

# **Lalit Narayan Mishra Economic Development and Social Change Institute Service conditions Rules, 2017**

BIHAR

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## **Lalit Narayan Mishra Economic Development and Social Change Institute Service conditions Rules, 2017**

### **Rule**

### **LALIT-NARAYAN-MISHRA-ECONOMIC-DEVELOPMENT-AND-SOCIAL- of 2017**

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Lalit Narayan Mishra Economic Development and Social Change Institute Service conditions Rules, 2017Published vide Notification No. 14/,e7-39/2016-779, dated 28.6.2017Last Updated 11th February, 2020Notification No. 14/,e7-39/2016-779. - In exercise of the powers conferred under sub-section (1) of section 11 of the Bihar Private Educational Institutions (taking over) Act, 1987 (Bihar Act 11, 1987) The Governor of Bihar is pleased to make the following Rules to regulate the appointment and service conditions of The Teaching/Non-teaching employees of Lalit Narayan Mishra Economic Development and Social Change Institute, Patna, Bihar:-

### **1. Short title, extent commencement and application.**

(1)These Rules may be called the Lalit Narayan Mishra Economic Development and Social Change Institute Service conditions Rules, 2017.(2)It shall come into force with immediate effect.(3)It shall extend only to the Lalit Narayan Mishra Economic Development and Social Change Institute, Patna.(4)These Rules will also apply to whole time working teachers/Non-teaching employees working at the time of taking over of the Institution whose adjustment has been made by the State Government.

### **2. Definitions.**

- In these Rules, unless otherwise requires in the subject or context -(i)"Institute" means the Lalit

Narayan Mishra Economic Development and Social Change Institute, Patna, Bihar;(ii)"Managing Committee" means Managing Committee constituted for the Institution;(iii)"Chairman"/Acting Chairman" means Chairman/Acting Chairman of the Managing Committee;(iv)"Director" means Director of the Institute;(v)"Registrar" means Registrar of the Institute;(vi)"Teacher" means Assistant Professor/Associate professor/Professor appointed in the Institute;(vii)"Commission" means the Bihar Public Service Commission;(viii)"Selection Commission" means the Bihar Staff Selection Commission;(ix)"Probationer" means Teaching / Non-teaching employees appointed as probationer against the original vacancies of the cadre;(x)"Department" means Education Department.(xi)"Act" means the Bihar Private Educational Institutions (taking over) Act, 1987.

### **3. Composition of the cadre.**

- There will be posts of the following categories in the Institute: -(i)Administrative Posts  
-(a)Director- One Post(b)Registrar - One Post(c)Finance Officer- One Post Finance Officer may be selected amongst the officers of the Organized Account or Accounts Procedure/The Finance service of the State or Central Government.(ii)Educational post. - Teachers and officers engaged in educational work such as Assistant Professor/Associate professor and Professor will come in the educational cadre and the following shall be included in this category:-

S.No. Name of Posts

- (a) Assistant Professor
- (b) Associate professor
- (c) Professor

Pay scale of the Director/Teachers of the Institute shall be the same which may be sanctioned by the Finance Department, from time to time.(iii)Non-teaching Posts. - All such officers and employees will come in the Nonteaching cadre who are not in the list of Teaching cadre. Their designations and their number will be determined by the state government, from time to time. Their pay scale will be fixed by the state government, from time to time.

### **4. Process of Recruitment.**

(1)Director- Appointment of the Director will be made according to the provisions mentioned in the Act.(2)Registrar. - Such officer of the Bihar Administrative Service who is not below the rank of Joint Secretary will be posted by the state government to the post of Registrar. Their service-conditions will be in conformity with the provisions mentioned in the Bihar Service code.(3)The Finance Officer. - After the approval of the Managing Committee of the Institute, appointment of any retired officer of the Accountant General/Finance service will be made to the post of the Finance Officer, on the basis of contract, by the Director after publishing the advertisement. Their service conditions will be in conformity with the service conditions of the Finance Officer appointed in the universities of the state.(4)After calculating the subject wise vacancies of Teaching and Non-teaching posts of the Institute on the basis of the position on 1st April of the year and after making roster clearance, reservation category wise requisition will be prepared by the appointing authority after the approval of the state government. Requisition of

Teaching posts shall be sent by the Appointing Authority to the Bihar Public Service Commission by 30th April.(5)In view of the requisition, the Bihar Public Service Commission will invite applications after advertising the vacancies and shall prepare the merit-list on the basis of marks of merit and interview.The Interview Board apart from other facts will pay attention to the fact that the candidate has how much up-to-date knowledge in the subject in which he is appearing, experience, research-paper publication and interview.(6)The procedure for the selection will be determined by the Bihar Public Service Commission, in accordance with the guidelines of the U.G.C.(7)The Commission will prepare subject wise merit-list on the basis of interview and marks on merit of the candidates. Merit list prepared by the Commission will be valid up to one year from the date of issue.(8)Prior to the date of initiating the process of recruitment weightage marks will be given to such working Teachers in the Institute, who qualify the required qualifications for which the decision of weightage marks will be taken by the Institute with the approval of the Managing Committee of the Institute.(9)Appointment will be made by the Director, Lalit Narayan Mishra Economic Development and Social Change Institute, Patna according to the panel recommended by the Bihar Public Service Commission.(10)Class of Non-teaching posts. - After calculating the vacancies of the posts of class-3 and after making roster clearance reservation category wise requisition for class-3 will be sent to the Bihar Staff Selection Commission after approval of state government. The Bihar Staff Selection Commission after publishing advertisement and preparing merit list on the basis of written examination and interview will recommend the name of suitable candidates as per their merit to the Institute, on the basis of which appointment will be made by the Director on the posts of class-3. Validity of recommendation will be for one year from the date of its receipt in the Institute.(11)Posts of class-4. - Appointment to the posts of class-4 will be made by the Director of the Institute through out sourcing.

## **5. Age-Limit.**

(1)Minimum age and maximum age-limit for the appointment to the Teaching posts of The Institute will be according to the direction of AICTE/UGC.(2)Minimum age for appointment to the Non-teaching posts will be 21 years and maximum age limit will be in conformity with the age limit determined by the state government for the appointment to the government posts.

## **6. Probation and confirmation.**

(1)Probation period of the Teaching and Nonteaching employees of the Institute will be of two years. If the Appointing Authority thinks proper, probation period may be extended but in any circumstances, extended period of the probation will not be more than one year. On finding the service unsatisfactory in the extended period of the probation, service of the person may be terminated.(2)After expiry of the probation period, confirmation of the service may be made in the light of the rules applicable to the state employees by the Managing Committee.

## **7. Reservation.**

- Reservation Policy of the state government will apply to the appointment and promotion of the Teaching and Non-teaching employees of the Institute. The Reservation Policy of the State

Government will also be applicable for the appointment of class-4 employees through outsourcing.

## **8. Promotion.**

(1)Promotion will be admissible to the Teachers, with the permission of the Managing Committee, according to the provisions mentioned in the statutes of the Universities.(2)Promotion will be admissible to the Non-teaching employees, with the permission of the Managing Committee according to the provisions mentioned in the Rules of the state government.

## **9. Benefits payable to the employees of the Institute.**

(1)The regular employees appointed and working prior to 01-09-2005 will be governed by the old pension scheme and by the Bihar General Provident Fund scheme. After 01.09.2005, legally appointed Teaching and Non-teaching employees will be governed by the new pension rule determined by the state government.(2)Benefit equal to gratuity limit declared by the government of Bihar, time to time, will be applicable to the employees covered by old pension scheme.(3)Leave encashment. - Facility of leave encashment will be given to employees after retirement from service from the Institute. This facility will be payable in conformity with the employees of the University, according to the Rules declared by the government of Bihar in this regard.(4)Medical Facilities. - All facilities relating to medical, payable to the employees of the state government will be payable to the employees of the Institute.(5)Other Facilities. - Apart from the above mentioned facilities, facilities declared by the state government for its employees from time to time, will be payable to the employees of the institute.

## **10. Retirement Age.**

(1)For the teaching posts the criterion determined by the UGC will be followed by the Institute, in accordance with the order of the state government.(2)Retirement Age limit for the administrative officers and Non-teaching employees of the Institute will be in conformity with the employees of the state government.

## **11. Leave.**

- Leave will be admissible to all the Administrative/Teaching and Nonteaching employees in conformity with the provisions of Bihar Service Code. For the Director, the Acting Chairman will be competent authority to sanction the leave. For other employees of the Institute, the Director will be the competent authority for sanctioning the leave.

## **12. Disciplinary Action.**

(1)Disciplinary action will be taken against the Director of the Institute by the state government on the recommendation of the Managing Committee under the Bihar Service code and the Bihar classification, control and Appeal Rules, 2005.(2)Departmental Proceeding against the Teachers of

the Institute will be conducted at the level of the Director of the Institute. For this Appellate Authority will be the Acting Chairman of the Institute.(3)Decision for departmental disciplinary action against the Non-teaching employees will be taken by the Director of the Institute.(4)Provisions of the Bihar Service Code and the Bihar Classification, Control and Appeal Rules, 2005 will apply to departmental proceeding against the Teachers and Nonteaching employees of the Institute. In the matter of suspension and punishment also the provisions of the Bihar Classification Control and Appeal Rules, 2005 will apply.

### **13. Annual Report of the Institute.**

(1)A report will be prepared every year in relation with all kinds of activities executed in the Institute by the Director of the Institute in which there will be true and detail statement of activities of the Institute. Its one copy will be kept in the meeting of the Managing Committee up to the month of march of every year. Managing Committee, if required, will inform in this respect with its comments to the Administrative Department of the Institute.(2)Internal audit shall be made by the Institute at the end of each financial year.

### **14. Audit and Accounts.**

- Accounts of the Institute will be audited by the team of auditors of Accountant General/Finance Department each year.

### **15. Remembrancer.**

- There will be panel of re-membrancers for giving service of specialists in the Institute. Persons/Specialist approved by the Managing Committee will be included in this panel.

### **16. Work-evaluation.**

- An open, transparent, and objective work-evaluation-system, in which self-evaluation and true-attempt-evaluation will be vested, shall be developed and enforced by the Institute.

### **17. Removal of doubts.**

- If any doubt arises with regard to interpretation of any of the provisions of these rules, the matter will be referred to the Education Department of the government and the decision of the Department shall be final.

### **18. Repeal and Savings.**

(1)Orders/instructions already issued in this regards are hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken before the commencement of these Rules will be deemed to be done or taken under these Rules as if these Rules were enforced on the day on which such

thing was done or such action was taken.