

Bihar Government  
Planning & Development Department

Notification

No. Yo1/Estt.12-03/2011

3247

Patna, dated 24.06.2016

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 for regulating the recruitment and conditions of service of Assistant Engineers of Local Area Engineering Organisation :

Bihar Local Area Engineering Service Rule, 2016

1. Short title, extent and commencement :-
  - i. This Rules may be called as "Bihar Local Area Engineering Service (Recruitment and Service conditions) Rules, 2016"
  - ii. It shall extend to whole of the State of Bihar.
  - iii. It shall come into force with immediate effect.
2. Definitions:- In these Rules, unless the context otherwise requires:-
  - i. Rules means "Bihar Local Area Engineering Service (Recruitment and Service conditions) Rules, 2016."
  - ii. Service means Bihar Local Area Engineering Service
  - iii. "Member" means a person appointed/ posted on deputation or on promotion in the cadres and includes all the persons appointed /posted on deputation in Work Division and circle of Bihar Local Area Engineering Organisation or on promotion in the cadres before commencement of these Rules.
  - iv. "State Government" means the Government of Bihar.
  - v. "Commission" means the Bihar Public Service Commission;
  - vi. "Appointing Authority" means Governer of Bihar.
  - vii. "Governer" means Governer of Bihar.
  - viii. "Grade" means Grade as specified in Rule-3
  - ix. "Controlling Authority" means Principal Secretary/Secretary of Planning & Development Department.
  - x. "Department" means Planning and Development Department.
  - xi. "Fixed day" means the date of commencement of these Rules;

### 3. Service/Cadre Structure-

(1) Classification of categories and posts of this service shall be according to the following:-

Sl. No.	Name of grades	Gradation of Posts	Classification of post	Level
1	2	3	4	5
(a)	Assistant Engineer	Basic grade	Group 'B'	Gazetted
(b)	Executive Engineer	First Promotion level	Group 'A'	Gazetted
(c)	Superintending Engineer	Second Promotion Level	Group 'A'	Gazetted
(d)	Chief Engineer	Third Promotion Level	Group 'A'	Gazetted
(e)	Engineer in Chief	Fourth promotion level	Group 'A'	Gazetted

(2) i. Pay Scale of the cadre posts/pay structure shall be stand revised as and when revised by the Government from time to time.

ii. Persons appointed/deputed in the grade before commencement of this rule shall be included in the cadre automatically.

iii. All post in this cadre shall be of State level.

4. Cadre strength-The cadre strength of each grade shall be total no of posts created at the time of framing of this Rule as well as created by the Government from time to time after the creation of this rule.

5. Creation of post -The additional post of any grade in the cadre may be created by Department from time to time.

#### 6. Educational Qualification-

i. The minimum educational qualification shall be degree in Civil Engineering or equivalent degree from any institutions recognised by State/Central Government

ii. Age Limitation - Minimum age for recruitment shall be 21 years and the maximum age will be the same as determined by the State Government (General Administration Department) from time to time.

iii. Procedure of Recruitment.- (1) The appointing authority, after calculating vacancy on the basis of position as on 1<sup>st</sup> April of the year shall send requisition to the Commission latest by 30<sup>th</sup> April.

7. Reservation - Provision of reservation/roaster in recruitment as well as in promotion as notified by the State Government from time to time shall be necessary.

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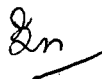
8. **Recruitment:-**

- i. 62% posts of Assistant Engineer (basic grade) of the Service shall be filled up by the competitive examination conducted by the Commission through direct recruitment. The validity of the merit list shall be for one year w.e.f. the date of receipt of recommendation.
- ii. 10% post of Assistant Engineer (basic grade) of the Service shall be filled up by promotion from Junior Engineers who have completed 5 years of regular Service and who possess AMIE degree or equivalent Engineering degree.
- iii. 28% post shall be filled up from junior Engineer holding Diploma degree.

9. **Seniority:-**

- i. Intra seniority of the member of the cadre shall be according to their merit position as determined before the notification of these Rules and shall remain unchanged. Provided that the person whose seniority has not been decided before shall be determined by the cadre controlling authority.
- ii. Provided also that the person adjusted in the respective grade shall be senior to those who have been appointed after notifications of this Rule.
- iii. Provided also that Inter seniority of the member of the cadre shall be according to their merit position determined by the commission. In any year if the member are appointed at different date, then their seniority shall be maintained on the basis of date of appointment and position in seniority list.
- iv. Provided also that determination of seniority after the promotion in any grade shall be decided through the seniority of the Lower grade. Seniority of the each grade shall be maintained separately.
- v. Provided that the person is appointed through commission but his merit position is not communicated, his seniority shall be decided by Educational Qualification & if Educational Qualification is same, then on the basis of his date of Birth.
- vi. Department shall maintain seniority list of each category of post separately

10. **Probation Period:-** Probation Period shall be decided from the date of recruitment (joining) on the post of Assistant Engineer. The period of probation shall be for two year. Probationer shall be confirmed after completion of satisfactory probation period. If the probation period is not satisfactory, it can be extended for one year in special circumstances by the appointing authority. If the service even then is not found satisfactory or there is serious complaint against the person in the probation period, the person concerned shall be removed from the service.



11. Departmental Examination:-

(i) Directly recruited member shall be entitled for annual pay increment only when they pass Departmental Examination conducted by the Board of Revenue.

(ii) Promotion for directly recruited member shall not be considered till they pass Departmental Examination conducted by the Board of Revenue.

(iii) The date of passing the examination will be next date of end day of departmental examination.

12. Departmental examination curriculum:- Departmental examination shall be conducted by Central Examination Committee of Board of Revenue

(i) Curriculum of examination will as follows:-

Member will have to pass written and oral examination at one time in order to be declared successful.

Serial no.	Subject	Full marks	Marks	Time
1	2	3	4	5
(A) Hindi	(Written Exam.)	200	120	3 Hours
	(a) Noting	50		
	(b) Drafting	50		
	(c) Translation (From hindi to english 40 and from english to hindi 40)	80		
	(d) Correction of sentences	20		
Candidates securing for 50% and above marks will be declared to pass at lower level and securing 60% and above marks will be declared to pass at higher level.				
(B) Hindi	(Oral Exam.)	100	50	Prescribed by board of revenue
	(a) Talk on general subject	40		
	(b) Test of knowledge of general and technical words and sentences in ordinary uses	30		
	(c) Oral reading of hindi and english transcript and their verbal translation in hindi and english	30		

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(ii) Accounts :- Departmental Examination shall be conducted by Central Examination committee of Revenue Board. The Curriculam of accounts would be as follows. It will be necessary to pass in both (i) Accounts without books (ii) Accounts with books.

Serial no.	Subject	Full marks	Marks	Time
1	2	3	4	5
First paper	Account (with book)	100	60	1.30 hours
	(i) An Introduction to Indian Govt, Accounts and audit. (Second Edition) published in 1940 under the authourity of the Auditor General of India. Chapter 6,7,8,9 (Paragraphs 138 to 164, 170, 179, 187 and 192 only 10,11,13 to 19 and 27.) (ii) The Bihar Treasury code, Vol. 1 & Chapter I to IV and chapter V(Second I,II and III only)			
Second Paper	Written (with book)	100	60	1.30 Hours
	(i) The Bihar Service Code Chapters VI (Section I to VII only) and VII. (ii) Bihar Treasury code, Vol. 1\ (iii) Bihar T.A.Rules. (iv) Bihar Pension Rules, Chapter III,VIII (Section1), X,XI (Section I and II) and XII. (v) Bihar Financial Rules.			

(iii) Law :-

Method	Written (with book)	200	120	3 Hours
	(i) P.W.D. Code (ii) Right to Information Act, 2005 (Central Act 22 of 2005) (iii) Bihar Right to Information Rules, 2006 (Amendment) Rules, 2009 (iv) Bihar Right to Public Service Act, 2011			
	(v) Bihar Special Court act, 2009 (vi) Bihar Government Servent Conduct Rules, 1976 (Amendment) Rules, 2011 (vii) Bihar civil services (Classification, Control and Appeal) Rules, 2005 with third amendment, 2010. (viii) Various construction scheme of Central and State Government executed through Planning and Development Department.			

13. Confirmation:- A probationer shall be confirmed after completion of satisfactory probation period and passing of the departmental examination.

14. Maintenance of the Annual Confidential Remarks:- Annual Confidential Report of the member of the cadre shall be written in two copies which shall be maintained at cadre controlling department level.

15. Promotion in the cadre shall be in the follwing order:-

i. From Assistant Engineer to Executive Engineer;

- ii. From Executive Engineer to Superintending Engineer;
  - iii. From Superintending Engineer to Chief Engineer;
  - iv. From Chief Engineer to Engineer in Chief.
16. **Criteria for Selection of promotion:-** Promotion in the cadre shall be decided on the basis of principle of merit cum seniority.
17. **kalavdhi:-** For promotion in higher post kalavdhi as decided by General Administrative Department shall be followed.
18. **Selection process for Promotion :-** All Promotion in this Cadre shall be determined on the basis of recommendation of Departmental Promotion Committee. The Departmental Promotion Committee shall consider the panel of seniority list which will be just double of existing vacancy. Recommendation of Committee for promotion shall be valid till one year.
19. **Department Promotion Committee :-** For Promotion from Assistant Engineer to Executive Engineer and from Chief Engineer to Engineer-in-Chief, the Departmental promotion committee shall be constituted by Department.
20. **Administrative Control on the Members of the Cadre :-**
- i. Administrative Department for all grades of posts shall be Principal Secretary/Secretary, Planning & Development Department.
  - ii. Creation of New posts/appointment/Confirmation/Promotion in all grades/transfer/posting and deputation etc in the cadre shall be maintained by the Government notification at the department and Department shall be the competent Authority for these orders.
21. **Miscellaneous:-** Notwithstanding any thing contained contrary to this Rule in respect to persons appointed regarding Pay (including pay fixation) Allowances, leave, Pension and other condition of the services, the provision of this Rules shall have over riding effect.
- The Department may make regulations as necessary to give effect to the provision of these Rule.
22. **Repeal and Savings:-** The previous Rules, Circulars and decisions in respect of Local Area Engineering Organisation are hereby repealed. Notwithstanding such repeal, anything done or any action taken in the exercise of any powers Conferred by or under said Rules, circulars and decision shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Rule were in force on the day on which such thing or action was done or taken.

23. Power to remove difficulties :- The Government 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 these Rules and not in consistent with the provisions of these Rules.

By the order of the Governor of Bihar,

  
(Dr. Deepak Prasad)

Principal Secretary  
Planning and Development Department,  
Bihar, Patna

Memo No. Yo1/Estt.12-03/2011 3247 Patna, dated 24.06.2016  
Copy To: Finance Department (E- Gazette Cell), Bihar, Patna with two sets of Hindi & English version of the Cadre Rule with CD for publishing it in the coming Extra-ordinary Gazette.

  
Principal Secretary

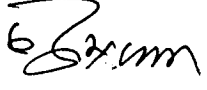
Memo No. Yo1/Estt.12-03/2011 3247 Patna, dated 24.06.2016  
Copy To: Accountant General, Bihar, Patna for information & necessary action.

  
Principal Secretary

Memo No. Yo1/Estt.12-03/2011 3247 Patna, dated 24.06.2016  
Copy To: Chief Engineer, LAEO, Bihar, Patna/ All Superitendant Engineer, LAEO, Bihar/ All Executive Engineer, Bihar For Information & necessary action.

  
Principal Secretary

Memo No. Yo1/Estt.12-03/2011 3247 Patna, dated 24.06.2016  
Copy To: Chief Secretary, Bihar, Patna/Development Commissioner, Bihar, Patna/All Principal Secretary/All Secretary/All Head of Departments/All Divisional Commissioner/ All District Magistrate Bihar, for information & necessary action.

  
Principal Secretary

