

बिहार सरकार
योजना एवं विकास विभाग

अधिसूचना

पटना, दिनांक 26-08-2014

संख्या-यो01/स्था0-12-42/2013 3727 / अधिसूचना संख्या 3726 दिनांक 26-08-2014

का निम्नलिखित अँग्रेजी अनुवाद बिहार राज्यपाल के प्राधिकार से एतद् द्वारा प्रकाशित किया जाता है, जो भारत संविधान के अनुच्छेद 348 के खण्ड (3) के अधीन अँग्रेजी भाषा में उक्त अधिसूचना का प्राधिकृत पाठ समझा जायेगा।

बिहार राज्यपाल के आदेश से,


(पंकज कुमार)

सरकार के सचिव

सं० P 1/E 12-42/2013 3726 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 recruitment and conditions of service of the clerical cadre at Local Area Engineering Organisation of Planning and Development Department : -

Local Area Engineering Organisation Clerical Cadre (Recruitment and Service conditions) Rules, 2014.

1. **Short title, extent and commencement :-** (1) These Rules may be called as "Local Area Engineering Organisation Clerical Cadre (Recruitment and Service conditions) Rules, 2014"
 - (2) It shall extend to whole of the State of Bihar.
 - (3) It shall come into force with immediate effect.
2. **Definitions :-** In these Rules, unless the context otherwise requires:-
 - (i) "Cadre" means the clerical cadres of the Local Area Engineering Organisation.
 - (ii) "Member" means a person appointed in the cadres and includes all the persons appointed /posted on deputation or on promotion in the cadres before commencement of these Rules.
 - (iii) "State Government" means the Government of Bihar.
 - (iv) "Commission" means the Bihar Staff Selection Commission;



- (v) "Appointing Authority" means the Principal Secretary/Secretary, Planning & Development Department.
- (vi) "Category" means as specified in Rule-3.
- (vii) "Department" means Planning and Development Department.
- (viii) "Appointed day" means the date of commencement of these Rules;
- (ix) "Appointment on compassionate ground" means appointment of Compassionate ground of any one of the dependents of died government servant, as per relevant circulars/instructions of the State Govt issued from time to time.

3. **Service/Cadre Structure :-** The cadre structure of the Clerical cadre and appointing Authority shall be as follows:-

Sl. No.	Name of Category	Level	Appointing Authority
(1)	Lower Division Clerk	Basic Category	Principal Secretary/Secretary Planning & Development Department, Bihar
(2)	Upper Division Clerk	First Promotional Post	Do
(3)	Head Clerk	Second Promotional Post	Do
(4)	Office Superintendent	Third Promotional Post	Do

Note :- Additional post shall not be created for Accounts Works. Accounts Work will be done by clerical Cadre.

- (2) Pay Scale of the cadre posts/pay structure shall be the same as may be determined by the Government from time to time.
 - (3) Persons already appointed/deputed in the said Category before commencement of these rules shall be deemed to be included in the cadre automatically.
 - (4) All posts of this cadre shall be of State level.
4. **Cadre strength :-** Number of posts of each category of cadre strength shall be such of total no the which is sanctioned/ determined by the Sate Government up to the date of the commence of these Rules, and after that which is sanctioned or

determined by the Government from time to time. Out of the total sanctioned posts, 10% posts for deputation, 10% post for training and 10% posts for leave reserve may be sanctioned.

5. **Post Creation :-** The additional permanent or temporary posts of any category in the cadre may be created from time to time as per needs.
6. **Educational Qualification :-** (1) The minimum educational qualification for appointment as Lower Division Clerk shall be Intermediate (10+2) pass or equivalent, with knowledge of computer operation and computer typing.
(2) **Age Limitation :-** Minimum and maximum age for the recruitment in this cadre shall be the same as may be determined by the State Government (General Administration Department), from time to time.
7. **Reservation :-** Provisions of reservation/roster in the recruitment/promotion as determined by the State Government from time to time shall be applicable.
8. **Recruitment :-** (1) 85% posts of L.D.C shall be filled by direct recruitment on the basis of competitive examination held by the commission from time to time. Selected candidates of merit list recommended by the commission will be appointed to the clerical posts. Recommended list (panel) of the commission will be valid for one year from the date of receipt in the department.
(2) The appointing authority shall calculate the vacancies on 1st April every year and shall send the requisition to commission by 30th April.
(3) 15% posts of L.D.C shall be filled up by the eligible Group "D" employees, having Intermediate pass qualification, who have qualifications of appointment to the post of L.D.C. They will be appointed in the cadre of L.D.C in order of seniority without any examinations.
(4) Out of 85% posts for Direct recruitment, maximum 10% posts shall be filled up on the basis of compassionate ground,

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amongst such dependents of such government servant who died during service period, who holds all qualifications for the recruitment in this category according to the prescribed procedure and for whom recommendation of the commission is not required.

(5) Persons appointed as LDC or adjusted on the basis of deputation and appointed on compassionate ground, on appointed day of these Rules shall be adjusted automatically in this category.

Provided that such L.D.C who shall be deemed to be adjusted in this service automatically, whose age is less than 50 years, shall have the qualification or knowledge of computer operation and computer typing withing two years from the appointed day as determined by the State government. On not having such qualification within the said period, further pay increment will not be admissible to them.

9. **Seniority :-** (1) Inter-se seniority of the members of the service appointed in any category before the appointed day shall be regulated according to their inter-se seniority as determined before that day.

Provided that if the seniority of any member/members have not been decided before the said day, their seniority will be decided by the cadre controlling Authority.

(2) All employees included automatically in this category shall be senior to those all employees who have been appointed on any date in that category after the appointed day.

(3) Inter-se seniority of the member of the cadre shall be according to their merit position determind in the result by the Commission. If the successful candidates have been appointed on different dates, their seniority will be determined on the basis of merit position of merit list of successful candidates of that year. Provided that persons appointed on compassionat ground

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will be junior to them who have been appointed on the basis of competitive examination of the concerned year.

(4) Determination of seniority on promotional post of any category shall be according to seniority of the posts just below the posts. The list of S.No. of seniority category shall be maintained separately.

(5) Inter-se-seniority of such candidates, whose recommendation has been received but their merit position is not communicated shall be determined on the basis of Educational Qualifications and if Educational qualifications are the same, on the basis of his date of Birth, but their seniority will be determined at the last of the candidates recommended/appointed in merit order during the same transaction and in the same year.

10. **Probation Period :-** The lower division clerks shall be declared probationer from the date of joining to the post. The probation period shall be of two years. Probationer shall be confirmed after completion of satisfactory service activities and on complete performance of departmental responsibilities during the probation period. If in the probation period service is not satisfactory, the probation period may be extended for one year in special circumstances by the appointing authority. If the service is not found satisfactory in the extended period also, the person concerned shall be removed from the service.

11. **Confirmation :-** (1) A probationer shall be confirmed after completion of satisfactory probation period and passing of the departmental examination.

(2) Person recruited directly shall be entitled for the Annual pay increment. It will be admissible after passing the Hindi Noting and drafting examination conducted by the Cabinet Secretariate (Raj bhasha) Department.

12. **Maintenance of the Annual Confidential Remarks :-** Annual confidential Report of the member of the cadre shall be recorded

in two copies to avoid probable in promotion and the other one copy shall be provided to the cadre controlling Department and copy shall be maintained in the circle/Division concerned.

13. **Kalawadhi :-** For promotion in each Category it shall be required to complete the kalawadhi determined by the Genral Administration Department, from time to time.
14. **Departmental Examiniation & course :-** (1) Departmental Examination shall be conducted by the Board of Revenue. The courses shall be prescribed in consultation with the Central Examination Committee.
(2) It will be essential to pass the Departmental Examination conducted by Revenue Board for the purpose of first promotion from Basic category.
15. **Order of promotion in the cadre shall be as follows :-**
 - i. From the post LDC to the post of UDC
 - ii. From the post of UDC to the post of Head Clerk
 - iii. From the post of Head Clerk to the post of Office Superintendent
16. **Criterion of selection for promotion :-** Creiterion of elegibilities of the candidates for promotion in the cadre shall be the priciple of seniority cum merit.
17. **Selection process for Promotion :-** Selection for all promotions shall be made on the basis of recommendation of Departmental Promotion Committee. The Departmental Promotion Committee shall consider the list of double employes of the available vacancies according to the order of concerned seniority category. Recommendation of Committee shall be valid up to one year for the purposes of promotion.
18. **Department Promotion Committee :-** For post to be filled up by promotion in higher grade form time to time the Departmental promotion Committee shall be constituted consisting of the Following :-
 - i. Principal secretry/Secretary,

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|---|----------|
| Planning & Development Department:- | Chairman |
| ii. Additional Secretary,
Planning & Development Department:- | Member |
| iii. Chief Engineer,
Local Area Engineering organisation:- | Member |
| iv. Officer in Charge, Establishment,
Planning & Development Department,
Nominated by Chairman:- | Member |
| v. An Officer belonging to SC/ST,
nominated by the General Administration
Department who is not below the rank
of Deputy Secretary | Member |
19. **Administrative Control on the Members of the Cadre :-**
 (1) Administrative Department of the post of all categories of the cadre shall be the Principal Secretary/Secretary, Planning & Development Department.
 (2) Matters of creation of new posts/appointment/confirmation/promotion to the posts of all categories/transfer/posting and deputation etc in the cadre shall be maintained in the Department by the government office order and Department shall be the competent Authority.
20. **Competent Authority for Dicipinary/Penal action :-** In cases major and minor punishment to member of the cadre, The Administrative Department shall be the competent Authority to take action on the basis of the report of Regional head of the office.
21. **Miscellaneous :-** Notwithstanding any thing contained contrary to these Rules, pay (including pay fixation) allowances, leave, pension and other condition of the services of the person appointed in any category of the service shall be regulated by general rules and orders of the state for the time being enforced.
- The Department may make regulations as necessary to give effect to the provision of these Rules.

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22. **Removal of difficulties :-** The Government may, from time to time issue such general or special direction as may be necessary to remove difficulties coming in the implementation of any of the provisions of theses Rules which is not in consistent with the provisions of theses Rules.
23. **Repeal and Savings :-** (1) The previous Rules, Circulars and decisions in respect of Local Area Engineering Organisation are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Rules, circulars and decision shall be deemed to have been done or taken under theses Rule as if it were inforce on the day on which such thing or action was done or taken.

By the order of the Governor of Bihar,


(Pankaj Kumar)

Secretary to the Government

Memo No: P 1/E 12-42/2013 3726 / P & D Dated: 26 Aug, 2014
Copy to: Deputy Secretary, E-Gazette Section, Finance Department with two hard copy and CD, to Publish in Bihar Gazette.


Secretary to the Government

Memo No: P 1/E 12-42/2013 3726 / P & D Dated: 26 Aug, 2014
Copy to: Superintendent, Government Printing Pulishing Press, Gulzarbagh, Patna for Publication in forth coming edition Bihar Gazette, with two hard copy of resolution and CD.
2. A request is made to provide 100 copies of this Bihar Gazette to this department.


Secretary to the Government

Memo No: P 1/E 12-42/2013 3726 / P & D Dated: 26 Aug, 2014
Copy to: Accountant General, Bihar for information and necessary action.


Secretary to the Government

Memo No: P 1/E 12-42/2013 3726 / P & D Dated: 26 Aug, 2014
Copy to: All Principal Secretary/All Secretary, Government for information and necessary action.


Secretary to the Government

Memo No: P 1/E 12-42/2013 3726 / P & D Dated: 26 Aug, 2014
Copy to: Chief Engineer, Local Area Engineering Organisation, Bailey Road, Patna/All Superintending Engineer, Local Area Engineering Organisation, Work Circle and All Executive Engineer, Local Area Engineering Organisation, Works Division, for information and necessary action.


Secretary to the Government

Schedule-'1'

Structure and calculation of Cadre posts

(A) Post of Basic Category :-

Name of the post	Pay Scale	No of Posts	Remarks
Lower Division Clerk	5200- 20,200+Grade pay 1900/-	123	(i) One post in each Work Circle (9x1=9 Post) (ii) Two posts in each Work Division (57x2=114 Post)

(B) First Promotional post :-

Name of the post	Pay Scale	No of Posts	Remarks
Upper Division Clerk	5200- 20,200+Grade pay 2400/-	66	(i) One post in each Work Circle (9x1=9 Post) (ii) Two posts in each Work Division (57x1=57 Post)

(C) Second Promotional post :-

Name of the post	Pay Scale	No of Posts	Remarks
Head Clerk	9300- 34,800+Grade pay 4200/-	66	(i) One post in each Work Circle (9x1=9 Post) (ii) Two posts in each Work Division (57x1=57 Post)

(D) Third Promotional post :-

Name of the post	Pay Scale	No of Posts	Remarks
Office Superintendent	-	-	Post Creation Proposed

Ans 8/11/14