

Bihar District Sub-Registrar and Sub-Registrar Recruitment Rules, 1973

JHARKHAND

India

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Rule

BIHAR-DISTRICT-SUB-REGISTRAR-AND-SUB-REGISTRAR-RECRUITMENT of 1973

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Bihar District Sub-Registrar and Sub-Registrar Recruitment Rules, 1973Published vide Notification No. G.S.R. 70, dated 21st June, 1974G.S.R. 70, dated 21st June, 1974. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in superession of the rules published with Revenue Department Notification No. 3089 R, dated 2nd July, 1945, as amended from time to time, the Governor of Bihar is pleased to make the following rules for the regulation of recruitment to the post of Sub-Registrars and District Sub-Registrars in the State of Bihar.

Part I – Preliminary

1. Short title and commencement.

(a)These rules may be called the Bihar District Sub-Registrar, and Sub-Registrar Recruitment Rules, 1973.(b)They shall come into force at once.(c)Definitions. - In these rules, unless there is anything repugnant in the subject or context-(i)"Commission" means the Bihar Public Service Commission;(ii)"Governor" means the Governor of Bihar;(iii)"Government" means the Government of Bihar;(iv)"Scheduled Castes" and "Scheduled Tribes" means Castes and Tribes specified in Scheduled Castes and Scheduled Tribes Order, 1950;(v)"Services" includes post of Sub-Registrars, District Sub-Registrars and Inspectors of Registration Offices ;(vi)"Direct recruitment" means recruitment in the manner prescribed in rules in Part II;

2.

The appointment to the posts of Sub-Registrar shall be made by-(i)a Competitive Examination to be held by the Commission, in accordance with the rules in Part II of these rules; or(ii)by promotion from amongst the Assistants of the office of the Inspector-General of Registration, Bihar and offices subordinate to it in accordance with the rules in part III; provided that for the post of Sub-Registrar not more than 25 per cent of the vacancies may be kept reserved for making appointment of candidates who hold post on substantive basis under the Inspector-General of Registration.

3.

Subject to the provisions contained in Rule 2, the State Government shall decide in each year the number of vacancies to be filled by direct recruitment and by promotion;Provided that the State Government may, in special circumstances, the number of vacancies in either direction.

4.

The District Sub-Registrar, and the Sub-Registrars shall be Gazetted Government Servants within the meaning of the Jharkhand Service Code.

Part II – Direct Recruitment by Competitive Examination

5.

The State Government shall in each year inform the Commission about the number of vacancies likely to be available for appointment to the posts of Sub-Registrar by direct recruitment and thereupon the Commission shall invite applications, in such manner as it thinks fit from candidates for appointment in accordance with Rules 7 and 8 and shall hold a competitive examination normally between the months of November and February.

6.

The Commission may fix limit in any particular year as to the number of eligible candidates to be admitted to the examination alongwith those for the Bihar Civil Service (Executive Branch) and others for which a combined competitive examination will be held, and if the number of eligible candidates exceeds the limit fixed, the Commission may make a preliminary selection of candidates to be admitted to the written examination on the basis of their academic records;Provided that no member of the Scheduled Castes or Scheduled Tribes who is eligible under the rules shall be excluded from appearing at the written examination.

7.

(a)Candidate may either be a male or female, and (b) be under 27 years and over 22 years of age on the 1st day of August last preceding the month in which the examination is held:Provided that-(i)in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes, the upper age limit shall be under 32 years ;(ii)in the case of candidates who are bona fide displaced persons from Pakistan, there shall be no upper age limit, but such candidates shall be allowed to avail, in consecutive years, only of the same number of chances to appear at the examination as are permissible to candidates to whom the normal age limits apply.(b)Must hold a degree in Arts, Science, Commerce or Agriculture of any Statutory University or possess other qualification which the Governor may declare from time to time to be equivalent to the said degree or have passed the diploma examination.Note. - Non-technical non-gazetted employees of the State Government (either temporary or permanent) who have put in at least 3 years continuous service and who are under 35 years of age are permitted to appear in the Combined Competitive Examination conducted by the Commission:Provided that they possess the educational and other qualification laid down in the recruitment rules. In case of candidates of the Scheduled Castes and Scheduled Tribes, the upper age limit shall be 40 years. In the matter whether a Government servant or a particular class of Government Servant is non-technical or technical the decisions of Government shall be final.

8.

(a)A candidate must be of sound health, good physique and active habits and free from any physical defect likely to interfere with the efficient performance of the duties of a Sub-Registrar. A candidate who is found after examination by a Medical Board not to satisfy these requirements will not be selected for appointment.(b)A candidate must satisfy the Public Service Commission that his character is such as to qualify him for employment as Sub-Registrar.

9.

A candidate shall apply to be admitted to the examination in his own handwriting in the prescribed form to the Secretary to Commission not later than such date as may be notified by the Commission in this behalf each year. The prescribed form and a copy of these Rules are obtainable from the Secretary to the Commission on requisition.

10.

With his application a candidate must submit-(i)evidence that he holds one of the educational qualifications referred to in Rule 7 (b);(ii)certificates of character and conduct from the heads of all the colleges at which he has studied since he passed the Matriculation Examination or Secondary Board Examination;(iii)the names of two persons, as references, who knew him in private life and are not his near relatives. A candidate must not file written testimonials of such persons and the reference furnished by him should not include college professors or principals unless they know the candidate at home;(iv)a certificate from any registered medical practitioner in the prescribed form

which may be obtained from the Secretary to the Commission;(v)evidence of age, which should ordinarily be attested copy of the Matriculation certificate or its equivalent. Supplementary InstructionsThe age of a candidate as recorded in his Matriculation certificate will be regarded as correct unless there is proof to the contrary. If a candidate claims that his age is other than as so recorded, he must submit with his application the evidence on which he bases his claim. In such case, he will be required to furnish, among other evidence, a satisfactory explanation of the circumstances in which a wrong age was recorded on his form of application for permission to appear at the Matriculation Examination. He will also be required to submit a statement of any attempt made by him to have the University records amended and of the results of such attempts.

11.

Candidate must pay the following fee :-(a)To the Bihar Public Service Commission. A consolidated examination fee of Rs. 54.00 (Rs. 7.50 paise in case of candidates belonging to the Scheduled Castes and the Scheduled Tribes) when they first submit their applications provided that the Commission may at their discretion, remit the prescribed fee in case of bona fide displaced persons from Pakistan who are not in a position to pay the prescribed fee.Bitel. - Treasury Challans for application and examination fees, credited to the Government of Bihar under head "XXXVI-Miscellaneous-Miscellaneous Department-Provincial-Examination-fees realised by the Public Service Commission will be accepted. The Commission may also accept Crossed Indian Postal Orders payable to the Secretary, Bihar Public Service Commission. The fee must not be sent by cheque on banks or in cash.

12.

(1)No candidate will be admitted to the examination unless he holds a certificate of admission from the Commission.(2)Candidates must see that they are eligible and must decide definitely to apply before depositing the fee in the Treasury. In order to prevent disappointment, candidates are advised to have themselves examined by a Government Medical Officer and above the rank of Civil Assistant Surgeon before applying for admission to the examination. No claim for refund of any of these fee will be entertained.

13.

Notwithstanding anything contained in the foregoing provision of these rules, the Commission may require a candidate to furnish any such additional proof on any point as to his suitability as the Commission may deem necessary.

14.

Subject to the provisions of these rules, the decision of the Commission as to the eligibility or otherwise for the admission to the examination shall be final.

15.

The examination shall be held according to the syllabus specified in Appendix "D" to Jharkhand Civil Service (Executive Branch) and Jharkhand Junior Civil Service Rules (Recruitment), 2001 which are liable to alteration from time to time by the Commission with the prior approval of the State Government.

16.

If any candidate is found guilty of-(i)resorting to any irregular or improper means for obtaining admission to the examination; or(ii)impersonating another candidate or being impersonated by any person at the written or viva voce examination; or(iii)submitting fabricated document or documents which have been tampered with; or(iv)making statements which are incorrect or false; or suppressing material information; or(v)communicating with any person for the purpose of getting help or for aiding any other candidate; or(vi)using any other unfair means in the examination hall; or(vii)unruly behaviour in the examination hall or violating any instruction issued by the Commission; he may be expelled from the examination hall by the Commission or by person authorised by them in this behalf. In such cases, the Commission may also invalidate his answer books or deduct such marks as they consider fit and in addition to being liable to criminal prosecution, the candidate may be debarred either permanently or for a specified period, (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; (b) by the State Government from employment under Government.

17.

(a)The minimum qualifying marks for the written test which shall be the total marks obtained in the written test and not the marks obtained in individual subject, shall be as follows :-(1)For candidates belonging to the Scheduled Castes and Scheduled Tribes-30 per cent.(2)For other candidates-40 per cent:Provided that the Commission may, in any particular year, with prior approval of the State Government, fix higher qualifying marks in any or all the subjects at the written examination than those prescribed above:Provided further that in determining the suitability of a particular candidate for appointment, the total marks obtained at the written examination and not the marks obtained in any particular subject or subjects the qualifying marks of which have been raised, shall be taken into consideration.(b)On the basis of the marks obtained at the written examination the Commission shall arrange for a viva voce test of the candidates who have qualified at the written examination according to sub-rule (a):Provided that in exceptional circumstances and with the prior approval of the State Government, the Commission may, at its discretion, admit candidates of the Scheduled Castes and the Scheduled Tribes to the viva voce test, even though they may not have obtained the minimum qualifying marks at the written examination as prescribed in sub-rule (a).There shall be no qualifying marks for the viva voce test.

18.

The marks obtained at the viva voce test shall be added to the marks obtained at the written examination. The names of candidates will then be arranged by the Commission in order of merit and list of such candidates together with the relevant details about each candidate shall be forwarded to the State Government by such date in each year as the State Government may fix for final selection of candidates for appointment as Sub-Registrars.

19.

The Commission while submitting its recommendations under Rule 18, consider the claims of qualified candidates to the Scheduled Castes and Scheduled Tribes, if the list of nominees submitted under Rule 18 does not contain an adequate number of candidates belonging to the Scheduled Castes and Scheduled Tribes who may be appointed to the vacancies reserved for them to the post of Sub-Registrar, the Commission shall submit a Supplementary List nominating a sufficient number of such candidates as in their opinion attain the required standard of qualification and are in all respects suitable for appointment.

20.

(1) Candidates selected for written or viva voce test will present themselves at their own expense at a time and place of which they will be informed in due course. (2) Every selected candidate shall have to appear before Medical Board. A candidate who fails to pass the test conducted by the Medical Board shall not be appointed.

21.

Should any of the particulars furnished by a candidate be found to be false with his knowledge, he shall, if appointed, be liable to be dismissed. The deliberate suppression of any material fact shall be similarly punished.

Part III – Procedure for Recruitment by Promotion to the Rank of Sub-Registrars

22.

For the purpose of recruitment by promotion under Rule 2 (ii) selection strictly on merit with due consideration to seniority shall be made from amongst the Assistants of Inspector-General of Registrations office and his subordinate offices.

23.

A Committee consisting of the Inspector-General of Registration, Bihar and two seniors most officers of the Registration Department, i.e., Deputy Inspector-General of Registration, Bihar and Senior Inspector of Registration Offices, shall examine the records of the candidates recommended by the District Registrars together with those of the assistants of the office of the I.G. Registration selected for the purpose, and after interview them shall select such number of candidates as may be fixed by the State Government under Rule 3 of these rules. The names of the candidate selected by the Committee shall be forwarded to Bihar Public Service Commission with all relevant papers.

24.

The Commission shall advise the Government in respect of each candidates nominated whether he is suitable for promotion and whether his records prove him to have the requisite character and ability for the post of a Sub-Registrar.

25.

The final selection shall be made by the State Government after considering the recommendation made by the Commission.

Part IV – Procedure for Recruitment by Promotion to the Rank of District Sub-Registrars

26.

Promotion to the post of District Sub-Registrar shall be made from amongst the selection grade of Sub-Registrars solely on consideration of seniority-cum-fitness. Further before a Sub-Registrar is considered for promotion he must possess-(a) a good record of service; (b) conspicuous ability; (c) good administrative capacity; and (d) physical fitness to carry out adequately the duties of inspection of the subordinate registration offices in the district; (e) good character roll.

27.

The State Government shall decide in each year the number of vacancies to be filled in the post of District Sub-Registrars.

28.

The Administrative Department shall examine the cases of the selection grade Sub-Registrars in order of their seniority and forward their recommendations of the department, together with all connected papers including papers relating to those proposal for supersession to the Bihar Public

Service Commission for advice regarding suitability for promotion or otherwise of the candidates.

29.

The Commission shall advise the State Government in respect of each candidate whether he is suitable for promotion and whether in the opinion of the Commission the supersession of the officers recommended by the department is justified.

30.

The final selection shall be made by the State Government after considering the recommendations made by the Commission under Rule 29.

Part V – Promotion of Sub-Registrars and District Sub-Registrars to the Selection Grade

31.

A list of Sub-Registrars and District Sub-Registrars fit to be promoted to Selection Grade posts shall be prepared by Selection Committee consisting of Inspector-General of Registration, Secretary, Revenue Department and Principal, Secretary or any other officers nominated by him.

32.

The selection shall be made on the basis of merit to be assessed from the up-to-date service records with due regard to seniority, from amongst the Sub-Registrars who have completed not less than 16 years of service on the last day of January of the year in which the list is prepared and in the case of District Sub-Registrars two years of service.

33.

The Selection Committee shall arrange names of Sub-Registrars and District Sub-Registrars thus selected in order of seniority.

34.

The list of officers thus prepared shall be forwarded to the Commission alongwith the up-to-date service records. The Selection Committee shall also send to the Commission the up-to-date service records of those officers who are proposed to be passed over.

35.

The Commission shall advise the State Government in respect of suitability of each officer for inclusion in the list.

36.

The final selection of officers for inclusion in the list shall be made by the State Government, after taking into consideration the advice of the Commission.

37.

Promotion to the selection grade shall be made in order in which the names of officers appear in the selection list. The selection list thus prepared shall be valid for one year and each year a selection list shall be prepared.