

The Bihar Civil Service (Judicial Branch) Ad hoc Recruitment on Temporary Basis Rules, 1974

BIHAR

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Rule

THE-BIHAR-CIVIL-SERVICE-JUDICIAL-BRANCH-AD-HOC-RECRUITMENT of 1974

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The Bihar Civil Service (Judicial Branch) Ad hoc Recruitment on Temporary Basis Rules, 1974 Published vide Notification No. G.S.R. 52 dated 18th May, 1974, Published in Bihar Gazette Extraordinary dated 22nd May, 1974 G.S.R. 52 dated 18th May, 1974, [Published in Bihar Gazette Extraordinary dated 22nd May, 1974]. - In exercise of the powers conferred by Article 234 of the Constitution of India, the Governor of Bihar, after consultation with the High Court of Judicature at Patna and the Bihar Public Service Commission, is please to make the following Rules for regulating ad-hoc recruitment to the Bihar Civil Service (Judicial Branch) on purely temporary basis namely:-

1. Short title.

- These Rules may be called the Bihar Civil Service (Judicial Branch) (Ad-hoc Recruitment on Temporary Basis) Rules, 1974.

2. Definitions.

- In these Rules, unless there is anything repugnant to the subject or context,-(i)'Chief Justice' means the Chief Justice of the High Court of Judicature at Patna;(ii)'Commission' means the Bihar Public Service Commission;(iii)'Governor' means the Governor of Bihar;(iv)'High Court' means the High Court of Judicature at Patna;(v)'Scheduled Castes' means the caste specified in Part II of the Constitution (Scheduled Castes) Order, 1950; and(vi)'Scheduled Tribes' means the tribes specified in Part II of the Constitution (Scheduled Tribes) Order, 1950.

3. Ad-hoc recruitment to the posts of Munsifs.

- Ad-hoc recruitment to the post of Munsifs purely on temporary basis shall be made by the Governor on recommendation of the Selection Committee to be constituted in accordance with Rule 4.

4. Constitution of Select Committee.

- The Selection Committee shall consist of the following persons, namely:-(a)The Chief Justice or a Judge of the High Court to be nominated by him in this behalf;(b)One more Judge of the High Court to be nominated by the Chief Justice in this behalf; and(c)The Chairman of the Commission or any member of the Commission to be nominated by the Chairman in this behalf.

5. The Governor to decide the number of posts to be filled up.

- The Governor shall, in consultation with the High Court decide the number of posts to be filled up under these Rules at a time.

6. Applications to be invited by Advertisement.

- Applications for the ad hoc recruitment for the posts of Munsifs will be invited by advertisement to be made in the manner to be decided by the Chief Justice.

7. Age-limit for the appointment.

- A practising Advocate of at least three years' continuous practice at the Bar on the date of advertisement and who is not above 35 years of age on the date will be eligible for appointment, in case of candidates of Schedule Castes and Schedule Tribes the age-limit would be 38 years instead of 35 years.

8. No written test for the appointment.

- A person to be appointed as a Munsif under these Rules is not to undergo any written test. Recommendation of the Selection Committee for appointment will be made to the Governor in order of merit after interviewing such of the candidates as the Selection Committee may decide to interview.

9. A Munsif appointed may be absorbed in the permanent cadre.

- A Munsif appointed under these Rules may be absorbed in the permanent cadre of the Bihar Civil Service (Judicial Branch) by the Governor on the recommendation of the High Court in consultation with the Commission. On such absorption, a Munsif will not be entitled to reckon the period of his service as a temporary Munsif for the purpose of his seniority.

10. A Munsif appointed not required to undergo training.

- Munsifs appointed under these Rules are not to be required to undergo training under the Training and Departmental Examination-Rules, 1963: Provided that the temporary Munsifs after being absorbed in the permanent cadre shall not be confirmed until they pass the departmental examination, as provided under the Training and Departmental Examination Rules, 1973.