

Bihar Technical Staff Selection Commission Rules, 2015

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Rule

BIHAR-TECHNICAL-STAFF-SELECTION-COMMISSION-RULES-2015 of 2015

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21/T.S.S.C.-03/2014Ga-5191. - In exercise of the powers conferred under section 14(1) of The Bihar Technical Staff Selection Commission Act, 2014 The Governor of Bihar is pleased to make the following Rules :-

1. Short title, extent and commencement.

(1) These rules shall be called "The Bihar Technical Staff Selection Commission Rules, 2015" (2) It shall extend to the whole of the State of Bihar. (3) It shall come into force at once.

2. Definitions.

- In these Rules, unless there is anything repugnant in the subject or the context : (a) "State Government" means the State Government of Bihar ; (b) "Act" means the Bihar Technical Staff Selection Commission Act, 2014 (Bihar Act No-13/2014) (c) "Commission" means the Bihar Technical Staff Selection Commission and it includes the Chairman and all other Members ; Provided that in case of absence of any Member on leave or otherwise, the Commission shall be deemed to be constituted comprising of the Chairman and rest members ; (d) "Chairman" means the Chairman of the Bihar Technical Staff Selection Commission appointed by the State Government under section-3 of the Act ; (e) "Member" means a member of the Bihar Technical Staff Selection Commission appointed by the State Government under section-3 of the Act ; (f) "Service and Cadre" means a service or a cadre for appointment in which, the recommendation of the Commission is required under section-8 of the Act ; (g) "Post" means any post for appointment, to which the

recommendation of the Commission is required under section-8 of the Act;(h)"Secretary" means the Secretary of the Commission appointed by the State Government and it includes the officer authorized by the Chairman to perform the function of the Secretary, in the absence of the Secretary.

3. Status, pay and facilities of the Chairman of the Commission.

(1)The post of the Chairman of the Commission shall be an officer of Indian Administrative Service in the pay scale not below super time scale whose minimum three years of Service is remain:Provided that retired officers of equivalent eligibility also may be appointed as The Chairman by the General Administration Department of the State Government.(2)All the facilities admissible to a departmental Secretary shall be available to the Chairman of the Commission working in the State Government.(3)Pay equivalent to last pay of his service period and all facilities admissible to a departmental secretary of shall be admissible to a retired officer appointed as The Chairman of the Commission.However, if an officer after his retirement is appointed as The Chairman of the Commission, he will be paid as salary from the date of his appointment after deducting the amount of pension, which he is to get after retirement from the date of retirement (including that part of the pension which has been commuted) and the amount equivalent to other retiral benefit from his earlier service.

4. Status, pay and facilities of the member of the Commission.

(1)The post of the Members of the Commission shall be of the officers of Bihar Engineering Service, Bihar Health Service and Bihar Administrative Service holding the post or already held the post of not less than grade pay of Rs. 8700 (eight hundred seven thousand) on permanent basis and whose minimum one year of service is remain.However retired officers of the equivalent eligibility also may be appointed as the member by the General Administration Department of the State Government.(2)The members of the Commission shall be eligible for pay and all the facilities admissible to officers of equivalent rank.(3)Pay equivalent to last pay of his service period and all facilities admissible to a departmental secretary of shall be admissible to a retired officer appointed as member of the Commission.However, if an officer after his retirement is appointed as Member of the Commission, he will be paid as salary from the date of his appointment after deducting the amount of pension, which he is to get after retirement from the date of retirement (including that part of the pension which has been commuted) and the amount equivalent to other retiral benefit from his earlier service.

5. Leave to the Chairman and The Members of the Commission.

- The procedure for sanction of leave to the Chairman and the Member of the Commission shall be the same as applicable to the officers of the equivalent rank. In the absence of the Chairman on leave or otherwise, The senior most member shall hold the charge of the administrative work of the Chairman.

6. Power and functions of the commission.

(1)The Commission may recommend for selection and appointment to all the Technical services/cadres/posts of the Grade Pay below 4800/ (four thousand eight hundred or equivalent as revised grade pay from time to time) as included in Schedule-1 for different departments, attached offices of the Secretariat of the State Government and Regional, District /Mufassil offices as per section- 8 of the Act.(2)The recommendations of the Commission will be valid for one year with effect from the date of recommendation:Provided the Commission shall have the power to revalidate its recommendation for further one year.

7. Transaction of Business of the Commission.

- The transaction of business as specified in Schedule-1 and 2 of these Rules shall be made by the Commission and the Chairman of the Commission respectively.

8. Functions and Responsibility of the Members of the Commission.

(1)The business mentioned in schedule-1 of these Rules shall be executed by the Chairman and Members of the Commission. Like wise, the business mentioned in schedule-2 shall be executed by the Chairman of the Commission.(2)The Chairman of the Commission may entrust the responsibilities of the Examination controller to any one of the members and the responsibilities of the Administrative Section to any one of the other members. Other members of the Commission shall execute the other responsibilities, in consultation with the Chairman.

9. Proceeding of the Meetings of the Commission.

(1)All decisions of the commission shall be recorded in the meeting by the Secretary or any other officer authorized by the Chairman. If any member dissents any decision it shall be recorded in the proceeding. In case of difference of opinion the decision shall be taken by majority of votes.(2)The proceeding of the meeting shall be confirmed in the next meeting of the Commission.(3)The decisions of the Commission shall be communicated by a letter signed by the Secretary or by an officer authorized by the Chairman.(4)The proceedings of the Commission will be confidential and will not be communicated without the permission of the Commission.

10. Financial Powers.

(1)Within the budget allocation, the Commission shall have the power to sanction expenditure for office administration except purchase of a motor vehicle and computer exceeding Rs one Lakh:Provided that The Commission shall have full power to execute, the contract and to sanction any other expenditure for office administration. For the contingent expenses, the Chairman shall have power under rule 110 (2) of The Bihar Financial Rules.(2)The Commission shall have power to sanction advance and draw of money from treasury for more than Rs. (1,00,000/-) One Lakh for conducting of examination as per the terms and conditions laid down in Rule 300 of Bihar Treasury

Code. The Chairman of the Commission shall have this power upto Rs. One lakh. In cases related to purchase, advance money shall be drawn from treasury only when there is such condition in the approved tender.(3)Procedure laid down in Item 39 of appendix 5 of the Bihar Financial Rules Part

II shall be applicable in the matters related to expenditure to be incurred on printing of question papers and evaluation of answer sheets.(4)The Commission shall keep the amount received from Government and the amount received by miscellaneous receipts in a bank by opening an account. There shall be separate bank account for the fees received from the candidates and this amount shall be deposited in the treasury under Main Head-0051- Public Service Commission, Sub Main Head-00-Small Head-105- State Public Service Commission Examination Fee-Sub Head-0003-Bihar Technical Staff Selection Commission Examination Fee, Bill Code-R- 0051001050003" immediately by the end of the month. The detail of the revenue received as fee shall be sent to the General Administration Department every year.

11. Officers and Staff of the Commission.

(1)Strength of posts of the subordinate officers and lower Staff for the working of the Commission shall be the same as may be sanctioned by the Government from time to time. Officers and lower Staffs shall be made available by the General Administration Department against approved sanctioned Strength of posts. the services of certain posts, like peon, driver, assistant computer programmer, computer operator shall be taken by the Commission on the basis of contract by an institution at the fixed pay, fixed by the Government/Beltron till the regular appointment.(2)The conditions of service of the officers and staff of the Commission shall be the same which are applicable to the Government servants. The rules, resolutions, orders regarding disciplinary action as applicable to the government servants of equivalent rank shall be applicable to the officers and staffs of the Commission.(3)The Commission may engage on contract the services of persons for specified period for smooth conduct of examinations in addition to the post sanctioned by the Government on the basis of advertisement and the Commission shall terminate their services as soon as the examination procedure is over. The Commission shall obtain the prior approval of the State Government on the number of such persons to be engaged and on the rate of the amount payable to them.

12. Financial Provisions.

(1)Annual expenditure to be incurred on establishment of the Commission shall be borne by The General Administration Department by providing the required fund under its budget head.(2)The Commission shall prepare the budget estimates every year and send it to the General Administration Department so that it may be included in the budget of the Department.

13. Control on Expenditure.

- The Controlling officer of the Commission shall control over the expenditure and execute the responsibilities conferred under Rules 471 to 483 of The Bihar Financial Rules. Maintenance of account and its audit will be made as per the procedure prescribed by the State Government. Relevant information s and reports in this regard shall be made available by the Commission to the

General Administration Department from time to time.

Schedule 1

Business to be transacted by the Commission

- 1. Annual report of the Commission.**
- 2. Scheme of Examinations and syllabus under Rules made under section 12(2) of the Act.**
- 3. All cases in which a new policy is required to be formulated for submission to Government.**
- 4. All cases in which the existing policy is required to be amended/revised for submission to Govt.**
- 5. All cases in which a decision is required to be taken regarding framing of rules for holding competitive examinations for recruitment to posts and services.**
- 6. Such cases where on recruitment rules have been framed and Commission has to formulate the procedure of recruitment.**
- 7. Submit to the Government Rules of Procedure of the Commission for transacting its business.**
- 8. Submit proposals for exclusion from Commission's purview or extension of function of the Commission for the approval of the Government.**
- 9. Issues related to research of examination system.**
- 10. Preparation of panel for constituting of Interview Board.**
- 11. Preparation of panel of advisers/Experts and structure of the Board.**
- 12. Fixing the date of interview.**

13. Fixing the dates of examination and centres of examination and the venue of evaluation centres.

14. Preparation of panel of Advocates.

15. Advertisement and notification for recruitment and selection of newspapers in which advertisements are to be published.

16. Approval of results of examinations and interview.

17. System development and other works pertaining to technical aspect of Data processing and Electronic Data Processing Branch.

18. Review of answer books on application of candidates.

19. Any other matter which the chairman places before the Commission for consideration and decision.

20. Any other matter not covered by these rules and to be sent to the Government for approval after drafting the proposal.

Schedule 2

Business to be transacted by the Chairman

1. General administration of the Commission.

2. Co-ordination of Commission's work including convening of the meeting of the Commission.

3. Allocation of business amongst the members.

4. Endorsement of any file for examination to any member nominated by the Chairman.

5. Appointment of paper-setters, moderators and examiners.

- 6. Approval of printing of question papers.**
- 7. The Chairman may place any specific matter before Commission for disposal as per necessity or in public interest.**
- 8. Scrutiny of statement of facts or filing of affidavit in court cases.**
- 9. Formation of Board from the panel approved by the Commission and fixing the dates of interview.**
- 10. Power to engage the advocates from the panel approved by the Commission.**
- 11. Matter entrusted by the Commission time to time in work interest.**