

Bihar Group 'D' (Recruitment & Service Conditions) Rules, 2009

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Rule

BIHAR-GROUP-D-RECRUITMENT-SERVICE-CONDITIONS-RULES-2009 of 2009

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Bihar Group 'D' (Recruitment & Service Conditions) Rules, 2009Published vide Notification No. 3/M-102/2007-Ka-1198 dated 26th March, 2010, published in Bihar Gazette (Extraordinary) No. 207, dated 2th March, 2010Notification No.3/M-102/2007-Ka-1198. - In exercise of Powers conferred under proviso to Article 309 of the Constitution of India, the Governor of Bihar, is pleased to make the following Rules for determination of recruitment procedure and service conditions for the posts of Group 'D'.

1. Short title, extent and commencement.

(1)These Rules may be called as Bihar Group 'D' (Recruitment & Service Conditions) Rules, 2009.(2)It shall extend to the whole of the State of Bihar and shall be equally applicable on the Secretariat departments and Muffasil Offices.(3)It shall come into effect immediately.

2. Definitions.

- In these Rules, unless there is any thing contrary to the subject or reference(a)"State Government" means Bihar State Government;(b)"Selection Committee" means the Selection Committee constituted under Rule 6;(c)"Appointing authority" means the authority authorized under Rule 8; and(d)"Panel" means the list of candidates recommended by the Selection Committee.

3. Qualification.

- The direct recruitment on Group 'D' posts shall be in the pay scale of basic grade. For recruitment

-(i)The minimum educational qualification of the candidates shall be Eighth class pass.(ii)It shall be necessary for the candidates to have good health and knowledge of cycling. In the case of female candidates the qualification of knowledge of cycling shall be relaxed.(iii)The minimum age of candidates shall be 18 years and the maximum age shall be such as determined by the State Government (Personnel & Administrative Reforms Department).(iv)It shall be necessary to have the name of candidates registered in the nearest Employment Exchange.

4. Compulsory notification of vacancies.

- The application shall be invited by advertisement as far as possible through Employment Exchange. Each applicant shall mention the Employment Exchange registration number in the application. If, due to any reason, the Employment officer does not recommend his/her name, the application shall be accepted on the basis of registration number. After consideration of applications, a reservation category wise panel shall be prepared by the Selection Committee against the vacancies for the whole one financial year.

5. Reservation/Roster.

- After calculation of vacancies on the 1st April of each year and roster clearance according to actual and possible vacancies, the appointment may be made from the reservation category wise recommended panel.

6. Selection Committees.

(1)The Selection Committee shall be at two level :-(a)at the Department level,(b)at the District level.(2)The Selection Committee constituted at the department level may prepare panel for recruitment in the concerned department and the offices attached to it. The Selection Committee constituted at district level may prepare panel for recruitment in all types of offices at district level. The division level offices shall be under the jurisdiction of the Selection Committee constituted under the chairmanship of the District Magistrate of the district in which its headquarters is situated.(3)The constitution of the Selection Committee shall be according to enclosed Annexure-1.(4)The appointment may be made on the basis of panel prepared by the Selection Committees in the concerned financial year (till 31st March).The validity of the panel shall be for only one year with effect from the date of receipt of recommendation in the department.

7.

All appointments shall be made in the basic grade.

8. Appointing Authority.

(1)The Head of the Department or the concerned competent authority shall be the Appointing Authority. His/her such power shall not be delegated in any circumstances. In such departments

where there is no directorate/attached office, appointments may be made by the Officer not below the rank of Deputy Secretary on approval of the departmental Principal Secretary/Secretary.(2)In any office at the division and district level, the appointments may be made by the authority of the concerned office competent for appointment.

9.

At the time of making appointment, it shall be essential to comply the following procedures

-(i)Every Department shall make available the signature of Appointing Officer to all Treasuries.(ii)Each State Level Appointing Officer and divisional/district level appointing officer, shall send the appointments to be made in compiled form to the Superintendent, Secretariat Press, Gulzarbagh/concerned District Magistrate for publication in extraordinary issue of State Level Gazette and District Level Gazette respectively, which shall be published in the extra-ordinary issue of Gazette. The Appointing Officer, after obtaining the copies of Gazette from the office of the Superintendent, Secretariat Press, Gulzarbagh/District Magistrate, shall send it to all such office-heads where the newly appointed employees have been posted. The office-head of the receiving office shall compare the first appointment with the Gazette. The copy of the Gazette shall also be sent to the Treasuries along with the first pay bill.(iii)The joining of newly appointed employees shall be made in the office of the Appointing Officer after receipt of recommendation of Selection Committee. At the time of joining, their educational and other certificates be examined and verified. Their signature, handwriting be examined on the basis of their application form forwarded by the Selection Committee. After obtaining their photograph with signature from them, it shall be compared on the basis of application form forwarded by the Selection Committee. Thereafter, on full satisfaction of the Appointing Officer, appointment letter be issued to the newly appointed employees with their verified photograph pasted on it.(iv)It shall be the responsibility of the Appointing Officer to issue the appointment letter with the photograph pasted on it verified by the Appointment Officer, only after being fully satisfied with all the certificates of the recommended employees. The appointment letter shall contain the full signature, full name and name of post of the Appointing Officer. A Copy of the Service Book shall be sent to the concerned office head along with the copy of the appointment letter.(v)After issue of appointment letter, the officer accepting the joining shall ensure verification of appointment letter from the photograph in the appointment letter and the Service Book sent by the appointing authority. The officer accepting the joining, after being prima facie satisfied with the appointment letter, shall accept the, joining of employees provisionally for three months and shall get the appointment letter confirmed by the Appointing Officer. In case of such confirmation not being made within three months, the pay of the concerned newly appointed employee shall not be drawn till the confirmation of appointment is made.(vi)The attested photo copy of the appointment letter shall be sent to the Treasury along with the first pay bill, so that the signature of the Appointing Officer may be compared by the Treasury Officer with the signature available in the Treasury from before.

10. Probation period/confirmation.

- After appointment, there shall be approbation period of two years. The Service may be confirmed on successful completion of probation period and on service being satisfactory during said period.

11. Post/Grade of Peon.

(1)The nomenclature and the ratio of number of posts in the different unreserved pay scales of the posts of Peon shall be as follows -

- (i) Rs. 2550-3200/- (Peon) (basic grade- IV) - 30%
- (ii) Rs. 2610-3540/- (Peon) (grade- III) - 30%
- (iii) Rs. 2650-4000/- (Peon) (grade-II) - 35%
- (iv) Rs. 2750-4400/- (Peon) (grade-I) - 05%

(2)The instruction issued by the State Government (Finance Department), with respect to pay scale/promotion, from time to time, shall be applicable.

12. Promotion.

(1)In this cadre, the promotion may be given on the basis of seniority as follows -(a)From Peon (grade-IV) to Peon (grade-III)(b)From Peon (grade-III) to Peon (grade-II)(c)From peon (grade-II) to Peon (grade-I)(2)It shall be essential to follow the Act/Rules/Instructions concerning reservation/KALAWADHI in promotions.

13. Departmental Promotion Committee.

(1)All promotions may be given on the basis of recommendation of Departmental Promotion Committee.(2)At the Secretariat level, the officer not below the rank of Special Secretary/ Additional Secretary/Joint Secretary shall be the Chairman of the Departmental Promotion Committee of the concerned department. There shall be two other members among which one shall be the Deputy Secretary/Under Secretary in Charge of the establishment of the concerned department and the other shall be the officer belonging to Scheduled Caste/Scheduled Tribe nominated by the Personnel & Administrative Reforms Department.(3)At the Mufassil level, the Additional Collector of the concerned District shall be Chairman of the Departmental Promotion Committee. There shall be two other members of the committee, among which one shall be the officer belonging to SC/ST nominated by the District Magistrate and the other shall be the Establishment Deputy Collector.(4)At the division level, the District Magistrate of the concerned district in which the divisional office is situate, shall be the Chairman of the Departmental Promotion Committee. There shall be two other members of the committee, among which one shall be the representative of Divisional Commissioner and the other shall be the officer belonging to SC/ST nominated by the Divisional Commissioner.

14.

The work of Record Supplier may be taken from amongst the Peons grade II on the basis of seniority and capability. The work of Treasury Sarkar may be taken from amongst the peons Grade I on the basis of Seniority and capability.

15.

(1) In the matter of subjects and points not mentioned in these Rules, the instructions for the time being in force for the personnel of the State Government shall be applicable. (2) The Personnel & Administrative Reforms Department shall be competent to interpret any of the rule of these Rules. (3) Should any difficulty arises in enforcing any of the rule of these Rules, the State Government (Personnel & Administrative Reforms Department) may remove such difficulty by notification in Official Gazette.

16. Repeal.

- All the circulars, instructions issued earlier with respect to appointment/promotion in Class IV (Group D), so far as they relate to appointment/ promotion etc. of the Peon/Orderly Peon/Chaprasi, shall be deemed to have been repealed with the coming into force of these Rules. Annexure-1 (See Rule 6) Constitution of Selection Committee

1. At the department level the Selection Committee shall be constituted as under -

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|---|---------------------|
| (i) Concerned departmental Principal Secretary/Secretary | Chairman |
| (ii) All the Heads of Department, or the Senior Officer in charge of departmental establishment in the departments where there is no directorate/attached office
As far as possible three officers belonging to SC/ST/BC/Minority/Ladies category available in the department (In case of non availability of such officers in the | Member |
| (iii) department, the officers nominated by the personnel, & Administrative Reforms Department from amongst aforesaid categories posted in other department) | Member |
| (iv) Deputy Secretary/Under Secretary in charge of departmental establishment | Member
Secretary |

2. At the district level the Selection Committee shall be constituted as under -

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| (i) District Magistrate | Chairman |
| (ii) Deputy Development Commissioner | Member |
| (iii) District Welfare Officer | Member |
| (iv) As far as possible three officers belonging to SC/ST/BC/Minority/Ladies category nominated by the District Magistrate | Member |
| (v) Establishment Deputy Collector | Member
Secretary |