

THE BIHAR CIVIL COURT OFFICERS AND STAFF (RECRUITMENT, PROMOTION, TRANSFER AND OTHER SERVICE CONDITIONS) RULES, 2022

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The 19th April 2022No-7/Astha.-04-05/2022-6020/GAD.—In exercise of the powers conferred under proviso to Article 309 of The Constitution of India, The Governor of Bihar is pleased to make the following Rules to regulate the method of recruitment and service conditions of non Gazetted employees appointed in The Bihar Civil Courts:-THE BIHAR CIVIL COURT OFFICERS AND STAFF (RECRUITMENT, PROMOTION, TRANSFER AND OTHER SERVICE CONDITIONS) RULES, 2022

Chapter I PRELIMINARY

1. Short title, extent and commencement.—

(i)These Rules may be called “The Bihar Civil Courts Officers and Staff (Recruitment, Promotion, Transfer and Other Service Conditions) Rules, 2022.(ii)It shall apply to all the Civil Courts subordinate to the Patna High Court in the State of Bihar.(iii)It shall come into force from the date of publication in the Official Gazette of the Government of Bihar.

2. DEFINITION.-In these Rules, unless the context otherwise requires,

(i)“Appellate Authority” means the Standing Committee of the High Court.(ii)“Appointment” means appointment on Group ‘B’ and Group ‘C’ posts, either by way of direct recruitment or limited examination or selection by way of promotion, and includes appointment on compassionate ground.(iii)“Appointing Authority” means the District Judge.(iv)“Appropriate Cases” means such

cases which are specified by the Standing Committee.(v)“Cadre” means the strength of the service of officers and staff sanctioned as a separate unit.(vi)“Centralized Committee” means Centralized Selection & Appointment Committee constituted under Rule 6 (i) of these Rules and a Zonal Committee means the Committee constituted under Rules 6 (ii).(vii)“Chief Justice” means the Chief Justice of the Patna High Court.(viii)“Civil Court” means Civil/Criminal Courts subordinate to the Patna High Court.(ix)“Disciplinary Authority” means the Appointing Authority.(x)“District” means the Judicial District established by the Government in consultation with the Patna High court under the Code of Criminal Procedure, 1973 and the Bengal, Agra and Assam Civil Court Act, 1887.(xi)“District Judge” means the District and Sessions Judge of the concerned District.(xii)“Employee” means the category of officers and staff as fully described in(xiii)“Full Court” means the Full Court of the Patna High Court.(xiv)“Government” means the Government of Bihar.(xv)“High Court or Patna High Court” shall mean the High Court of Judicature at Patna.(xvi)“Officer” means the category of officials included in Group B of(xvii)“Prescribed” means prescribed by these Rules.(xviii)“Reviewing Authority” means the Standing Committee.(xix)“Schedule” means a schedule forming part of these Rules.(xx)“Skill Test” shall mean the test as prescribed by the Centralized Committee from time to time according to the nature of work.(xxi)“Staff” means the category of employees included in Group C of(xxii)“Staffing Pattern” shall mean all the posts included in Appendix ‘A’, ‘B’ and ‘C’ of Schedule B.(xxiii)“Standing Committee” means the Standing Committee of the High Court constituted under Chapter 1 of the Patna High Court Rules.

Chapter II

ESTABLISHMENT

3. On and from the date of commencement of these Rules for administration of Civil Court and Sub-Divisional Civil Court of the State, a Bihar State Civil Court Establishment Service shall come into effect.

4. (I) All the posts shall be District cadre posts of Schedule 'A'.

(ii)The persons, who had been appointed on regular basis on any post specified in the Staffing Pattern to these Rules prior to commencement of these Rules, shall be deemed to have been appointed to the respective cadre of the service in accordance with the provisions of these Rules.

Chapter III

CONDITION OF ELIGIBILITY FOR APPOINTMENT

5. (I) A person, in order to be eligible for appointment on any post as specified in the staffing pattern, shall -

(a)be a citizen of India.(b)be medically fit.(c)be of good moral character(d)be in the age group and

possess the essential qualifications and experience as prescribed in Schedule 'A'.(ii)If any doubt arises regarding the eligibility of a candidate for appointment, the decision of the Centralized Committee shall be final.

Chapter IV

MODE OF SELECTION, RECRUITMENT AND APPOINTMENT

6. Constitution of Committee.—

(i)There shall be a Centralized Committee constituted by the High Court known as the 'Centralized Selection and Appointment Committee' for the purposes of making recommendations for direct appointments and appointments by way of promotion to all posts.The State shall be divided into seven Zones namely Patna, Gaya, Bhagalpur, Muzaffarpur, Darbhanga, Saran at Chapra and Purnea for the purpose of appointments.The Zones shall consist of the following Judgeships-(a)Patna Zone – Patna, Nalanda, Rohtas, Kaimur, Bhojpur, Buxar.(b)Gaya Zone- Gaya, Aurangabad, Jehanabad, Nawada.(c)Bhagalpur Zone- Bhagalpur, Munger, Jamui, Khagaria, Lakhisarai, Sheikhpura Banka(d)Muzaffarpur Zone- Muzaffarpur, Vaishali, Sitamarhi, East Champaran, West Champaran, Sheohar.(e)Darbhanga Zone- Darbhanga, Madhubani, Samastipur, Begusarai(f)Saran at Chapra Zone- Saran, Siwan, Gopalganj(g)Purnea Zone- Purnea, Katihar, Saharsa, Madhepura, Kishanganj, Araria, Supaul.Explanation.— Any future Judgeship carved out of any of the existing Judgeships shall continue to remain in same zone as the judgeship it was carved out of.(ii)In each of the aforesaid Zones, a Zonal Committee shall be constituted consisting of the District and Sessions Judges of all Judgeships of that particular Zone. The senior most District and Sessions Judge of each Zone shall be the Chairman of the respective Zonal Committee.(iii)A Centralized Committee shall be constituted consisting of the Chairman of each Zonal Selection Committee of which the District Judge, Patna shall be the Convenor.(iv)To assist the Centralized Committee, a Recruitment Cell consisting of such Officers and Staff as may be deemed fit and proper shall be constituted by the Zonal Committee from time to time, with the approval of the High Court.(v)Notwithstanding anything contained in sub clause (iv), the Zonal Committeemay take the service of any reputed recruitment agency for the purposes of written examinations, skill tests or other purposes for appointment of employees.

6A. - Appointment on compassionate grounds.—

(i)There shall be a Committee of three Judicial Officers headed by the District and Sessions Judge in each Judgeship for making recommendations for appointments on compassionate grounds.(ii)Such appointments shall be made according to the Rules and guidelines of the Government of Bihar subject to eligibility and approval by the High Court.(iii)Candidate shall be considered for appointment on compassionate grounds every year only to the extent of 5% of the vacancies arising in Group C posts during the relevant year;Provided that the Hon'ble the Chief Justice may in his discretion, on recommendation of the Committee under Rule 6 A (I) in appropriate cases, considering the penury condition of the family of the deceased employee may direct such appointments up to a maximum limit of 10 % of the vacancies occurring in a particular calendar

year.(iv)The eligible candidates in excess of the upper limit within which the compassionate appointments may be provided who cannot be so appointed shall be paid an ex-gratia sum of Rs. 5 Lakh in lieu of appointment.(v)The candidate seeking appointment in Group C posts on compassionate ground must confirm to the qualification, age and mode of recruitment as per Schedule 'A'. The application for such appointment must be made within two years from the death of the employee and shall remain valid for a period of three year from the date of filing. Application once rejected shall not be open for consideration.

7. (i) The Centralized Committee shall hold examinations/limited examinations skill tests, screening tests, etc. as prescribed in Schedule 'A' of these Rules.

(ii)The Centralized Committee shall also hold interviews and other tests as prescribed in Schedule 'A'.(iii)The Centralized Committee, for the purpose of interviews, may constitute one or more Interview Boards for the purposes of conducting interviews with the approval of the High Court.

8. METHOD OF SELECTION.— The tentative time schedule for recruitment is prescribed in Schedule E and the Centralized Committee shall adhere to it as far as possible.

(i)In the month of January of every year, the District Judge shall determine the existing vacancies as well as the vacancies likely to occur by the end of that year and send such list to the Centralized Committee for all posts.(ii)The Centralized Committee, after receiving information from all the Judgeships about all the vacant posts available for direct recruitment, shall advertise the vacancies in at least two daily newspapers of which at least one of them being in Hindi having wide circulation in the Districts of Bihar, and also on the Notice Boards of all Civil Courts, Sub-divisional Civil Courts and Collectorates, inviting applications in the format as prescribed by the Centralized Committee.Provided that the Centralized Committee, in case of necessity, may advertise the post(s) for only a single Judgeship or a group of Judgeships.(iii)Fees.— Every candidate for direct recruitment to any category of posts may be required to pay such fees as may be prescribed by the Centralized Committee.Provided that candidates belonging to Scheduled Caste, Scheduled Tribe and Physical Handicapped Categories, shall be required to pay only half of the fees prescribed for the relevant post.(iv)The Centralized Committee, with the prior approval of the High Court, shall conduct written tests, skill tests, proficiency tests, stenography tests and interviews as well as other tests as specifically prescribed in Schedule A, keeping in view the specific nature of work associated with the posts sought to be filled up by appointment/promotion.Provided that, if the number of candidates is found excessive, in order to limit the number of candidates in the final examination the Centralized Committee may hold a preliminary test on the basis of objective type questions or any other mode as may be decided by the Centralized Committee, and in that case the Centralized Committee shall select the candidates in the ratio of 1:10 for the final examination.(v)Syllabus and other necessary particulars, modes of preliminary and written examinations as well as any matter incidental to the conduct of examination including nomination of Examiners shall be as per guidelines to be notified by the High Court from time to time with prior approval of the Chief

Justice.(vi)For appointment on the post of Process Server, the Centralized Committee will conduct a written test or any other test and interview as prescribed in Schedule 'A' and the mode of selection shall be as per SCHEDULE HEADING 'D'.(vii)Once the written examination for the concerned post is complete, the answer books of the candidates shall be sealed, and in order to maintain absolute confidentiality with regard to evaluation, the Recruitment Cell shall, before sending the answer books to the examiners nominated by the High Court with the approval of the Chief Justice, use a process of coding the answer books of the candidates under the personal supervision of the Registrar nominated for that purpose or of any other senior officer authorized as per direction of the Centralized Committee with prior approval of the Chief Justice.(viii)The merit list of the written examination shall be published on the website of the High Court and Patna Civil Court as well as on the Notice Board of the High Court and Patna Civil Court, and where applicable, be followed by a skill test, if necessary.(ix)Merit list of the written test and skill test shall be prepared and accordingly candidates shall be called for interview in the ratio of 1:3 so far as possible.(x)The interview shall be conducted by a Committee which shall be headed by the senior most District and Sessions Judge of the concerned Zone to be nominated by the Centralized Committee with the approval of the Chief Justice.Provided that if the Centralized Committee thinks it proper, it may nominate two or three senior District Judges with the prior approval of the Chief Justice for conducting the interview.(xi)Preference shall be given for skill based posts to persons who produce certificates of specialized knowledge such as gardening, cooking, tailoring, carpentry, electrician, electronics, etc. from recognized institution.(xii)Minimum qualifying marks for all the posts shall be 40%, subject to relaxation of 5% for candidates belonging to the reserved categories. Provided that the Centralized Committee with the prior approval of the Chief Justice shall have the power to fix the minimum marks to be secured by candidates in the interview for any post.(xiii)Upon completion of the selection process including any written, proficiency, or other tests and interview, a panel of successful candidates in consonance with the reservation policy of the State Government shall be notified on the basis of results to be prepared on the norms formulated by the Centralized Committee with the prior approval of the Chief Justice. The panel so prepared shall be in two parts, one comprising the total number of posts to be filled up for the year, and the other known as "waiting list" of 20 % of such vacancies next in the order of merit. Such panel shall remain valid for one year from the date of its notification. The candidates in the waiting list may be entitled for appointment against the posts they have applied for only in case of non-joining by a successful candidate within the stipulated period.

9. The Centralized Committee, after notification of the panel and with the prior approval of the Chief Justice, would recommend the names of the candidates to the Appointing Authority for issuance of appointment letters to the successful candidates.

10. JOINING TIME.—

(i)A candidate appointed by direct recruitment shall join his /her post on which he/she has been appointed as soon as possible but not later than 30 days from the date of receipt of the appointment letter.Provided that the Centralized Committee, upon sufficient reasons being shown by the

candidate, may extend the joining time by a further period of upto 30 days. However, in case a selected candidate fails to join duty within the specified period of 30 days or the extended period his/her letter offer of appointment shall automatically stand cancelled.(ii)Prior to joining by the candidate, the Appointing Authority or any other Officer authorized for that purpose shall verify the following:(a)Original educational documents and all other certificates of the candidate on the basis of which the appointment letter has been issued.(b)Photographs, signatures and handwriting of the candidate in the application form submitted by him.(c)The date of birth of the candidate with reference to the Secondary School Examination Certificate (i.e. Matriculation / 10th Pass Certificate)(d)Medical fitness certificate Provided where the original certificate shall require its verification from the concerned institution/ source. Joining of such candidate shall be accepted provisionally and shall be subject to the said certificate being found correct, genuine and authentic.

11. PROBATION AND CONFIRMATION.—

(i)All appointments by direct recruitment to the permanent posts shall be on probation for a period of two years from the date of appointment/joining and shall be considered for confirmation only after the expiry of two years of completion of satisfactory service.Provided that if during the period of probation, a candidate's work or conduct is found unsatisfactory, the Appointing Authority with the prior approval of the Centralized Committee and the Chief Justice may extend his period of probation for upto one year and upon his work or conduct still being found unsatisfactory at the end of the extended period of probation, he shall be removed from the service without notice.(ii)No person shall be confirmed unless he or she has satisfactorily completed the probation period as prescribed.(iii)At any point of time, during the period of probation the appointing authority shall have power to terminate the service of a Probationer on the ground of unsatisfactory work and/or conduct.(iv)The order for confirmation of service of the officers/staff shall be passed by the concerned Appointing Authority.

12. RESERVATION.—The Provision of Reservation rules implemented by the State Government (General Administration Department) in the appointment/promotion in services from time to time shall also apply to the employees governed by these rules.

13. SENIORITY.—

(i)There shall be a common gradation list of officers/staff. The inter-se seniority among employees appointed by direct recruitment shall be determined as per their positions in the merit list.(ii)In case of appointment by promotion in the same calendar year, the candidates will maintain their inter-se seniority in the lower cadre.(iii)Inter-se seniority amongst direct recruit and promoted candidates and in case of recruitment by way of promotion and direct recruitment under the same calendar year, the promotees shall rank senior.

14. PROMOTION.—

(i) An employee shall be entitled for consideration for promotion to the next higher post as prescribed in Schedule C. (ii) All the cases for promotion including by way of Selection or Modified Assured Career Progression shall be placed before Centralized Committee for consideration. The Centralized Committee will issue guidelines for the purpose from time to time. (iii) An employee shall be eligible for consideration for promotion only if he/she has:—(a) completed the period of kalawadhi as prescribed; (b) the qualification in respect of promotional post as per Schedule 'A'; (c) clean and satisfactory records of service; (d) passed the departmental/proficiency test/interview/computer literacy test as prescribed from time to time. (iv) (a) Notwithstanding the above, a Court Reader-cum-Deposition Writer- cum-Typist before his promotion to the higher scale, must pass a further test in typing, in which he/she must achieve a minimum typing speed of 50 words per minute in English and 35 words per minute in Hindi. He/she must also fulfill any other standard prescribed by the Centralized Committee. (b) He/she will have to pass the examination in practice and procedure, Civil Court Rules and Criminal Court Rules. (v) (a) A Stenographer for consideration for promotion to a higher post shall also have to pass a test in Shorthand and achieve a speed of 80 words per minute in English and 60 words per minute in Hindi, with an allowance of 5% for errors. (b) He shall have to pass the examination on Practice and Procedure Manual and any other subjects as may be prescribed by the High Court. (vi) A Clerk in Grade III or any equivalent post, for consideration for promotion to Grade II or for consideration for financial progression shall have to pass an examination to test his/her knowledge of : -a. Civil Court & Criminal Court Rules. b. Drafting and correspondence and order-sheet writing. c. Practice and Procedure. d. Accountancy. In the case of Accounts Cadre-Accountancy, Book keeping and Preparation of budget. (vii) A Clerk Grade II for consideration for promotion/selection to the post of Assistant Administrative Officer (Judicial) and (Establishment) shall have to pass an examination on —(i) Practice and Procedure. (ii) Government Letter & Circular (iii) Stamp Act (iv) Suit Valuation Act (v) Correspondence, noting & drafting (vi) Court Fee Act (vii) The above examinations will be conducted by the Centralized Committee each year. The procedure and methodology for the same will be decided by the Centralized Committee and shall be notified from time to time. (viii) ACP/MACP- The officer/staff shall be entitled to the benefit of Assured Career Progression. The ACP/MACP Rules framed by the Government of Bihar shall, mutatis mutandis, apply to claims in this regard.

15. APPOINTMENT BY PROMOTION FROM THE OFFICERS/ STAFFS AS PRESCRIBED IN SCHEDULE-A

(I) All posts in Group-B are to be filled up by promotion in the manner prescribed. (ii) A candidate shall not be promoted to the higher scale in service unless he qualifies in the examination as prescribed by the High Court. (iii) Appointment to the higher grade from the lower grade of the ministerial establishment should be made on the basis of seniority, provided that the concerned employee possesses the prescribed educational and other qualifications as laid down in these Rules or in any other existing law that may be applicable, and are otherwise fit to perform the duties attached thereto, and passes the tests prescribed under these Rules. (iv) The posts of Sr. Court Assistant/Programmer/Librarian/Asst. Librarian/Upper Division Clerk and Bailiff in Group C are also to be filled up by promotion in the manner prescribed. (v) Appointment against 25% posts of the

sanctioned strength of Court Assistant/Office Assistant/ Other Clerks of Grade I & II/ Upper Division Clerks shall be made every year by way of selection, based on annual examination for screening of eligible candidates in the manner prescribed by conducting written test, computer operating test and interview as prescribed by the Centralized Committee with prior approval of the Chief Justice, and on the basis of results of such selection tests. A panel of candidates for the said posts shall be prepared by the Centralized Committee with the prior approval of the Chief Justice, which shall be valid for one year.(vi)Appointment to the post of Process Server by promotion from Attendants (Special) / Attendants, Night Guard will be made on the basis of written test, service record of the candidate, and interview to be conducted by the Centralized Committee, as prescribed by the High Court.(vii)Appointment by promotion of Attendants (Special) / Attendants, Night Guard may be made on the recommendation of the Centralized Committee on the basis of Departmental Examination/ Proficiency Test and Interview.(viii)Deposition Writer cum-Typist-cum Clerk, before his/her promotion to the higher scale, must pass a test in typing in which his/her minimum typing speed should be 40 words per minute in English and 33 words per minute in Hindi, with an allowance of 1.5% for errors. The candidate will have to pass an examination in practice and procedure and in such other subject as may be prescribed by the High Court from time to time for promotion to the next higher scale.(ix)Before a Stenographer is promoted to the next higher scale, he/she will have to pass the test of stenography with a minimum shorthand speed of 80 words per minute in English and 60 words per minute in Hindi, with an allowance of upto 5% for errors. The candidate will also have to pass the examination of practice and procedure and such other subjects as may be specified by the High Court from time to time.(x)Before a Clerk is promoted to the Category II or he/she gets financial progression in the same scale by any other reason, he/she will have to pass an examination in.-(1)Civil Court and Criminal Court Rules framed by the High Court.(2)Accountancy(3)Drafting of correspondence and Order sheet writing, and(4)Practice and Procedure(xi)Before promotion of a Clerk in Category I or getting financial progression in next higher scale by any other reason, he/she shall have to pass an examination on procedure (Civil and Criminal) Stamp Act, Court-fee Act, Suit Valuation Act, and Correspondence and Noting and Drafting. A Typist/Stenographer may be transferred to the post of Clerk on completion of a period of 10 years of service, provided that he/she passes the necessary examination as mentioned herein before.(xii)If suitable persons are not available for promotion to Clerk of Category I, it would be open to an Appointing Authority to fill up the said posts by direct recruitment, on recommendation of the Centralized Committee subject to the prior approval of the High Court. The qualification for direct recruitment to the posts of Super time Scale shall be graduation in law or equivalent degree from a recognized University.

15A. Re-employment.—

(1)If a District Judge is of the opinion that services of an employee upon his/her superannuation are essential for administrative exigencies, he shall send the record of such employee to the Registrar General of the High Court with his recommendation for his/her re-employment, which shall be considered by the Standing Committee of the High Court on merits. Re-employment for a period of more than two years shall not be granted except in exceptional cases and in public interest.(2)A District Judge may, subject to prior approval of the Standing Committee, re-employ any employee who has superannuated, if the same is necessary for administrative exigencies for a specified period.

16. TRAINING.—Every person appointed either by direct recruitment or through examination from Group 'C' post and is below 55 years of age, shall have to undergo training as specified for that post by the High Court.

17. Kalawadhi.— For promotion from one post to other, Kalawadhi will be same as applicable in the Government of Bihar.

18. TRANSFER.— All the posts in the cadre of Group B and Group C shall be District cadre posts.

Provided that transfer of an employee may also be made by the Standing Committee suo motu or on the request of the employee, or in case of mutual transfer, or in public interest, or for administrative exigencies, or on the basis of the recommendation of the District Judge concerned. The request for mutual transfer by employees shall be entertained only after completion of a minimum period of three years from initial appointment, and may be availed by an employee not more than twice during his/her entire service period.

19. All Group C posts shall be District Cadre posts and the District Judge may transfer them according to the needs and exigencies of service within the District.

Provided that an employee may be transferred from one district to another by the Standing Committee -(I)in case of public interest or for administrative exigencies, suo motu or on the basis of recommendation of the District Judge concerned,(II)on the request of the employee, or(III)in a case of mutual transfer.Provided further that in case of transfer of an employee in the District cadre on mutual transfer or for administrative exigencies, the seniority of such employee of the District cadre on transfer shall be determined on the basis of his/her date of appointment. In case the date of appointment of two or more employees is found to be the same, seniority shall be determined on the basis of their respective dates of birth, the eldest among them ranking senior-most and so on.Provided further that when an employee is transferred upon his request, he shall lose his seniority and shall be placed at the bottom of the seniority list at the place to which he has been transferred.

20. PROTECTION TO EMPLOYEES ALREADY IN SERVICE - Persons already in service prior to coming into force of these Rules, who do not hold qualifications or satisfy the other conditions prescribed by these Rules, shall continue to hold office subject to the condition that they shall undergo and successfully complete such training program as may be prescribed by the High Court from time to time. Persons failing to do so shall be deprived of annual increments as well as all promotional benefits till successful completion of the training program.

Provided that the above condition shall not apply to staff who have completed the age of 55 years on the date of publication of these Rules in the Gazette.

21. APPLICABILITY OF THE BIHAR SERVICE CODE/BIHAR PENSION RULES.—

(i)The provisions of the Bihar Service Code and the Bihar Pension Rules shall, apply mutatis mutandis to the employees of the Sub-ordinate Courts.(ii)The provisions of the Bihar Service Code and the Bihar Pension Rules shall apply to matters relating to grant/refusal of leave/voluntary retirement/compulsory retirement/resignation and to all other matters not specifically provided for in these rules.

22. Relaxation—The Full Court on the recommendation of the Standing Committee shall have power to dispense with or relax the requirements of any of the provisions made in these Rules to such extent and subject to such conditions as it may consider necessary in any particular case.

PROVISIONS FOR DISCIPLINARY ACTION/APPEAL

23. Disciplinary Action .— The disciplinary authority may suspend a delinquent employee, initiate any disciplinary proceeding, issue a charge sheet, enquire into the charge either by himself or cause the same to be done by any other Judicial Officer and may impose any of the penalties specified in the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 upon him.

24. Appeal/Review—

(1)Any employee aggrieved by the imposition of any minor/major punishment upon him by the disciplinary authority may prefer an appeal to the High Court within a period of 30 days from the date of receipt or communication of a copy of such order upon the concerned employee.(2)The memorandum of appeal shall be forwarded by the District Judge concerned to the Registrar General of the High Court together with his comments thereon, if any, within two weeks of receipt of such memorandum of appeal from the concerned employee.(3)The appeal shall be disposed of as expeditiously as possible, preferably within a period of three months from the date of receipt of the memorandum of appeal, by the Standing Committee if the same has been preferred against an order imposing a major penalty, and by the Judge Administrative Department No. 1 against an order imposing a minor penalty.(4)Any employee aggrieved by an order of the Appellate Authority may file for review of that order before the Reviewing Authority within 45 days of communication of the appellate order. The Reviewing Authority shall dispose of the matter, preferably within three months from the date of filing of the Memorandum of Review.(5)All procedures for holding a Departmental proceeding, imposition of penalty, disposal of appeals, etc., shall be governed by the

statutory rules applicable to the employees concerned and the provisions of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 shall apply, mutatis mutandis, to the disciplinary proceeding initiated against an erring employee.

25. Power to remove difficulties –

(i) If any difficulty arises in giving effect to the provisions of these Rules, the Standing Committee may, by order not inconsistent with the provisions of these Rules, remove the difficulty. (ii) Interpretation- If any question arises relating to the interpretation of these Rules vis-a-vis other Rules, the decision of the Standing Committee shall be final. (iii) Any order made by the Standing Committee under these Rules shall be placed as soon as may be after it is made, for its approval before the Full Court.

26. Repeal and Saving.—

(i) The Bihar Civil Court Staff (Class III and Class IV) Rules, 1998, Bihar Civil Courts Staff (Class III and Class IV) (Amendment) Rules, 2001 and Bihar Civil Court Staff (Class III and Class IV) Rules, 2009 Rules and Bihar Civil Court Officers and Staff (Recruitment, Promotion, Transfer and Other Service Conditions) Rules, 2017 are hereby repealed. (ii) Notwithstanding such repeal, anything done or any action taken under the aforesaid Rules shall be deemed to have been done or taken under the corresponding provisions of these Rules. By order of The Governor of Bihar, Ghufraan Ahmad, Deputy Secretary to the Govt.