

Bihar Panchayat Service Rules, 2010

BIHAR

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Rule BIHAR-PANCHAYAT-SERVICE-RULES-2010 of 2010

- Published on 12 March 2010
- Commenced on 12 March 2010
- [This is the version of this document from 12 March 2010.]
- [Note: The original publication document is not available and this content could not be verified.]

Bihar Panchayat Service Rules, 2010 Published vide Notification No.

1Pa/Sa-1-4013/2000/P.R./1939, dated 12th March, 2010, published in Bihar Gazette (Extra-ordinary) No. 177, dated 1.3.2010 Notification No. 1Pa/Sa-1-4013/2000/P.R./1939, dated 12th March, 2010. - In exercise of power conferred under proviso of Article 309 of the Constitution of India, the Governor of Bihar do hereby, declare the formation of "Bihar Panchayat Service" comprising the earmarked posts of Block Panchayat Raj Officer, Lecturer-District Panchayat Raj Training institute/Mukhia-Sarpanch Training Institute, District Panchayat Raj Officer and Principal-District Panchayat Raj Training Institute/Mukhia-Sarpanch Training Institute under the control of Panchayati Raj Department, Bihar and makes the following rules for the regulation of their appointment, promotion and service conditions :-

1. Short title, extent and commencement.

(1) These Rules may be called the "Bihar Panchayat Service Rules, 2010." (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 anything repugnant in the context-(i) "Governor" means the Governor of Bihar; (ii) "State Government" means the Government of Bihar; (iii) "Appointing Authority" means the Secretary, Panchayati Raj Department in context to Non-Gazetted posts and the Governor of Bihar in context to Gazetted post; (iv) "Controlling Authority" means Director, Panchayat Raj; (v) "Department" means Panchayati Raj Department, Bihar; (vi) "Commission" means Bihar Staff Selection Commission (Bihar Karamchhari Chayan Ayaog)/Bihar Public Service Commission; (vii) "Secretary" means Secretary, Panchayati Raj Department, Bihar; (viii) "Head of Department" means Secretary, Panchayati Raj Department, Bihar; (ix) "District Magistrate" means collector of a District; (x) "Commissioner" means Divisional Commissioner; (xi) "Dy.-Director; Panchayat Raj" means Dy.- Director Posted in Directorate (Headquarter) and Divisional

Dy.-Director, Panchayat Raj;(xii)"District Panchayat Raj Officer" means District Panchayat Raj Officer posted by the government district level;(xiii)"District Panchayat Raj Training Institute and Mukhia, Sarpanch Training Institute" means training institutes established by the Government of Bihar in order to impart training to non-official member and Officer bearers of Panchayat Raj Institutions;(xiv)"Principal" means principals of District Panchayat Raj Training Institutes and Mukhia-Sarpanch Training Institutes;(xv)"Lecturer" means lecturer especially appointed for this purpose in District Panchayat Raj Training Institutes and Mukhia-Sarpanch Training Institutes; ,(xvi)"Block Panchayat Raj Officer" means an officer especially appointed at Block level for the purpose of facilitating execution of functions of Panchayat Raj Institutions and supervision and inspection of accounts proceedings and records of Gram Panchayat.(xvii)"Service" means Bihar Panchayat Service;(xviii)"Member" means member of the Bihar Panchayat Service; and(xix)"Act" means the Bihar Panchayat Raj Act, 2006 (As amended up to dated).

3. Constitution of Service/Cadre.

(1)This service shall comprise the posts as follows :-

Name of the Post	Sanctioned Strength	Non-Gazetted/Gazetted	Appointing Authority	Pay Scale	Remarks
1	2	3	4	5	6
Block Panchayat Raj Officer	528	Non-Gazetted	Secretary, Panchayati Raj	5000-150-8000	
Lecturer-District Panchayat Raj Training Institute/Mukhia-Sarpanch Training Instituted (First Promotion)	46	Gazetted	Governor	65000-200-10500	
District Panchayat Raj Officer (Second Promotion)	38	Gazetted	Governor	8000-275-13500	
Principal District Panchayat Raj Training Institute/Mukhia-Sarpanch Training Institute (Third Promotion)	23	Gazetted	Governor	10000-325-15200	

(2)The persons appointed and working in the above categories before coming into the effect of this Rule shall be deemed to be automatically included in this Service.

4. Sanctioned strengths.

- The sanctioned strength for each category shall be as per the sanctioned posts/strength as mentioned under column 2 under Rule 3. The State Government shall have right to make alteration in it from time to time.

5. Reservation.

- The provisions of roster/reservation made by the State Government from time to time shall be applicable in appointment/Promotion in the service.

6. Recruitment.

- The recruitment in the basic category (Block Panchayat Raj Officer) Shall be in accordance with the following procedure -(i)The direct recruitment on 75% (seventy five percent) posts of Block Panchayat Raj Officer shall be on the basis of recommendation of the Commission made on departmental requisition.(ii)The 25% (twenty five percent) posts shall be filled-up by the promotion on the principle of seniority-cum-merit from the State Gradation list of Panchayat Secretaries having graduate qualification. But, for the promotion those Panchayat Secretaries shall be eligible who have acquired educational qualification as per Rule 7(i); who have been in service for a minimum of 10 years, whose maximum age dose no exceed 50 years and who have been fulfilled the others conditions laid down by the State Government.

7. Qualification for the recruitment on the post of Block Panchayat Raj Officer.

(1)(a)Graduate in Arts, Science and Commerce, from any University recognized by the Government or any other qualification as declared equivalent to the aforesaid degree (Graduation) by the Government from time to time.(b)Candidates concerned with Rural Development Works during the course of their studies or thereafter shall be given preference.(2)Age Limit. - The age limit for candidates for general competitive examination shall not be less than 18 years as on the date fixed by the Commission, and not exceeding the maximum age limit determined by the Government (Personnel & Administrative Reforms Department) from time to time.(3)The Commission shall advertise the number of vacancies for Block Panchayat Raj officer by open advertisement in the manner and ways as it deems fit and shall invite application from the candidates eligible for appointment. Name of these candidates recommended by the Commission shall be finally selected for appointment.(4)Pay scale. - Pay scale mentioned in column 5 of Rule 3 and the pay scale as revised by the Government from time to time shall be admissible.

8. Probation and period.

- The period of 2 years from the date of appointment on the permanent post of Block Panchayat Raj Officer shall be the "Probation Period" that he/she completes the prescribed training programs, etc.

The probation period may be extended for further one year, in case service is not found satisfactory during the probation period. If the service is not found satisfactory even in the extended period the service may be terminated.

9. Training.

- The persons appointed/promoted on the post of Block Panchayat Raj Officer shall have to complete a three months exhaustive training program.

10. Departmental Examination and syllabus.

- The persons appointed/promoted on the post of Block Panchayat Raj Officer shall have to pass the training course conducted by the Department and the Noting, Drafting examination of Rajbhasha Department.

11. Confirmation.

- Subject to the satisfactory performance and service during probation period, completion of prescribed training and being successful in the department examination, the service shall be confirmed on the post of Block Panchayat Raj Officer.

12. Criteria for promotion.

- The criteria for promotion within the service shall be the principle of Seniority-cum-Merit.(1)Selection Process. - The promotion shall be considerable on recommendation of Departmental Promotion Committee constituted for the purpose of selection for promotion. Members of the Departmental Promotion Committee for promotions on different posts within the service shall be as follow :-A. The Departmental Promotion Committee for promotion on the 25% posts of Block Panchayat Raj Officer shall be as follow :-

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|-------|---|------------|
| (i) | Senior most Deputy-Director/Deputy-Director-cum-Deputy-Secretary, Panchayat Raj | - Chairman |
| (ii) | Monitoring Officer, Panchayat Raj | - Member |
| (iii) | Assistant Director, Panchayat Raj | - Member |
| (iv) | An officer belonging to SC/ST Community, not below the rank of Dy-Secretary, nominated by the Personnel & Administrative Reforms Department | - Member |

B. The Departmental Promotion Committee for promotion on the posts of Lecturer and District Panchayat Raj Officer shall be as follow :-

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|-------|---|------------|
| (i) | Commissioner Agriculture Production/Principal Secretary, Agriculture Department | - Chairman |
| (ii) | Secretary, Co-operative Department | - Member |
| (iii) | Secretary, Animal Husbandry & Fisheries Department | - Member |

- (iv) Secretary, Forest & Environment Department - Member
- (v) An officer of the Personnel & Administrative Reforms Department, Not below the rank of Jt. - Secretary - Member
- (vi) Principal Secretary/Secretary, Panchayati Raj Department - Member Secretary
- (vii) An officer belonging to SC/ST community, not below the rank of Jt.-Secretary, nominated by the Personnel & Administrative Reforms Department - Member

C. The Departmental Promotion Committee for promotion on the post of Principal-District Panchayat Raj Training Institute/Mukhia - Sarpanch Training Institute shall be as follow :-

- (i) Chairman/Member, Bihar Public Service Commission - Chairman
- (ii) Secretary, Co-operative Department - Member
- (iii) Secretary, Animal Husbandry & Fisheries Department - Member
- (iv) Secretary, Forest & Environment Department - Member
- (v) An officer of the Personnel & Administrative Reforms Department, not below the rank of Jt.-Secretary, - Member
- (vi) Principal Secretary/Secretary, Panchayati Raj Department - Member Secretary
- (vii) An officer belonging to SC/ST Community, not below the rank of Jt.-Secretary, nominated by the Personnel & Administrative Reforms Department - Member

(2) Promotion on the hundred percent posts of District Panchayat Raj Officer shall be given on the basis of Seniority cum Merit. (3) Procedure for promotion and criteria for assessing appropriateness for Promotion :- (a) It shall be necessary to complete the qualifying period as prescribed by the State Government (Personnel and Administrative Reforms Department) from time to time. (b) To be considered for promotion, the services of the candidates must be satisfactory, allegation free and confirmed on the post Block Panchayat Raj Officer.

13. Residual matter.

- Administrative Department of the Member the service and administrative control thereon :- (a) The administrative control over the members of the service shall be under the department. (b) Members of the Block Panchayat Raj Officer category shall be under the functional control of such District Magistrate/administrative Head of Block office under whose jurisdiction the members have been posted.

14. Discipline and Appeal.

- Disciplinary action against the members of this service shall be taken in accordance with the provisions of the Bihar Government Servant (Classification, Control and Appeal) Rule, 2005.

15. Miscellaneous.

- Pay, Allowance, Leave, Pension and others service conditions for the posts of this service shall be regulated by general government Rules or orders in force for the time being for the purpose.

16. Removal of difficulties.

- If any question arises in respect of these Rules, the decision of the government shall be final in the matter.

17. Repeal and Saving.

(1) Rules, Directions and Circulars issued previously in respect of the post of Gram Panchayat Supervisor/cadre are hereby repealed. (2) Notwithstanding such repeal anything done or any action taken in exercise of provisions of the previously issued Rules, Directions and Circulars issued previously shall be deemed to be done or taken under this Rule.