

Bihar industries Service Cadre Rules, 1987

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Rule BIHAR-INDUSTRIES-SERVICE-CADRE-RULES-1987 of 1987

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Bihar industries Service Cadre Rules, 1987Published vide Notification No. G.S.R. 46, dated 22nd December 1987, Bihar Gazette (Extra-ordinary) No. 619, dated 12.12.1987G.S.R. 46. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Bihar is pleased to make the following Rules to regulate the methods of recruitment and conditions of service of the persons appointed to the Bihar Industries Service.

Part I – General

1. Short title and commencement.

- These Rules may be called the Bihar Industries Service Cadre Rules, 1987 and shall take effect from the date of publication of this Notification in the Official Gazette.

2. Definitions.

- In these Rules, unless there is anything repugnant to the subject or context -(a)"Cadre" means the strength of the Service or a part of the Service sanctioned as a separate unit.(b)"Category" means classification of the posts in the cadre according to pay scale.(c)"Commission" means the Bihar Public Service Commission.(d)"Department" means the Department of Industries (Industrial Development Department and Small, Village and Cottage Industries Department).(e)"Departmental Promotion Committee" means the Departmental Promotion Committee constituted in accordance with the provisions contained in Resolution No. 22576, dated the 27th of November 1976 issued by the Department of Personnel and Administrative Reforms as may be amended or modified from time to time.(f)"Directorate" means the Directorate of Industries and shall include Directorate of Technical Development and the Directorate of Handloom and Sericulture and any other Directorate as and when created by the Government in the Department of Industries (Industrial Development and Small Scale, Village and Cottage Industries Department).(g)"Governor" means the Governor of Bihar.(h)"Government" means the Government of Bihar.(i)"Member of the Service" means a person

appointed to the Bihar Industries Service under the provision of these Rules.(j)"Probationer" means an officer appointed on probation.(k)"Schedule" means a schedule appended to these Rules.(l)"Scheduled Caste" means the Caste specified in Part II of the Constitution (Scheduled Castes Modification) Order, 1950 as amended from time to time.(m)"Scheduled Tribe" means the tribes specified in Part II of the Constitution (Scheduled Tribes Modification) Order, 1950 as amended from time to time.(n)"Year" means a Calendar year.

3. Constitution of the Service Cadre and Classification of Posts.

(a)A service to be known as the Bihar Industries service shall be constituted with effect from the date of publication of this Notification in the Official Gazette and shall, for the purpose of Rule 18 of the Civil Service (Classification, Control and Appeal) Rules, 1955 be a State Service.(b)Sanctioned strength of the service and classification of various posts therein shall be as shown in Schedule I to these Rules, provided that the Government may amend Schedule I appended hereto as and when considered necessary and increase or reduce the number of posts shown therein or hold any number of posts in abeyance or also change the rank thereof.

Part II – Recruitment

4. Source of Recruitment.

- Recruitment to the service shall be made :-(a)by direct recruitment in accordance with provisions laid down in Part III.(b)by promotion in accordance with the provisions laid down in Part IV.

5. Determination of vacancies and notifying the same to the Commission.

- In the beginning of every calendar year, the Government shall determine the number of vacancies and discipline thereof to be filled in that year by direct recruitment and by promotion and the vacancies so determined shall be notified to the commission.

6. Reservation of vacancies.

- Reservation of vacancies for Scheduled Caste, Scheduled Tribes and others shall be made in accordance with the manner and procedure as may be prescribed from time to time by the Government.According to the current provisions, 14 per cent of the posts for Scheduled Castes and 10 per cent of the posts for Scheduled Tribes shall be reserved in the case of direct recruitment. Similarly, 12 per cent of the posts for Backward Class, 8 per cent for Most Backward Class, 3 per cent for the economically Backward Class and 3 per cent for women shall be reserved.

Part III – Direct Recruitment

7. Announcement of vacancies by Commission.

- The Commission shall advertise, in such manner as they think fit, the number of vacancies together with their discipline as mentioned in Rule 5 of Part II in the service to be filled by direct recruitment and shall invite applications from candidates eligible for appointment to the service.

8. Eligibility.

- The eligibility of candidates for appointment to the initial rung of the cadre shall be determined in accordance with Rule 54 of the Bihar Service Code, 1952 and qualifications prescribed in Scheduled II to these Rules.

9. Selection of candidates by Commission.

- The Commission shall consider all applications found in order and on due consideration in the manner they think fit, prepare a list of suitable candidates and submit the same to the Government by such date as the Government may fix: Provided that the Government may nominate an officer of Government to assist the interview board constituted for the purpose by the Commission.

10. Medical Examination.

- Every candidate selected for appointment shall have to undergo a medical examination by a Medical Board constituted by the Government. A candidate who fails to satisfy the Medical Board in regard to his/her physical fitness necessary for the efficient performance of the duties of the post, shall not be appointed.

Part IV – Recruitment by Promotion.

11. Channel of Promotion.

(a) Promotion to any post shall be made from amongst the officers holding post just below. (b) Promotion shall be made from the joint cadre of officers of the Bihar Industries Service on the basis of seniority-cum-merit. (c) Promotion to the initial rung of the cadre shall normally be made from amongst the officers listed in Schedule IV appended with these Rules on the basis of seniority-cum-merit.

12. Ratio between direct recruitment and promotion.

(a) On all posts in the scale of pay of Rs. 1,000-1,820 or its corresponding revised scale to be ordered by the Government from time to time, the percentage of direct recruitment and promotion shall, normally be in the ratio of fifty per cent (50%) each, provided that if the Government is satisfied that sufficient number of suitable and eligible officers listed in Schedule IV of these Rules are available for promotion the Government may increase the quota of promotion in the first year of the

commencement of these Rules which shall not exceed 75% in any case.(b)All superior posts above the scale of Rs. 1,000-1,820 save and except those posts which are earmarked for other services shall be filled in by promotion from the eligible officers of the cadre who have fulfilled requisite Kalawadhi on the basis of seniority-cum-merit.

13. Qualifying service.

- Qualifying years of services (Kalawadhi) for promotion to higher posts shall be as mentioned in Schedule III appended with these Rules.

14. Opportunity of direct recruitment of members of the service.

- A member of the Bihar Industries Service desirous of applying for a higher post meant to be filled by direct recruitment may do so after obtaining prior permission of the Government provided his age has not exceeded 35 years in case of general candidate and 40 years in case of reserved category.

15. Procedure for recruitment by promotion.

- (i) The Departmental Promotion Committee shall make selection of officers on consideration of seniority-cum-merit from amongst the-officers including those sent on deputation to other departments and Public Undertakings and who are eligible for such promotion.(ii)The Government may relax the criteria as to minimum qualification years of service etc in respect of candidates of the Scheduled Castes and Tribes to provide for their suitable representation in different categories of posts in accordance with the reservation formula that may be prescribed by Government from time to time.(iii)A temporary officer in regular cadre shall also be eligible for promotion to a permanent post provided he possesses the requisite qualification, but such officer shall not be confirmed or promoted to the next higher rank and shall also not be granted the third pay increment until he passes the departmental examination within three years of his first appointment to a Gazetted Post.(iv)The Departmental Promotion Committee, which may be headed by the Chairman of the Commission or a member of the Commission shall advise the Government in respect of each candidate whether he possesses requisite ability and character for the post to which he is proposed to be promoted.(v)Final selection of an officer for promotion shall be made by the Government after taking into account the recommendations made by the Departmental Promotion Committee in this regard.(vi)Promotion with retrospective effect will be made in accordance with the Rules and procedures prescribed by Finance Department.

Part V – Probation And Confirmation.

16. Probation.

(a)Every officer shall on appointment against a substantive vacancy be on probation for a period of two years from the date of joining the post:Provided that the period during which a person had held officiation or temporary appointment on that post may, subject to a maximum period of two years,

be allowed by Government to count towards the period of probation.(b)On completion of the period of probation the Government may confirm the officer in his/her appointment or, in the event of his/her work or conduct not having been found satisfactory, dispense with his/her services or may extend the period of his/her probation but the total period of his/her probation shall not extend beyond three years.

17. Confirmation.

- Notwithstanding anything to the contrary, contained in these Rules, an officer appointed on probation shall be eligible for permanent appointment to the service at the end of the period of his/her probation, subject to the following conditions that -(a)he/she has undergone training and passes such tests as may from time to time be prescribed in the Departmental (Training and Examination) Rules, to be framed after publication of cadre Rules.(b)his/her conduct and service during the period has been satisfactory, and(c)The Government is satisfied that he/she is fit for such permanent appointment.

Part VI – Pay, Efficiency Bar, Seniority

18. Pay.

- Pay scales of various categories of posts shall be as shown in Schedule I and Schedule II or in their corresponding revised scales as may be ordered by the Government from time to time. Fixation of pay of any officer in any scale shall be done in accordance with the procedure prescribed by Government.

19. Efficiency Bar.

- The member of the service shall be eligible to cross the efficiency bar in accordance with the Rules in the Bihar Service Code, 1952 as amended from time to time.

20. Seniority.

(a)The Seniority of the members of the service shall be determined in accordance with the Rules in the Bihar Service Code, 1952 as amended from time to time.(b)The inter se seniority of the direct recruits in a particular pay-scale recruited in the same transaction shall be determined in accordance with the merit list prepared by the Commission.(c)The members of the Service appointed to a category by promotion shall rank senior to those appointed to the same category in the same transaction by direct recruitment.

Part VII – Savings

21.

Nothing in these Rules shall be construed as affecting or invalidating the appointments already made or orders issued and all such appointments and orders shall continue to be in force and shall be valid as if they were made or issued under the appropriate provisions of these Rules.

I**Sanctioned Strength of Bihar Industries Service(See Rule 3)**

Sl. No.	Designation of the posts	Pay-Scale	Sanctioned no. of posts.
1	2	3	4
1.	A-Additional Director	2,325-75-2,850	3
2.	B-Joint Director of Industries	1,9000-75-2,5000	11
3.	C-Dy. Director of Industries, Industrial Economist, Development Officer, Principal, Resham Mahavidyalaya and General Managers of District Industries Centres.	1,575-50-1,775-75-2,300	67
4.	D-Functional Managers of District Industries Centres, Dy.Chief Engineers	1,350-50-1,750-75-2,000	121
	E-Project Managers of District Industries Centres, Planning-cum-Evaluation Officer, Asstt. Directors of Industries, Organiser-cum-Assistant, Assistant Development Officers, Asst. Engineers (C.F.S.), Assistant Professors, Works Manager, Principal, Tassar Institute, Research Officer.	1,000-50-1,700-EB. 60-1,820.	187

Note. - One sanctioned post of Director, Technical Development in the scale of Rs. 2,60. - 10. - 3,200 shall be out of cadre on which appointment will be made by direct recruitment through Bihar Public Service Commission.

II**Essential Qualification for Recruitment to the Initial Rung (Entry point) of the Cadre in Bihar Industries Service Rule(See Rule 8)**

- All posts in the scale of pay of Rs. 1,000 - 1,820.
- Qualification required: At least a second class degree in any branch of Engineering or Technology in the concerned discipline from a recognised University or Degree in Arts with Economics, Mathematics or Statistics, degree in Commerce/Chartered Accountant/Cost Accountancy, Degree in Science, degree in Sericulture, degree

in Business Management from any recognised University.

3. Experience: Working experience of 2 years in a reputed industrial concern.

III

Kalawadhi for Promotions (See Rule 13)

From	To	Years
(a) Rs. 1,000-1,820	Rs. 1,350-2,000	5 years.
(b) Rs. 1,350-2,000	Rs. 1,575-2,300	3 years.
(c) Rs. 1,575-2,300	Rs. 1,900-2,500	3 years
(d) Rs. 1,900-2,500	Rs. 2,325-2,850	3 years.
(e) Rs. 2,325-2,850	Rs. 2,600-3,200	3 years.

IV

List of Officers in subordinate service who shall be eligible for promotion to the post of Managers/Asstt. Directors and others in the scale of Rs. 1,000-1,820 (See Rule ii)

SI. No.	Name of posts	Pay-scale
(A) 1.	Assistant Managers, District Industries Centres	Rs. 880-1,510
2.	Superintendents cluster type Training Centres/Model Centre.	Rs. 880-1,510
3.	Dy. Information Officer/Technical Officer/Administrative Officers/Section Officers or equivalent higher posts of the ministerial cadre of the department.	Rs. 880-1,510
4.	Pilot Project Officer (Tassor)/Farm Superintendent/Mulbury/Eri/Tassor/Lecturer Tassor Institutes, Silk College, Bhagalpur.	Rs. 880-1,510
5.	Other equivalent post in the department	Rs. 880-1,510
B.	Industrial Extension Officer - Rs. 940 - 1,660/-	Rs. 850-1,360 Rs. 889-1,510
C.	Economic Investigators/Statistical Assistant/Supervisors.	Rs. 850-1,360

Note. - 8 (eight) posts of the Asstt. Directors (for equivalent) in the pay-scale of Rs. 1,000-1,820 shall be earmarked for the ministerial staff of the department. Notifications S.O. 1148 dated 21st

December, 1987. - In exercise of the powers conferred by clause (a) of sub-section (3) of Section 7 of part I of the Bihar Finance Act, 1981 (Bihar Act 5 of 1981), the Governor of Bihar is pleased to exempt from the levy of Sales Tax sales of Printing and Stationery articles, food grains, medicines, vehicles and tractors and spare parts thereof furniture and fertilizers to Ram Krishna Mission Ashram, Ranchi for use in Divyayan Training Centre.

2. This notification shall be deemed to have come with force with effect from 1st April, 1987 and shall remain valid till 31st March, 1988.