

# **Bihar Drivers (Appointment and Service Conditions) Rules, 2005**

BIHAR

India

## **Bihar Drivers (Appointment and Service Conditions) Rules, 2005**

### **Rule**

### **BIHAR-DRIVERS-APPOINTMENT-AND-SERVICE-CONDITIONS-RULES of 2005**

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Bihar Drivers (Appointment and Service Conditions) Rules, 2005Published vide Notification No. 3/R1-46/2000-2492, dated 30th November, 2005, published in Bihar Gazette (Extra-ordinary) No. 20, dated 9.1.2006Notification No. 3/R1-46/2000-2492, the 30th November, 2005. - In exercise of powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Bihar hereby makes the following Rules for determination of basis and procedure of appointment and promotion on the posts of Drivers namely :-

## **Chapter 1 Preliminary**

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

(1)These Rules may be called the Bihar Drivers (Appointment and Service Conditions) Rules, 2005.(2)It extends to the Secretariat Departments, attached offices and mufasil offices at different levels of the State Government.(3)It shall come into force at once.

### **2. Definitions.**

- In these Rules, unless the context otherwise require -(a)"State Government" means the State Government of Bihar;(b)"Commission" means the Bihar Staff Selection Commission;(c)"Appointing Authority" means the authority authorised under Rule 7;(d)"Grade" means the grade prescribed under Rule 3;(e)"Merit list" means the list of candidates recommended by the Bihar Staff Selection Commission.

## Chapter 2

### Post/Grade

#### 3. Post/Grade of Drivers.

(1)The post of Drivers in different pay scales shall be as follows :-

- (i) Rs. 3050-4590 ... .. Driver (Basic Grade)
- (ii) Rs. 4000-6000 ... .. Driver (Grade-II)
- (iii) Rs. 4500-7000 ... .. Driver (Grade-I)

(2)The number of posts in the different grades shall be in the following ratio :-

- (i) Basic Grade (3050-4590) ... 55%
- (ii) Grade-II (4000-6000) ... 25%
- (iii) Grade-I (4500-7000) ... 20%

(3)In order to fix ratio in the aforesaid manner, keeping in view the less number of posts of Drivers, the Personnel and Administrative Reforms Department shall divide the Departments/Attached offices into as many groups as necessary and a Nodal department shall be announced for each group. Likewise, the Divisional Commissioner concerned shall be the Nodal officer of mufassil offices of each division.(4)The promotion of Drivers of Departments/Attached offices shall be considered by the Nodal Department on the basis of seniority determined for the group of departments as mentioned in sub-rule (3).The promotion of mufassil driver shall be considered by the Nodal officer on the basis of division wise seniority.(5)The provision regarding reservation determined by the State Government shall be applicable in recruitment/promotion.(6)The post of Drivers shall be deemed to be of Group-C.

## Chapter 3

### Recruitment

#### 4. Recruitment.

(1)The posts of Basic grade (3050-4590) shall be filled up by direct recruitment on the basis of recommendation of the Commission.(2)(i)The minimum educational qualification of the candidate shall be Eighth pass;(ii)It will be necessary for him to have a legal Driving Licence issued in his name of driving a four-wheeler.(iii)He must have good knowledge of Traffic Regulation;(iv)He must have a general knowledge of motor-car;(v)He must be healthy.(3)The minimum age of the candidates shall be eighteen years and the maximum age shall be such as fixed by the State Government from time to time.(4)The candidates shall have to appear at the tests based on sub-rule (2) to be conducted for examination of their eligibility for which total marks shall be 100. The merit list shall be prepared on the basis of marks obtained in the tests and the Commission may recommend to the concerned department/office on the basis of the said list. No weightage shall be given for higher educational qualification.(5)The drivers working on daily wage fulfilling the

eligibility prescribed in sub-rule (2), if apply and appear at the tests, shall be given weightage according to the procedure determined by the State Government for regularisation.

## **5. Reservation.**

- After estimating the vacancies each year and roaster clearance thereof according to actual and anticipated vacancies, the reservation category wise requisition shall be sent to the Commission by the concerned Nodal Department/Nodal Officer.

## **6. Validity of Merit list.**

- The validity of the recommended merit list shall be for one year. The Commission shall recommend such numbers of candidates only as are requisitioned. The waiting panel shall not be prepared. The validity of merit list shall expire with the end of financial year.

## **7. Appointing Authority.**

- The concerned Engineer-in-Chief shall be the Appointing Authority with respect to Engineering/Works Departments. His power shall not be delegated in any circumstance. In other departments, the appointment shall be made by an Officer not below the rank of Deputy Secretary with the approval of Departmental Commissioner and Secretary/Secretary. In respect of mufasil offices, the appointing authority shall be the same officer who are already declared as Appointing Authority.

## **8. Probation Period/Confirmation.**

(1)After appointment there shall be probation period of two years. The confirmation of service may be done after successful completion of probation period as well as passing of prescribed test for confirmation.(2)The test shall be arranged by the Appointing Authority. The eligibility prescribed for appointment shall form the basis of test of competence.

# **Chapter 4**

## **Promotion**

## **9. Promotion.**

(1)The promotion may be given from basic grade to higher grades in the following manner :-(a)From Basic Grades (3050 - 4590) to Grade II (4000 - 6000).(b)From Grade II (4000 - 6000) to Grade I (4500 - 7000).(2)Kalawadhi. - For promotion the provisions of Kalawadhi determined by the State Government (Personnel and Administrative Reforms Department) Resolution No. 280, dated 5.7.2002 and as revised from time to time shall be applicable.(3)Departmental Promotion Committee. - At Secretariat level group of department-wise and at Muffasil level Division wise

Departmental Promotion Committee shall be constituted. The promotion shall be considered on the recommendation of the concerned Departmental Promotion Committee.(4)At Secretariat level, group of department wise, a Special Secretary or an Officer of not below the scale of Rs. 14300-18300 of the Nodal Department of the concerned group of departments shall be the Chairman of the Departmental Promotion Committee. The Committee shall have two other members one of whom shall be the representative of another department of the concerned group of departments and the other of Scheduled Castes/Tribes nominated by the Personnel and Administrative Reforms Department.(5)At Muffasil level, the District Magistrate of the District in which the Divisional office is situate, shall be the Chairman of the Division wise Departmental Promotion Committee. The Committee shall have two other members one of whom shall be representative of Divisional Commissioner and the other shall be the representative of the Scheduled Castes/Scheduled Tribes.(6)For considering promotion from one grade to another a Trade test for competence (including a practical test) in driving shall be arranged. Passing of such test shall be essential for being qualified for promotion and the result of such test shall be placed before the Departmental Promotion Committee.

## **Chapter 5**

### **Miscellaneous**

#### **10. Disciplinary Action.**

- For the purpose of disciplinary action in this cadre, the Rules/Instructions, for the time being in force, for Group 'C' employees of the State Government, shall be applicable.

#### **11. Miscellaneous.**

(1)With respect to the subjects or points which are not provided in these Rules, the Rules/Instructions, for the time being in force, for the employees of the State Government, shall be applicable.(2)The Personnel and Administrative Reforms Department shall be the competent department to interpret any Rule of these Rules.(3)If any difficulty arises in applying any Rule of these Rules, the State Government by a notification published in Bihar Gazette, may remove such difficulty.

#### **12. Repeal.**

- All circulars/instructions issued in respect of appointment/promotions of drivers shall be deemed to be repealed.