Deputy Superintendent of Police and accordingly, the intimation of reservation category wise vacancies to be filled by direct recruitment be sent to the Bihar Staff Selection Commission and Bihar Public Service Commission, respectively by 30th April.

5. Reservation.

- In this Cadre, it shall be essential to follow the provisions of reservation/roster made applicable by the Government, from time to time, in the appointments and promotions.

6. Qualifications.

- The minimum qualification for both these posts shall be as per rule-7 and rule-9 respectively.

7. Appointment to the grade of Police Sub-Inspector.

(a) There shall be 21 posts of Police Sub-Inspector out of which 18 posts shall be for Vigilance Investigation Bureau and three posts for Special Vigilance Unit. These posts may be filled as follows :- (i) For Vigilance Investigation Bureau, 12 posts shall be filled by deputation from Home (Police) Department and 6 posts to be filled by direct recruitment. (ii) 3 posts shall be filled by direct recruitment for Special Vigilance Unit. (b) Direct recruitment. - (i) 6 posts of Vigilance Investigation Bureau and 3 posts of Special Vigilance Unit, total of 9 posts to be filled by direct recruitment shall be filled on the recommendation of Bihar Staff Selection Commission. For this, after calculation the vacancies as on 1st April, the reservation category wise requisition shall be sent to the Bihar Staff Selection Commission by 30th April. The Bihar Staff Selection Commission shall recommend the suitable candidates on the basis of written competitive examination. After the result of the Physical efficiency test, the Action of appointment shall be taken on the basis of its recommendation. (ii) The educational qualification for direct recruitment shall be graduate. the minimum age limit shall be 21 years and the maximum age limit be such the as it may be determined by the General Administrative Department, from time to time.

8. There shall be 57 posts of Police Inspector out which 47 posts shall be for Vigilance Investigation Bureau and 10 posts for Special Vigilance Unit.

The said posts shall be filled as follows. (a) For Vigilance Investigation Bureau 45 posts shall be filled by deputation from Home (Police) Department and 2 posts by promotion. (b) 9 posts Special Vigilance Unit shall be filled by deputation (deputation of retired police officer from Home (Police) Department/CBI on contract) and 1 posts by promotion. (c) 2 post mentioned above in para (a) and 1 posts mentioned above in para (b), 3 posts out of total posts shall be filled by promotion from the police Sub-Inspector grade. This promotion may be granted on the basis of the recommendation of the Departmental Promotion Committee and after the Completion of the qualifying period (Kalavadhi) as determined by the General Administration Department from time to time.

9. Deputy Superintendent of Police.

(1) There Shall be 43 posts of Deputy Superintendent of Police out which : (a) 24 posts for Vigilance Investigation Bureau shall be filled by deputation, 8 posts by direct recruitment and 1 posts by promotion. (b) 7 posts for Special Vigilance Unit, shall be filled by deputation (deputation of retired police officer from Home (Police) Department/CBI of contract) and 3 posts by direct recruitment. (2) Procedure of recruitment. - (a) 31 posts of Deputy Superintendent of Police shall be filled by deputation from Home (Police) Department taking their services. (b) 11 posts shall be filled on the recommendation of made for this purpose on the basis combined competitive examination conducted by the Bihar Public Service Commission. Every year, the requisition of reservation category wise vacancies as on 1st April shall be sent to the Bihar Public Service Commission. (c) The minimum educational qualification for direct recruitment shall be graduate. The minimum age limit shall be 21 years and the maximum age limit be such as it may be determined by the General Administrative Department from time to time. (d) One post shall be filled by promotion from the police Inspector category. For promotion, it shall be essential to complete the Kalavadhi as determined by the General Administration Department. The promotion shall be granted on the basis of the recommendation of the Departmental Promotion Committee.

10. Additional Superintendent of Police/Superintendent of Police.

(1) There shall be 13 posts of Additional Superintendent of Police/Superintendent of Police out which. (a) 6 posts shall be filled up by deputation and one post by promotion for Vigilance Investigation Bureau. (b) 6 posts of spl. Vig. Unit shall be filled up by deputation by Home (Police) Department of by appointment on contract basis of retired police officer of Home (Police) Department of CBI. (2) Procedure of recruitment - (a) 12 posts of this grade shall be filled up taking service on deputation from Home Department. (b) One post shall be filled up by promotion from the grade of Deputy Superintendent of police. It shall be essential for promotion to complete the kalawadhi as determined by the General Administration Department, from time to time. The promotion may be granted on the basis of the recommendation of the Departmental Promotion Committee.

11. Deputy Inspector General of Police/Inspector General of Police/Additional Director General of Police.

(1)(a) There shall be a single post in each grade of Deputy Inspector General of Police/Inspector General of Police/Additional Director General of Police for Vigilance Investigation Bureau which shall be filled up by deputation. (b) There shall be a single posts in each grade of Deputy Inspector General of Police/Inspector General of Police for Special Vigilance Unit which shall be filled by deputation. (c) Details relating to number pay scales and reconstitution of posts are mentioned in schedule-I, schedule-II and Schedule-III respectively. (2) Procedure of recruitment - There shall be two posts in each grade of Deputy Inspector General of Police/Inspector General of Police and a Single post of Additional Director General of Police. Postings on these posts shall be made by Home (Police) Department. Chapter-3 Probation and Confirmation

12. Probation.

(a) Every person to be appointed against a vacant basic post by direct recruitment shall be on probation for a period of two years from the date of joining. (b) On completion of the probation period, if the services of the person is not found satisfactory, his/her probation period may be extended by the Government ; provide that the total period of probation shall not exceed more than three years. Even if in the extended period the services are not found satisfactory, the service may be terminated. (c) After the appointment and after grant of first increment, the next increment shall be granted only after passing the prescribed departmental examination.

13. Training.

- It shall be essential for every employee appointed by direct recruitment to complete successfully the training programme under police Training Center and under other institutions as may be required.

14. Confirmation.

- On completion of the probation period, the person appointed by direct recruitment shall be eligible for confirmation in the service under the following conditions :- (i) He/She has passed the prescribed departmental examination to be conducted by the Central Examination Committee, Board of Revenue, for which subjects shall be prescribed by the consent of the Board of Revenue ; (ii) He/She has undergone trainings as prescribed from time and if the training is followed by an examination, has passed the examination ; and (iii) His/Her conduct and services are being satisfactory during the probation period. Chapter-4 Departmental Promotion Committee

15.

The seniority of the members of this cadre shall be determined as per the principles and procedure laid down by the General Administration Department from time to time. Chapter-5 Departmental

Promotion Committee

16. Departmental Promotion Committee.

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(1) To consider the promotion from policeSub-Inspector to Police Inspector grade, the DepartmentalPromotion Committee as per rule shall be constituted as follows:-

- | | |
|---|---------------------|
| (a) Additional Director General of Police,VigilanceDepartment | Chairman |
| (b) Inspector General of Police, VigilanceDepartment | Member |
| (c) Deputy inspector General of Police,VigilanceDepartment belonging to Scheduled Castes/Tribes | Member |
| (d) Superintendent of Police,Vigilance Departmentdoing establishment work | Member
Secretary |

To consider the promotion from police Inspectorto Deputy Superintendent of
(2) Police grade, the DepartmentalPromotion Committee as per rule shall be constituted as follows:-

- | | |
|---|---------------------|
| (a) Chairman/Member,Bihar Public Service Commission | Chairman |
| (b) Principal Secretary,Vigilance Department | Member |
| (c) Additional Director General of Police,VigilanceDepartment | Member |
| (d) An Officer belonging to Scheduled Castes/Tribesnominated by General Administration Department | Member
Secretary |

To consider the promotion from DeputySuperintendent of Police to Senior Deputy
(3) Superintendent ofPolice/Additional Superintendent of Police/Superintendent ofPolice grade, the Departmental Promotion Committee aa per ruleshall be constituted as follows :-

- | | |
|---|----------|
| (a) Principal Secretary,Vigilance Department | Chairman |
| (b) Additional Director General of Police, VigilanceDepartment | Member |
| (c) Inspector General of Police | Member |
| (d) An Officer belonging to Scheduled Castes/Tribesnominated by General Administration Department | Member |

17. Control over works related to establishment.

- (i) Appointment, Promotion, posting, transfer, confirmation, maintenance of seniority list of the members of this cadre and all the works related to establishment shall be under the control of appointing authority.(ii)The transfer/posting/deputation upto the level of police Inspector between Vigilance Investigation Bureau and Special Vigilance Unit shall be made at the level of Bureau and Special Vigilance Unit.The transfer/posting/deputation of Deputy Superintendent of police and Superintendent of police category shall be made by the Vigilance Department.(iii)All rules/acts applicable to government servants shall be applied to them provided that the changes to be made in future by the Government with respect to the pay scales of different posts of police cadre shall be

applied accordingly to the equivalent posts of this cadre mentioned in these rules.(iv)The department may, make regulations to carry out the provisions as per necessity.

18. Interpretation.

- The Vigilance Department shall be competent to interpret the provisions of these Rules and its decision shall be final.

19. Removal of difficulties.

- In case of any difficulty arises in implementation of the provisions of these Rules the state Government may, by notification published in the official Gazette, not being inconsistent with the provisions of these Rules remove such difficulty.

I

Reconstitution of Vigilance Investigation Bureau

Sl. No.	Designation	Pay Band and Grade pay	No. of Posts	Source of Appointment/Promotion
1	2	3	4	5
1	Additional Director General of Police		1	Home (Police) Department
2	Inspector General of Police	37400-67000 Grade Pay-10000	1	Home (Police) Department
3	Deputy Inspector General of Police	37400-67000 Grade Pay-8900	1	Home (Police) Department
4	Superintendent of Police/Additional Superintendent of Police	15600-39100 Grade Pay-7600	7	06 by Deputation from Home (Police) Department 01 by Promotion (from the cadre of Vigilance Investigation)
5	Deputy Superintendent of Police	9300-34800 Grade Pay-5400	33	24 by Deputation from Home (Police) Department 08 by Direct recruitment (by B.P.S.C for Vigilance Investigation Cadre) 01 by Promotion (from the cadre of Vigilance Investigation)
6	Police Inspector	9300-34800 Grade Pay-4600	47	45 by Deputation from Home (Police) Department 02 by Promotion (from the cadre of Vigilance Investigation)
7	Police Sub Inspector	9300-34800 Grade	18	12 by Deputation from Home (Police) Department 06 by Direct recruitment by Staff

Pay-4200

Selection Commission for
Vigilance Investigation Cadre.

II

Reconstitution of Special Vigilance Unit

Sl. No.	Designation	Pay Band and Grade pay	No. of Posts	Source of Appointment/Promotion
1	2	3	4	5
1	Inspector General of Police	37400-67000 Grade Pay-10000	1	Home (Police) Department
2	Deputy Inspector General of Police	37400-67000 Grade Pay-8900	1	Home (Police) Department
3	Superintendent of Police	15600-39100 Grade Pay-7600	6	06 -Retired Police Officer from Home (Police)Department/CBI(on Contract)
4	Deputy Superintendent of Police	9300-34800 Grade Pay-5400	10	03- Direct recruitment (By B.P.S.C. for SpecialVigilance Unit) 07- Deputation (Retired Police Officer from Home(Police) Department/CBI on Contract)
5	Police Inspector	9300-34800 Grade Pay-4600	10	01- Promotion (Special Vigilance Unit) 09-Deputation (Retired Police Officer from Home (Police)Department/CBI on Contract)
6	Police Sub Inspector	9300-34800 Grade Pay-4200	3	03- Direct recruitment (Staff SelectionCommission-Special Vigilance Unit)
7	Sepoy	5200-20200 Grade Pay-1900	15	By Deputation
8	Reader	9300-34800 Grade Pay-4200	4	By Deputation
9	Steno Typist (Stenographer)	5200-20200 Grade Pay-2400	2	By Deputation
10	Section Officer	9300-34800 Grade Pay-4800	1	By Deputation
11	Assistant	9300-34800 Grade Pay-4600	1	By Deputation
12	Attendant	5200-20200 Grade Pay-1800	2	By Deputation

III

Number of posts for vigilance Investigation Bureau and Special Vigilance left

Sl. no.	Designation	Pay Band and Grade pay	For Vigilance Investigation Bureau	For Special Vigilance Unit	Total Deputation	Total Direct Recruitment	Total promotion
1	2	3	4	5	6	7	8
1	Police Sub Inspector	9300-34800 Grade Pay-4200	12 by deputation06 by direct recruitment18 posts	03 by direct recruitment	12--	-9-	---
2	Police Inspector	9300-34800 Grade Pay-4600	45-Deputation Posts	09-Deputation/ Promotion/ Contract01- Promotion10- Posts	47-54	-	3
3	Deputy Superintendent of Police	9300-34800 Grade Pay-5400 and after 4 years of service PB3+5400	24-Deputation Direct recruitment10- Posts	07-Deputation/ Contract03- Promotion33- recruitment10- Posts	31	11	1
4	Superintendent of Police/Additional Superintendent of police	15600-39100 Grade Pay-7600	06-Deputation Posts	06 Posts- Promotion07- Deputation/ Contract	12	-	1
5	Deputy Inspector General of Police	37400-67000 Grade Pay-8900	01-Deputation	01-Deputation	2	-	-
6	Inspector General of Police	37400-67000 Grade Pay-10000	01-Deputation	01-Deputation	2	-	1
7	Additional Director General of Police		01-Deputation	-	1	-	-