

RULES OF APPOINTMENT PROMOTION AND OTHER SERVICE CONDITIONS FOR THE POSTS OF BACKWARD CLASS & EXTREMELY BACKWARD CLASS

Govt. of Bihar BC & EBC Welfare Department N(YTIFICATION No.- B.C/Reg.Est-15-01/2018 S Patna, dated-24--08)/ '2-0 ? In exercise of the powers conferred by the proviso to the Article 309 of the Constitution of India, the Governor of Bihar is pleased to make the following Rules of appointment/promotion and other service conditions for the posts of Backward Class & Extremely Backward Class Welfare Services under the Backward Class & Extremely Backward Class Welfare Department, 13ihar, Patna:- 1. Short title, extent and commencement. (1) These rules may be called Bihar Backward Class & Extremely Backward Class Welfare Officer Service (Appointment and Service Conditions) Rules, 2020. (2) It shall extend to the whole of the State of Bihar. (3) It shall come in to force from the date of publication in the gazette

2. Definitions.- In these rules unless others wise requires in the context.- (ii) (iii) (iv) (v) (vi) (vii) "Service" means Bihar Backward Class & Extremely Backward Class Welfare Service; "State Government" means Government of Bihar; "Commission" means Bihar Public Service Commission; "Governor" means Governor of Bihar; "Basic Category" means Sub Divisional Backward & Extremely Backward Class Welfare Officer; "Member" or "Member of the Service" means any person appointed in the Bihar Backward Class & Extremely Backward Class Welfare Service; "Bihar Backward Class & Extremely Backward Class Welfare Service". means post of different grades in this service; ie.-(1) Sub Divisional Backward and Extremely Backward Class Welfare Officer, (2) District Backward and Extremely Backward Class Welfare Officer, (3) Divisional Deputy Director, Backward and Extremely Backward Class and other gazetted post to be created in this service from time to time. -2- (viii) "Year" means Financial Year i.e. year starting from 1st April and (ix) (x) (xi) ending on 31 March; "Available Vacancy" means vacancy available due to the creation of new posts under Bihar Backward Class & Extremely Backward Class Welfare Service or any other reason; "Department" means the Backward Class and Extremely Backward Class Welfare Department; "Controlling Authority" means Principal Secretary/Secretary, Backward Class and Extremely Backward Class Welfare Department. 3. S.N I 2 3 4. Service Structure.- This service will be under the administrative control of the Backward Class & Extremely Backward Class Welfare Department. The structure of service shall be as below- Designation Sub-Divisional Backward and Extremely Backward Class Welfare Officer District Backward and Extremely Backward Class Welfare Officer [Divisional Deputy Director, Backward and Extremely Backward Class Source of Recruitment Direct Recruitment By Promotion By Promotion Non- Appointing Authority Gazetted (Basic Grade) Gazetted (First Promotional level) Gazetted (Second Promotional level) Departmental Minister through Principal Secretary/ Secretary Governor of Bihar Governor of Bihar This Service will be of the State level. State Government may fix the cadre strength of the service and approve the creation of permanent/temporary post under this cadre besides the mentioned approved posts under para-3 in this rule. The Pay scale/Pay level of the different grades of the service will be as fixed by the State Government time-to-time. -3- 5. Source of recruitment.- In the basic grade of this service recruitment of Sub-Divisional Backward & Extremely Backward Class Welfare Officer will be made by direct recruitment. All the posts higher to the post of Sub- Divisional Backward & Extremely Backward Class Welfare Officer shall be filled by promotion from the post that is just lower. Promotion will be granted on the basis of recommendation of Departmental Promotion Committee/Commission. In the case of unavailability of the officers in the service, posts may be temporarily filled on the basis of deputation of equivalent officers from other departments of the Govt

6. Reservation.- Compliance of reservation/roster will be necessary in the appointment/Promotion according to the rules and procedures made by General Administration Department, Government of Bihar from time-to- time

7. Determination of Vacancy and Communication to Commission.- Controlling authority shall calculate the vacancy of Direct recruitment and Promotion on the basis of April every year and shall send the requisition regarding Direct vacancies reservation category wise to the Commission by the 30th April

8. Recruitment through Joint Competitive Examination.- The Commission shall advertise the vacancies after receiving category Wise vacancy from the Department and shall invite applications from the eligible candidates for the recruitment to all the posts in the basic grade of Bihar Backward Class & Extremely Backward Class Welfare Service through Joint Competitive Examination

9. Eligibility.- The age/minimum educational qualification of the candidates for direct recruitment in this service shall be the same as laid for the Joint Competitive Examination being conducted by the Bihar Public Service Commission. -4- IO.Recommendation of candidate by Commission.- On the basis of Joint Competitive Examination, Commission will prepare a merit list and recommend the State Government. Merit list will be valid for one year from the date of receipt of the recommendation in the Department. I I.Seniority.- Inter-se seniority of the Sub-Divisional Backward and Extremely Backward Class Welfare Officers recruited under this service as per rule shall be according to their merit position in the merit list recommended by the Commission. Seniority of the members of this service shall be determined according to the principles and procedures laid down by the General Administration Department of the State Government. 12.Administrative Control over the members of the cadre.- (a) Backward Class and Extremely Backward Class Welfare Department will be the Administrative Department of all the posts under the grades of this cadre, which will keep administrative control over the members of the cadre. (b) Operational control.- Sub-Divisional Backward and Extremely Backward Class Welfare Officer and the members of the posts higher to this will be under operational control of the cadre office head of the Division/District/Sub-Division in which they are posted. 13 .Probation period.- (1) Each candidate recruited against the regular vacancy shall be on probation for two years from the date of joining. In the case of service being not satisfactory during probation period, it can be extended for the next one more year. In case of service being unsatisfactory in the extended period also the service of the person may be terminated. (2) Appointing authority may cancel the appointment of any such officer recruited in this service, who do not fulfill the conditions related to appointment, or his service is not found satisfactory, or is not eligible for confirmation in this service due to other reasons. -5_ (3) After first increment, the next increment shall be admissible only after passing the prescribed departmental examination

14. Departmental Examination.- It shall be compulsory for every member appointed in this service through direct recruitment to pass the departmental examination prescribed by Board of Revenue for this service

15. Confirmation.- The service of basic category officer appointed in this service shall be confirmed after completion of satisfactory probation period and passing departmental examination

16. Selection Criteria for promotion.- "Ehe principle of Seniority- cum- Qualification will be followed for determining the eligibility criteria of the candidates for promotion under this service

17. Selection procedure for promotion.- (i) All the promotions shall be given on the basis of the recommendations of Departmental Promotion Committee. It will be necessary to fulfill the minimum qualifying service i.e. "Kalawadhi", for such promotions and other related conditions determined by General Administration Department from time-to-time. (ii). The Departmental Promotion Committee will be constituted by the cadre controlling authority by issuing separate order in this regard, for the promotion to different posts under this service

18. Residuary matters.- With regard to matters not specifically covered under the provisions of this rule or those not notified separately for this Cadre, The member of the Service shall be governed by the other relevant rules, orders and circulars which is applicable from time to time to the equivalent officers/employees of the State Government. 19.Removal of difficulties.- Backward Class and Extremely Backward Class Welfare Department may, from time to time, issue such general or special direction as may be necessary to remove difficulties in the operation of any of the provisions of this Rule. -6- 20. Power to relax.- Where the Government is of the opinion that it is necessary or expedient so to do; it may, by order, for reasons to be recorded in writing, relax any of the provisions of this rule with respect to any person or category

21. Interpretation.- Where any doubt arises as to the interpretation of any of the provisions of this Rule or the Rules made under it, or the Regulations made thereunder, the matter shall be referred to Law Department and after obtaining opinion of Law Department the Backward Class and Extremely Backward Class Welfare Department whose decision thereon shall be final. (i) All resolutions, rules and order issued

earlier with 22. Repeal and Savings.- respect to this service are hereby repealed. (ii) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under such resolutions/rules and orders shall be deemed to have been done or taken in exercise of the powers conferred by or under these rules as if these Rules were in force on the day on which such thing or action was done or taken. By the order of the Governor of Bihar, (Prem Singh Meena) Secretary to the Govt. Memo No.- B.C/Reg.Est-15-01/2018 -14⁻6\$ Patna, dated--2-Z/-CtS/ 'z o English version of Bihar Backward Class & Extremely Backward Class Welfare Officer Service (Appointment and Service conditions) Rules, 2020, by the Authority of Governor of Bihar is being published here by which the English version of the said rule shall be deemed authorized under the article 348 section (3) of the constitution. By the order of the Governor of Bihar, (Prem SinEh Secretary to the Govt.

