

(Translation)

Government of Bihar
Agriculture Department
Notification

No.-6/est.rule-16/2014

/Ag, Patna, dated 2017

In exercise of the powers conferred under proviso of Article -309 of the Constitution of India, the Governor of Bihar is pleased to make the following rules to regulate the appointment, promotion and service Conditions of Clerk cadre of associated field offices of Agriculture Department, Bihar:-

1. Short title, extent and commencement - (1) These rules shall be called Bihar Agriculture Regional Clerk cadre (Recruitment & Service Conditions) Rules - 2017.

(2) It shall extend to the whole of state of Bihar.

(3) It shall come into force at once .

2. Definition - In these Rules, unless other wise requires in the context-

(i) "Cadre" means cadre of Agriculture Regional Clerk Cadre;

(ii) "Commission" means Bihar Staff Selection Commission;

(iii) "Appointing Authority" means Divisional Joint Agriculture Director;

(iv) "Government" means Government of Bihar;

(v) "Controlling Authority" means Divisional Joint Agriculture Director;

(vi) "Department" means Agriculture Department Bihar;

(vii) "Member" means member of the Agriculture Regional Clerk cadre;

(viii) "Field Office" means all those Subordinate of offices the Department which are not attached to the Secretariat;

(ix) "Appointment on compassionate ground" means appointment of any one dependents of the deceased employee on compassionate ground according to the relevant circulars/instructions;

3 Constitution of cadre -

(1) The cadre of Agriculture Regional Clerk shall be constituted at Divisional level of which post, shall be the following:-

Sl.No.	Name of Category	Level
a	Lower Division Clerk	Basic Category
b	Upper Division Clerk	1 st Promotional level
c	Head Clerk	2 nd Promotional level

- (2) The personnel appointed before the commencement of these Rules and already working in the field offices of the department the post of Clerk on regular basis shall also be deemed to be member of this cadre.

The pay scale of the posts shall be the same which may be determined by the Government (Finance Department) from time to time.

- 4 **Cadre Strength -** Strength of cadre shall be determined by the Agriculture Department from time to time.

5 **Recruitment:-**

- (1) 85% post of Lower Division Clerk shall be filled up by direct recruitment and 15% post shall be filled up by the eligible class-IV employees having qualification for the appointment to the post of Clerk. Out of 85% post of direct recruitment, upto 10% posts shall be reserved for the appointment on compassionate ground.

- (2) All appointments shall be made in the category of Lower Division Clerk on the recommendation of the Commission.

- (3) The appointing authority shall calculate the vacancies on the basis of 1st April every year and shall send the requisition to the Commission by 30th April.

- (4) The Commission shall advertise the vacancy and shall send the recommendation to the appointing authority of the candidates in order of merit on the basis of the Competitive Examination. The validity of merit list shall be for 1 year from the date of receipt of the recommendation.

- (5) Appointing authority shall make appointment on probation for 2 years, after scrutiny.

6 **Academic qualification -**

- (1) Minimum educational qualification shall be Intermediate/+2 pass with knowledge of Computer Operation and Computer Typing.

- (2) Minimum age for direct recruitment shall be 18 years and Maximum age limit shall be the same as may be determined, from time to time, by the State Government (General Administration Department).

- 7 **Reservation -** Compliance of the provisions for reservation Roster notified by the State Government, from time to time is compulsory in the appointment and promotion.

8 **Posting** - Posting of Clerk appointed by direct recruitment will be made in the offices of Joint Agriculture Director, as well as in the subordinate field offices under the control of Joint Agriculture Director by the Joint Agriculture Director.

Inter Divisions transfer may be made by the Director Agriculture.

9 **Recruitment by Promotion** - (1) Appointing authority shall prepare the Seniority list of intermediate passed class-IV employees.

(2) Promotion shall be made according to Seniority in the Division on the recommendation of Departmental Promotion Committee.

10 **Probation** - Every recruitment shall be on probation for the period of 2 years. It may be extended for one year in the special circumstances by the appointing Authority, if the service is not found satisfactory. Such extension of period will be only when there is a chance of improvement in the probation period in the opinion of the appointing authority if in the said period also his performance is not found satisfactory, he may be terminated from the service.

11. **Departmental Examination** : (1) Department Examination shall be conducted by the Revenue Board.

(2) There shall be two papers in the Departmental Examination and it shall be compulsory to obtain a minimum of 40% marks in each paper for being qualified.

Paper-1 Service Rules-Bihar Service Code, Pension Rules, Process for Seniority and Promotion, Noting & Drafting.

Paper-2 Financial Rules- Treasury Code, Finance Rules, Practice and Procedure, Board Miscellaneous Rules, General Provident Fund Rules, Traveling Allowance Rules, Insurance Rules.

12 **Confirmation of Service** :- Any employee on the probation shall be confirmed only after completing probation period, passing in the Departmental Examination and computer efficiency.

13 **Seniority**. (1) Inter seniority of the members of the cadre shall be Divisional wise. Inter seniority of the employee appointed by direct recruitment on the basis of the competitive Examination shall be determined merit wise by the Commission.

Provided that, the person appointed in any recruitment year by promotion, shall be senior to the person appointed by the Competitive Examination in the concerned year.

(2) On transfer of the employee on request for Divisional transfer, the transferred employee shall be most junior in his cadre, but on transfer with administrative reasons the basic seniority shall not be effected.

14 Promotion: (1) Promotion in the higher category from basic category may be made on completion of Kalawadhi determined by the General Administration Department, from time to time, and on recommendation of the Departmental Promotion Committee.

(2) Departmental Promotion committee shall be constituted by the appointing authority.

15 Miscellaneous – Removal of difficulties :- (1) The department shall be competent to interpret any rule of these Rules in consultation with the Department of General Administration/ Law Department/ Finance Department.

(2) The department may remove any difficulty, coming in implementation of any rule of these rules, by publication of appropriate order in the official Gazette, after consultation with the Law Department.

(3) In respect of such subjects or points for which the provisions are not made in these rules, the provisions laid down in Code/ Rules / resolutions/ instruction, enforced for the time being by the State Government shall apply in the context of this service also.

16 Repeals and Saving: (1) All circulars/ instruction/ resolution related to the appointment and service conditions of the employees of this cadre already issued are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under any circular/instruction/resolution issued earlier shall be deemed to be done or taken under these rules as if these rules were in force when such thing was done or such action was taken.

By the order of Governor of Bihar

Sd/-

(Sudhir Kumar)

Principle Secretary to the Government

Memo No. _____ / Ag, Patna,

dated _____ 2017.

Copy forwarded to the Superintendent , Government Printing Press, Guljarbagh, Patna along with CD and two hard copies for information and publishing in the next extra- ordinary issue of Gazette.

He is requested to send 100 (one hundred) copies of this resolution to this department at the earliest

Sd/-

Principle Secretary to the Government

Memo No. _____ / Ag Patna , dated _____ 2017.

Copy forwarded to the principal Secretary to Governor/ Principal Secretary to the Chief Minister /Private Secretary to the Hon'ble Agriculture Minister/Secretary Agriculture Departments / All Heads of the Department/ All the Divisional Commissioners/ All District Officers/ All the Deputy Development Commissioners/ for information and necessary action.

Sd/-

Principle Secretary to the Government

Memo No. _____ / Ag Patna , dated _____ 2017.

Copy forwarded to the private Secretary to the Agriculture Production Commissioner / Private Secretary to the Principal Secretary / Additional Secretary/ Joint Secretary/ Deputy Secretary / Under Secretary/ Agriculture Director, Bihar/Additional Agriculture Director (Extension) / Director, Horticulture/ Director, Soil Conservation / Director, PPM/ All the officers /of Head Quarter for information/All Joint Director, Agriculture/All District Agriculture Office/All Block Agriculture Officer and Employee for information and necessary action.

Sd/-

Principle Secretary to the Government

Memo No. 487 / Ag Patna , dated 25-5 2017.

Copy forwarded to IT Manager, Agriculture Department for uploading it on the E- Mail of Agriculture Department .

*Amr dr
22-5-2017*

Principle Secretary to the Government