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Govt. Of Bihar
SC & ST Welfare Department
Notification

No.2/Kshe.Stha-15-04/2006- 588 Patna, Dated- 27-02-2019
In exercise of powers conferred by the proviso of Article 309 of the Constitution of India the Governor of Bihar makes the following Rules to regulate the appointment/promotion and other service conditions for the posts of Regional Clerical Cadre under the SC & ST Welfare Department Bihar.

1- Short title, extent and commencement:-

- (1) These Rules may be called "the Scheduled Caste and Scheduled Tribes Welfare Department Regional Clerical Cadre (recruitment and service conditions) Rules, 2019"
- (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 anything is repugnant the subject or the context otherwise

- (i) "State Government" means Bihar State Government.
- (ii) " Department " means Scheduled Castes and Scheduled Tribes Welfare Department.
- (iii) "Commission" means Bihar Staff Selection Commission.
- (iv) "Cadre means post of different grade of "Bihar SC & ST Welfare Department Regional Clerical Cadre like, Lower Division Clerk, Upper Division Clerk, Head Clerk and Office Superintendent, and other non-gazetted post to be created in this cadre from time to time.
- (v) "Member or, member of the Cadre" means any person appointed in the Cadre
- (vi) "Basic category" means Regional Lower Division Clerk of this cadre
- (vii) "Year" means financial year commencing from 1st April and ending on 31st March of next year.
- (viii) "Available vacancy" means in any year vacancies arising due to creation of new posts in this cadre or any other reasons.
- (ix) "Cadre controlling authority/appointing authority" means Director, Scheduled Castes and Scheduled Tribes Welfare Department
- (x) "Appointment on compassionate ground" means appointment of dependent of a Government Servant died in service period on compassionate ground as per the circulars and instructions in force for the time being.

3- Structure of the Cadre shall be as follows-

S.I	Name of category	Level	Appointing authority
1	Lower Division Clerk	Basic grade (Non-gazetted)	Director, SC & ST Welfare Department
2	Upper Division Clerk	First promotion level (Non-gazetted)	-Do-
3	Head Clerk	Second promotion level (Non-gazetted)	-Do-
4	Office Superintendent	Third Promotion level (Non-gazetted)	-Do-

4. It shall be a State Level Cadre. The State Government may determine the sanctioned strength of post of different categories of the cadre, from time to time, and in addition to sanctioned posts as mentioned in these Rules, may sanction the creation of permanent/temporary posts of this cadre. Pay-scale/Pay-level of posts of different categories of the Cadre shall be such as may be determined by the State Government, from time to time.

5- Recruitment

- (1) The ten percent (10%) posts, out of the eighty five percent (85%) posts of the created posts of Lower Division Clerk shall be reserved for appointment on compassionate ground and appointment to the Remaining posts made by direct recruitment on the basis of recommendation of Commission. Remaining fifteen percent (15%) posts of Lower Division Clerk shall be filled up from amongst the office attendants having requisite qualifications for appointment to the post of Lower Division Clerk by promotion on the basis of merit-cum- seniority.
- (2) The appointing authority shall calculate vacancies up to 1st April of every year and send reservation category wise requisition to the commission by 30th April.
- (3) The commission shall advertise the available vacancies in the prescribed manner and may recommend, to the appointing authority the name of candidates in order of their merit after selection of successful candidates on the basis of the Competitive Examination. The validity of merit list shall be up to one year from the date of receipt of recommendation in the Department.
- (4) Appointing Authority may appoint the recommended candidate initially on probation for two (2) years.

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Qualifications

- (1) The minimum educational qualification shall be intermediate pass or equivalent with the knowledge of computer typing and computer operation.
- (2) The minimum age for recruitment shall be 18 years and maximum age shall be such as may be prescribed by the State Government (General Administration Department), from time to time.

- 7- Reservation- It shall be necessary to follow the Reservation/roster policy in the appointments and promotions in accordance with the Rules and Procedure prescribed by the State Government (General Administration Department), from time to time.
- 8- Recruitment by promotion- Appointing authority shall prepare the seniority list of office attendants having requisite qualifications for appointment to the post of Lower Division Clerk. It will be compulsory for the Promoted employees to pass Computer Proficiency Test and Hindi noting/ Drafting examination within a year from the date of promotion, otherwise next increment shall not be payable.
- 9- Probation- Each direct appointment will be on probation for two years, with reasons to be recorded in writing, it may be extended by the appointing authority up to one (1) year. If the service is not found satisfactory even in extended period, the concussed probationer may be relieved from the service.
- 10- Confirmation- Service of the probationer may be confirmed after satisfactory completion of probation and passing in Hindi noting/Drafting Examination, Computer Competency test and departmental examination.
- 11- Departmental Examination-
 - (1) The Board of Revenue shall determine the procedure and subjects/syllabus and conduct the departmental examination for members of this Cadre, appointed through all the sources.
 - (2) It will be necessary to pass the department examination determined and prescribed by the Board of Revenue for this Cadre.
- 12- The persons appointed/working in regional offices on or before dated- 20.12.2000 in Upper Division Category or its equivalent Category /designation above Lower Division Clerk Category in pay scale 4000-6000/- for the time being shall automatically be deemed to be included in the Category of Upper Division Clerk of this service.

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- 13- Determination of seniority of Lower Division Clerk in this cadre- the inter-seniority of Lower Division Clerk recruited in this service under these rules shall be determined in accordance with merit list recommended by the Commission. The combined seniority of members of this service shall be determined in accordance with the principle and procedure, determined by the Government (General Administration Department), from time to time .
 - 14- Promotion- Promotion from basic category to the higher category in this cadre may be given on the recommendation of Departmental Promotion Committee under the provisions related to seniority and Kalawadhi prescribed from time to time by the State Government (General Administration Department). The Department Promotion Committee shall be constituted by the Cadre Controlling Authority by issuing the order separately.
 - 15- Residual Matters- In such matters which are not specifically covered under these Rules, members of the cadre shall be governed by the Rules, Regulations or Orders applicable to the officers/employees of proper level of State Government.
 - 16- Removal of difficulties- Scheduled Caste and Scheduled Tribe Welfare Department may issue such General/Special direction after consultation with the Law Department which is necessary to remove the difficulties coming in implementation of any of the provisions of these rules.
 - 17- Power to relax- Where the State Government of the opinion that it is expedient and necessary to relax any of the provisions of these Rules, the State Government may relax the provisions of these Rules in respect of any person/any category with regions to be recorded in writing.
 - 18- Interpretation-Where any doubt arises in respect of the interpretation of any provision of these Rules, that matter may be referred to the Department and after consultation with Law Department, those decision taken by the Department will be final.
 - 19- Repeal and savings:-
 - (1) Clerical Service Cadre Rules, 2008 of Regional Office of the Scheduled Castes and Scheduled Tribe Welfare Department and Resolutions/Rules/Orders already issued relating to it are hereby repealed.
 - (2) Not withstanding such repeal, anything done or any action taken under the said Rules, Resolutions, Orders and Instructions shall be deemed to be done, or taken under these Rules as if it was come into force on the day on which such thing was done or, such action was taken.

By the order of the Governor of Bihar


27.2.19.
Secretary to the Government

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Memo no- No.2/Kshe.Stha-15-04/16- 588

Patna, dated- 27-02-2019

Copy forwarded to the Superintendent, Secretariat press, Gulzarbagh for its publication in the extra ordinary issue of the Bihar Gazette and for sending its 200 (two hundred) copies to this Department.

 27.2.19

Secretary to the Government

Memo no- No.2/Kshe.Stha-15-04/16- 588

Patna, dated- 27-02-2019

Copy forwarded to the Accountant General, Bihar, Patna/General Administration Department, Bihar, Patna/ Finance Department, Bihar/Law Department,/Principal Secretary/Secretary, All Departments, Bihar, Patna for information and necessary action.

 27.2.19

Secretary to the Government

Memo no- No.2/Kshe.Stha-15-04/16- 588

Patna, dated- 27-02-2019

Copy forwarded to all the Divisional Commissioners/All the District Magistrates/All the Dy. Director SC & ST Welfare Department/All the District Welfare Officers/All the Sub-divisional Welfare Officers for information and necessary action.

 27.2.19

Secretary to the Government